FINAL RESTORATION PLAN and ENVIRONMENTAL ASSESSMENT

for the

GENESEE RIVER,

AND GENESEE RIVER WATERSHED, NEW YORK

March 2019

Prepared by:

United States Fish and Wildlife Service

on behalf of the

Department of the Interior

and

New York State Department of Environmental Conservation

Executive Summary

In 2014, the United States Department of the Interior, acting through the United States Fish and Wildlife Service, and the State of New York, acting through the New York State Department of Environmental Conservation, 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. 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's Rochester facilities (Site) into the Genesee River. The Trustees received approximately $4.3 million to compensate for the natural resource injury[1].

The Trustees are required to use settlement funds to compensate for those injuries by restoring injured natural resources and supporting habitat, and/or services provided by the injured resources. The Comprehensive Environmental Response, Compensation, and Liability Act requires that before settlement monies can be used for restoration activities, that the Trustees must develop and adopt a restoration plan and provide for adequate public notice, opportunity for hearing, and consideration of all public comments. Accordingly, on June 17, 2015, the Trustees issued a Request for Restoration Project Ideas (Request) to identify potential restoration projects. The Request 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.

On June 19, 2016, the Trustees released a Draft Restoration Plan and Environmental Assessment (RP/EA) and sought public comment. The Draft RP/EA explained the considerations and criteria for identifying and evaluating restoration alternatives followed by descriptions of the proposed and preferred restoration alternatives. The Draft RP/EA included public input in the form of restoration project ideas received prior to June 2016. This Final RP/EA incorporates the public comments received during the July 19, 2016, through September 30, 2016, public comment period and any additional restoration project ideas received as of the finalization of the RP/EA. The Trustees preferred restoration alternative includes a suite of restoration projects from the following restoration categories: Instream and Stream Bank Enhancement/Restoration, Wetland Enhancement/Restoration, Upland Enhancement/Restoration, Avian Enhancement/Restoration, Fisheries Enhancement/Restoration, Amphibian and Reptile Enhancement/Restoration, Land Acquisition, and Natural Resource-Based Public Use Enhancement. Seven restoration projects have been identified, evaluated, and incorporated into the Final RP/EA, see Section 2.2.1, Instream and Stream Bank Enhancement/Restoration, Section 2.2.2, Wetland Enhancement/Restoration, Section 2.2.5 Fisheries Enhancement/Restoration, and Section 2.2.8, Natural Resource-Based Public Use Enhancement for further information.

Additional specific restoration projects will be solicited through a forthcoming Request for Proposals. Submitted restoration project proposals will be evaluated against Site-specific and regulatory criteria so as to sufficiently compensate for ecological and natural resource-based public use losses. Development of monitoring plans and monitoring activities will be a requirement for all restoration project proposals. Prior to awarding of funding, respondents must ensure that the restoration project will be maintained and protected for a length of time commensurate with the funding and project purpose. The selected restoration project proposals will be published with a public notification period of 30 days.

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[1] A portion of the compensation is in stocks which vary in value.

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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 Final 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's (Kodak) Rochester facilities (Site) into the Genesee River. The Trustees are required to use settlement funds to compensate for those injuries by restoring injured natural resources and supporting habitat, and/or services provided by the injured resources. The CERCLA, which designates natural resource trustees, requires that before settlement monies can be used for such activities, the Trustees must develop and adopt a restoration plan and provide for adequate public notice, opportunity for hearing, and consideration of all public comments. Accordingly, the Trustees prepared and distributed a Draft RP/EA on June 19, 2016, and sought public comment. This Final RP/EA incorporates the public comments received during the July 19, 2016, through September 30, 2016, public comment period.

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 (RCRA). The SWMUs have been grouped into 28 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).

In 2015, NYSDEC, the primary beneficiary of the Eastman Business Park Environmental Trust, conducted a RCRA Facility Investigation (RFI) at the lower Genesee River. The portion of the lower Genesee River addressed under the investigation is referenced as Operable Unit 5 (OU-5), the study area is defined as the stretch of river from the mouth at Lake Ontario to the Lower Falls and includes the background (upstream) area. The RFI conclusions are summarized in RCRA Facility Investigation Report for the Lower Genesee River (Operable Unit 5 of the Eastman Business Park) (NYSDEC 2017).

C. Natural Resources and Impacts to those Resources

The Genesee River is an important ecological, cultural, economic, and historical natural resource. Genesee River resource uses include fish and wildlife habitat, freshwater for drinking, irrigation, industrial uses, recreation, transportation and navigation, energy production, and sanitation (Genesee/Finger Lakes Regional Planning Council (GFLRPC) 2004). Stressors to this important resource that result in excess nutrient, sediment, and contaminant input to the Genesee River include: hydrologic and habitat modifications, agricultural runoff, historic industrial input, stormwater runoff, and inadequate water treatment (GFLRPC 2004). Local, State, and Federal entities are working to restore and preserve the Genesee River as an important resource as noted by the numerous conservation and restoration plans:

- Rochester Embayment Area of Concern Remedial Action Plans (NYSDEC and Monroe County 1993, 1997, and Monroe County Department of Public Health 2011).
- The Genesee River Basin Action Strategy (GFLRPC 2004).
- Genesee River Watershed Management Plans: Conesus Lake (Livingston County 2003), Honeoye Lake (GFLRPC 2007), Black Creek (GFLRPC 2014a), and Oatka Creek (GFLRPC 2014b).
- City of Rochester Local Waterfront Revitalization Program (City of Rochester 2015).
- County Comprehensive Plans (Allegany County Board of Legislature 2013).
- Genesee River Basin Nine Key Element Watershed Plan for Phosphorus and Sediment (NYSDEC 2015).
- Restoration Plan and Environmental Assessment for the Genesee River and Genesee River Watershed, New York (this restoration plan).

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 have resulted 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). 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. Sediments with concentrations of silver exceeding Class C sediment (>2.2 mg/kg dw) values given in NYSDEC sediment guidance (NYSDEC 2014), are considered to be highly contaminated and likely pose a risk to aquatic life. As noted within NYSDEC 2014, sediment concentrations that exceed the Class C sediment guidance values present 75% likelihood that toxicity will be observed. In addition, the likelihood of toxicity is greater when more than one contaminant exceeds Class C sediment guidance values. Genesee River sediment concentrations of cadmium, downstream of the Kodak Site, ranged from 0.81 – 19.7 mg/kg dw (Neuderfer 2007), and exceeded the Class C sediment guidance value for cadmium (> 9 mg/kg dw, NYSDEC 2014).

Silver has also bioaccumulated in biota sampled within the Genesee River. Fish tissue samples, from caged fish 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 ww, compared with a maximum silver concentration in lake sturgeon 1 year later of 0.490 mg/kg ww. Concentrations of silver increased ten-fold over the course of a year between the 2003 stocking and the 2004 capture and re-sampling. For comparison purposes, Eisler (1996) noted that silver concentrations in fish muscle tissue were usually less than 0.1 mg/kg ww. While there is a great amount of information on the acute toxicity of the free silver ion to aquatic organisms, the mechanisms of chronic and body burden silver toxicity remain poorly understood (Wood *et al*. 2012). The author recommended further research in order to investigate the potential for endocrine disruption and possible relationships between tissue-specific residues or whole-body burdens of silver and chronic toxic responses.

Genesee River sediment concentrations of silver (1.8 to 151 mg/kg dw, Neuderfer 2007) also exceed the USEPA Ecological Screening Values (ESVs) for avian and mammalian wildlife (4.2 and 14 mg/kg dw, respectively, USEPA 2006). Concentrations of contaminants in soil above the ESVs may be toxic to wildlife. While information on silver toxicity to wildlife is limited, silver

has been shown to be toxic in avian and mammalian laboratory studies with toxic effects including reduced growth and reproduction and increased mortality (USEPA 2006).

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 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 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 Trustees received approximately $4.3 million to compensate for the natural resource injury[1]. 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 (Request) to identify potential restoration projects. The Request described the settlement, provided the format for submission of project ideas for consideration, and described the criteria and factors to be used

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by the Trustees in evaluating projects. The Trustees sent the Request to multiple parties, including the Rochester Embayment Area of Concern 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 was published in the Rochester Democrat and Chronicle on August 12, 2015.
On June 19, 2016, the Trustees released a Draft RP/EA and sought public comment. The Draft RP/EA included public input received prior to June 2016. This Final RP/EA incorporates the public comments received during the July 19, 2016, through September 30, 2016, public comment period and any additional restoration project ideas received as of the finalization of the RP/EA. All received restoration project ideas, as of finalization of the RP/EA, are included in Appendix A. As noted above in Section A, the CERCLA requires that before settlement monies can be used for restoration activities, the Trustees must develop and adopt a restoration plan and provide for adequate public notice, opportunity for hearing, and consideration of all public comments.

E. Proposed Restoration

1. Goals of the Restoration Projects

In developing the RP, the Trustees are required to consider a reasonable number of possible restoration alternatives (43 CFR, § 11.81, DOI NRDAR Regulations). This section of the Final RP/EA explains the considerations and criteria for identifying and evaluating restoration alternatives followed by descriptions of the proposed and preferred restoration alternatives.

According to the guidance provided by DOI NRDAR regulations, 43 CFR § 11.82(d), the selected restoration 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 alternative, each restoration alternative and proposed restoration project 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. The Genesee River and Genesee River Watershed Final RP/EA criteria 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 priority. 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 cost 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. As the preferred restoration alternative project categories may also be supported by other Federal, State, and local funding sources, the Trustees propose to use the Kodak Site settlement funds to leverage additional funds, where possible, for all restoration projects. 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 alternatives and specific projects. 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 – Additional site-specific 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. 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.
- Absence of contamination.
- Benefits to native and 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 plans referenced in Section C above including, but not limited to, the City of Rochester's Local Waterfront Revitalization Program (City of Rochester 2015), County Comprehensive Plans (Allegany County Board of Legislature 2013), Genesee River Basin Nine Key Element Watershed Plan for Phosphorus and Sediment (NYSDEC 2015), or Genesee River subwatershed plans.

2.1 Proposed Restoration Alternatives and Project Ideas

Proposed Restoration Alternatives and Project Ideas Considered

The Trustees considered a broad set of restoration alternatives that could potentially improve ecological and public use 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 and best management practices (BMPs) that reduce nutrient and sediment input within the Genesee River Basin. Examples of BMPs include use of cover crops, nutrient management, exclusion fencing, stream bank stabilization, and riparian buffers. In addition to restoration alternatives proposed by Trustee agencies, restoration project ideas were solicited from the public through a Request 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 proposed restoration alternatives considered by the Trustees included:

- Instream and Stream Bank Enhancement/Restoration
- Wetland Acquisition, Enhancement and/or Restoration
- Upland Enhancement/Restoration
- Fisheries Enhancement/Restoration
- Amphibian and Reptile Enhancement and/or Restoration
- Avian Enhancement/Restoration
- Submerged Aquatic Vegetation Restoration
- Land Acquisition
- Recreational Use: fishing, boating, etc.

Restoration project ideas provided through the Request and public comment period included:

- Osprey Nesting Platforms
- Stream Bank Restoration and Riverine Wetland Enhancement
- Sturgeon Habitat Creation
- Invasive Species Removal
- Implementation of BMPs
- Refurbishment/Maintenance to Genesee River Gorge Overlooks/Existing Parks
- Fishing & Recreational Lower Genesee River Access and Fish Cleaning Station
- River Access and Rest Stations for Paddlers and Motorized Boat Launch

- Marine Patrol Vessel for Law Enforcement/Safety
- Biking and Walking Trails
- Development of River Tours
- Educational Interpretive Exhibit
- Student/Citizen Scientist Online Water Monitoring Project
- Genesee River Institute: River-oriented Education/Outreach
- Aquarium at the Kodak Hawkeye Facility

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 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 losses of resource services.

2.2 Preferred Restoration Alternative

The Trustees preferred restoration alternative is implementation of a suite of restoration projects from the below restoration categories that compensate for losses and satisfy the site-specific and regulatory criteria listed above. The Trustees may implement restoration projects from restoration categories that are not specifically identified in this Final RP/EA, but are similar to those restoration categories identified and consistent with our restoration objectives. The need to implement restoration projects beyond the Final RP/EA preferred restoration alternative may arise from 1) the inability to achieve restoration goals by implementing projects solely within identified categories, or 2) a determination that a future action and/or project outside of the identified categories is more appropriate at meeting restoration goals based on application of the site-specific and regulatory criteria, as noted above in Section E.1 and E.2. In the event of a significant modification to the Final RP/EA, the Trustees will provide the public with an opportunity to comment on that particular amendment. The preferred restoration alternative project categories:

- Instream and Stream Bank Enhancement/Restoration
- Wetland Enhancement/Restoration
- Upland Enhancement/Restoration
- Avian Enhancement/Restoration
- Fisheries Enhancement/Restoration
- Amphibian and Reptile Enhancement/Restoration
- Land Acquisition
- Natural Resource-Based Public Use Enhancement

Seven restoration projects have been identified, evaluated, and incorporated into the Final RP/EA, see Section 2.2.1, Instream and Stream Bank Enhancement/Restoration, Section 2.2.2, Wetland Enhancement/Restoration, Section 2.2.5 Fisheries Enhancement/Restoration, and Section 2.2.8, Natural Resource-Based Public Use Enhancement for further information. Additional specific restoration projects will be solicited through a Request for Proposals (RFP). Submitted restoration project proposals will be evaluated against the site-specific and regulatory criteria, as noted above in Section E.1 and E.2, so as to sufficiently compensate for ecological and natural resource-based public use losses. As stated in Section E.1.4, Relative Costs, the preferred restoration alternative project categories may also be supported by other Federal, State, and local funding sources, and the Trustees propose to use the Kodak Site settlement funds to leverage additional funds, where possible, for all restoration projects. Development of monitoring plans and monitoring activities will be a requirement for all restoration project proposals. 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. As restoration progresses, the Trustees may amend the Final RP/EA if significant changes are made to the types, scope, or impact of the projects. In the event of a significant modification to the Final RP/EA, the Trustees will provide the public with an opportunity to comment on that particular amendment.

2.2.1 Instream and Stream Bank Enhancement/Restoration

This restoration category improves instream sections along the Genesee River and its tributaries and riparian zones and ranges from BMPs, including exclusion fencing and riparian buffer strips, to natural channel design restoration projects. To date, the Trustees have received three project ideas to restore stream banks and shorelines. Instream restoration consists of restoring the functional relationships between stream dimension, pattern, and profile to create a natural stable channel. Stream bank restoration, an example of a BMP that reduces nutrient and sediment input, consists of enhancing riparian buffers along the shoreline of the Genesee River and tributaries. The Great Lakes Basin Riparian Opportunity Assessment tool (http://nynhp.org/treesfortribsgl) would be helpful in selecting upper watershed restoration locations that would have the greatest benefit to impacted riparian areas downstream. Proposed restoration actions may include debris removal, establishing/enhancing riparian buffers, invasive species management, exclusion fencing, acquisition, conservation easements, natural channel design, and/or revegetation. Instream and stream bank 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 lake sturgeon by improving shoreline habitat, reducing soil erosion and runoff, and enhancing water quality.

The Genesee River is the second largest tributary contributing phosphorus to Lake Ontario. 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 stream bank 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). In addition, specific recommendations for BMPs, within subwatersheds, are provided, including cover crops, grassed waterways, buffer strips, and stream bank stabilization (NYSDEC 2015). Based on the priority stream bank erosion areas noted above, one stream bank restoration project has been identified, evaluated, and incorporated into the Final RP/EA.

Genesee River Angelica Stream Bank Restoration

The selected stream bank restoration project was one of two projects originally submitted during the 2015 Request to identify potential restoration projects. In 2018, at the request for additional information from the Trustees, the project submitter provided further details on the original projects and three additional potential stream bank restoration projects along the main stem of the Genesee River from Caneadea to Fillmore and Belmont to Angelica as noted in the NYSDEC (2015) Genesee River Basin Nine Key Element Watershed Plan for Phosphorus and Sediment. After evaluation of the five restoration projects and site visits, stream bank restoration of approximately 3,000 linear feet of un-buffered agricultural field along the Genesee River in the Town of Angelica was selected.

The stream bank restoration project would involve the incorporation of large wood and willow cuttings to stabilize the stream bank. Using large trees, with intact root balls, as opposed to rock or rip rap, have many benefits including: a decrease in water velocity due to the added root structures in the water, an increase in habitat diversity provided by the tree roots, and an increase in water quality provided by the willow cuttings which provide shade and act as a riparian buffer between the land and the river.

2.2.2 Wetland Enhancement/Restoration

Wetland enhancement and restoration focuses on protection, enhancement, and/or restoration of wetlands along the shorelines of the Genesee River and its tributaries. To date, the Trustees have received three project ideas to enhance and restore riverine wetlands along the Genesee River. Proposed restoration actions may include excavation of channels and potholes within monotypic cattail marshes and invasive species management. Restoration actions may also include debris removal and methods to restore natural habitat patchiness and topographic and vegetative complexity. Two specific wetland restoration projects have been identified, evaluated, and incorporated into the Final RP/EA. 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.

Genesee River Turning Basin Wetland Restoration and Turning Point Park Wetland Restoration

In 2014, at the request of the USEPA Great Lakes National Program Office, under the Great Lakes Restoration Initiative, the USFWS New York Field Office completed an assessment of Rochester Embayment Area of Concern (AOC) wetlands to assess trends in wetland size and condition, and rank wetland habitats for protection and restoration (Gefell et al. 2014a, 2014b). As part of the assessment project, the USFWS ranked relative wetland quality among 15 waterbodies (seven lotic and eight lentic) using a total of 26 metrics representing features of structural and vegetative habitat, water quality, and animal communities. The USFWS identified the environmental features contributing most to wetland habitat impairment across the project area. The USFWS also recommended enhancing wetland habitat resiliency by assuring New York State water quality standards are met within the most degraded watersheds. In particular, the USFWS recommended track down studies of major phosphorus and ammonia sources, implementation of source loading reduction measures, where feasible, and application of best management practices.

A Habitat Restoration Recommendation Project was a direct extension of the Rochester Embayment AOC wetland habitat assessment project (Gefell et al. 2014c). This project utilized the output from the wetland assessment project and conducted further analyses of the assessment data to recommend solutions and prioritize areas most in need of restoration. Two of the ten recommended habitat restoration projects for the AOC were Genesee River wetland restoration projects (Figures 3-5), Turning Basin wetland restoration and Turning Point Park wetland restoration.

The two Genesee River wetland restoration projects, Turning Basin wetland restoration and Turning Point Park wetland restoration, would involve excavation of channels and potholes within monotypic cattail marshes within the City of Rochester's Genesee River Turning Point Park, along the Genesee River. Restoration actions may also include methods to restore natural habitat patchiness and topographic and vegetative complexity. Channels and potholes within emergent marshes would be sited to restore areas that were historically open water. Construction in emergent marshes would occur in areas currently dominated by cattail, thereby reducing coverage of invasive species. Native herbaceous and mast-bearing shrubs would be planted to directly reduce coverage by invasive plants and encourage usage of wetlands by wildlife.

2.2.3 Upland Enhancement/Restoration

Upland restoration consists of enhancing grassland habitat along the banks of the Genesee River and tributaries, another example of a BMP that reduces nutrient and sediment input to the waterway. Proposed restoration actions may include fencing, acquisition, conservation easements, site preparation (may include cutting, plowing, disking, herbicide treatment for invasive species management), native grass planting, and post-planting mowing (schedule and 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 (*Pandion haliaetus*) 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*). To date, the Trustees have received one project idea to restore nesting habitat (platforms) for osprey. 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

This restoration category encompasses a range of restoration actions in order to address the needs of various fish species in the assessment area. To date, the Trustees have received two project ideas to enhance fish species, including lake sturgeon habitat. Proposed restoration actions may include creation of, enhancement of (including debris removal), or access to spawning or nursery habitat, including submerged aquatic vegetation planting and invasive species management, 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 lake 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*. lake sturgeon), including efforts by the USGS. 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 6 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

This restoration category focuses on habitat protection, enhancement, and/or restoration with emphasis on New York State Species of Special Concern (e.g., spotted turtles and eastern spiny soft shell turtles (*Apalone spinefera*)). 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. 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. To date, the Trustees have received seven project ideas to acquire land for ecological, recreational, and educational restoration projects.

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 Natural Resource-Based Public Use Enhancement

Based on input from public comments during the draft RP/EA public comment period, the restoration category "Recreational Use: fishing, boating, etc.," was revised. Revisions were made in order to comprehensively address the requirement to compensate for human use losses by improving the connection between the communities and natural resources through

recreational, educational, and cultural use. The Trustees plan to support projects that will provide natural resource and public use enhancement services to offset the loss of similar services resulting from hazardous substance injuries. Specific restoration project proposals which include recreation or environmental education as a component of habitat protection or restoration will need to pass the regulatory and site-specific criteria provided above in Sections E.1 and 2, Goals of the Restoration Projects and Site-Specific Criteria, respectively.

The Trustees will support natural resource-based public use enhancement projects that direct high intensity public use activities away from ecologically sensitive areas, thus protecting or preserving the ecological integrity of such areas. The Trustees do not anticipate, nor do they wish to omit, the possibility of the development of new parks in the area. If the development of a new park becomes a reality, a supplemental NEPA document evaluating the impacts will be published.

Restoration projects may include improvements or creation of recreational opportunities along the Genesee River including access to the river (e.g., trails, bridges, and boardwalks) and shore and boat fishing access to the Genesee River. For some of the access alternatives, recreation and fishing would be enhanced through new public access to sections of the Genesee River and its tributaries that are currently inaccessible. For other access alternatives, recreation and fishing would be enhanced through more convenient non-boater and boater access and the installation of fish cleaning stations to certain stream sections. New public boat access would provide enhanced fishing opportunities for anglers fishing from boats. Boater rest stations, for canoe, kayak, and boarders, 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. Based on the desire to expedite compensation for human use losses, a natural resource-based public use enhancement project has been identified, evaluated, and incorporated into the Final RP/EA.

Lower Genesee River Access Dock in Seneca Park

The selected natural resource-based public use enhancement project was one of the projects originally submitted during the 2015 Request to identify potential restoration projects. In 2018, the Trustees evaluated 6 (six) projects that could be implemented on public land in an effort to expedite project implementation. After evaluation and site visits of the 6 (six) projects, the Lower Genesee River Access Dock in Seneca Park was selected.

The Lower Genesee River Access Dock in Seneca Park will include replacing the existing fishing dock with a dock that is more sturdy and accessible, and a space for kayak and canoers to tie up and rest. Along with replacing the dock, the path leading through the park will have increased signage, and improved access leading down the embankment to the dock. The park entrance at the terminus of Seneca Park Avenue will also be renovated to be more visible, and the Trustees will seek to locate increased parking options. The dock will provide anglers with access to this area of the river, along with acting as a rest station for paddlers on the river. This project also includes invasive species management, and ensuring habitat stability for native biota.

As stated above in Section A, Introduction, the Trustees are required to use settlement funds to compensate for natural resource injuries by restoring injured natural resources and supporting habitat, and/or services provided by the injured resources. Consideration will be given to environmental natural resource education and outreach projects which can be demonstrated to generate engagement in restoration and stewardship of Genesee River natural resources. Environmental natural resource educational and outreach projects that are a component of natural resource restoration projects and/or enhance the benefits of the restored natural resources may be appropriate. Educational and outreach examples may include providing Genesee River related educational programs for both the public and students through Genesee River exhibits and collections, associated with restored habitats or access areas, hands-on activities, educational outreach programs related to restored Genesee River environmental resources, and other interactive activities. These programs have the potential to link Genesee River recreational activities such as bird watching, hiking, and fishing with educational components.

2.3 Environmental Benefits from Preferred Restoration Alternative

Implementation of the preferred restoration alternative is 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 restoration categories, listed above and within the preferred restoration alternative, could include minor disruption of riverine and stream bank habitats during project implementation (e.g., stream bank 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 alternative is achieved, in part, through the dissemination of this document to, and review by, appropriate agencies and the public. All 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, 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 alternative represents 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 RP/EA, 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 respondent 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 proposal packages submitted for review and approval prior to the award and transfer of funding.

Prior to awarding of funding, each respondent 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. Response to Comments Received

The Trustees received twelve comments from eleven entities during the 70-day comment period on the Draft RP/EA (Six Private Citizens, NYSDEC, City of Rochester, Genesee RiverWatch, Genesee Valley Audubon Society, The Lower Falls Foundation, and The College at Brockport-State University of New York). Comments can be categorized as questions, suggestions to incorporate local plans and tools into the RP/EA, and restoration project suggestions.

1. Specific Questions

1.1 Question: How can the public comment on restoration plans when they have not seen the results of the NYSDEC Genesee River investigation (http://www.dec.ny.gov/permits/97804.html)?

Response: The intent of the Draft RP/EA was to outline the types of restoration project categories that will be conducted within the Genesee River and the Watershed. The categories proposed cover the suite of categories considered and conducted in other river systems that have had similar restoration plans. The categories contained in the Draft RP/EA included enhancement/restoration of instream and stream banks, wetlands, uplands, fisheries,

amphibians/reptiles, avian, submerged aquatic vegetation restoration, land acquisition, and recreational uses (fishing, boating, etc).

No specific restoration projects with locations have been selected, beyond the two Genesee River wetland restoration projects noted in Section 2.2.2. Specific restoration project selection will occur after the Final Genesee River RP/EA (Final RP/EA) has been approved and selection will occur under an RFP process. You are correct that the remedial investigation and cleanup of the Genesee River is still underway (http://www.dec.ny.gov/permits/97804.html). You are also correct that no restoration projects that are within the Genesee River remedial footprint will be implemented until the final remedial action for the Genesee River has been determined (and for some project areas, the remedial actions completed). While we (the Trustees) will not conduct specific restoration projects until the remedy is finalized, we can move forward with planning (Draft and Final RP/EA). Also, as noted on page 5 of the Draft RP/EA, one of the Site-Specific Criteria is that the project location area is free of contamination or other issues that might preclude project section.

1.2 Question: What is the Status of the request for proposals (RFP) for Genesee River NRDAR?

Response: The Trustees will solicit requests for restoration project proposals (anticipated late summer 2017) and after project selection, implementation will commence.

1.3 Question: Would conservation easements be considered eligible for NRDAR funds under the stream bank/upland enhancement/restoration categories?

Response: Yes but there will be certain procedures that will need to be followed. The RFP will contain the procedures and requirements for conservation easements.

2. Suggested Existing Plan and Tool Incorporation

Three comments were received that pertained to the incorporation of existing local plans and tools into the RP/EA. The existing plans and tools suggested for incorporation into the Final RP/EA, and not already referenced in the draft RP/EA, include: City of Rochester's Local Waterfront Revitalization Program and Harbor Management Plan, Rochester Embayment Area of Concern Remedial Action Plan and Stage II Addendum, and Great Lakes Basin Riparian Opportunity Assessment tool (http://nynhp.org/treesfortribsgl). The Trustees agree with the suggested plan and tool language incorporation and have revised Section C. Natural Resources and Impacts to those Resources, Section E.2, Site-Specific Criteria, "Part of larger local or regional plan or vision," and Section E. 2.2.1 Instream and Stream Bank Enhancement/Restoration to reference the suggested plans and tool.

3. Suggested Restoration Projects

A majority of the comments received provided input on suggested ecological, recreational, and educational restoration projects (see Appendix A). The ecological restoration suggestions included creating flat rock reef habitat for lake sturgeon, shoreline restoration and stabilization

using trees with intact root systems and rock, invasive species removal, and implementation of farm practices to decrease nutrient and sediment input (BMPs) to the Upper Genesee River. Recreational restoration suggestions included refurbishment and maintenance of existing Genesee River gorge overlooks, trash removal at Turning Point Park boardwalk, easily accessible river access for paddlers, support for biking and walking trails, specific trail section creation, support of specific trail section creation projects, and development of river tours. Educational restoration suggestions included development of an interpretive exhibit, student/citizen scientist online water monitoring project, and Genesee River Institute to provide river-oriented education and outreach.

The Trustees determined that seven of the eight restoration categories within the preferred restoration alternative appropriately captured the majority of suggested restoration projects except for "Recreational Use." The "Recreational Use: fishing, boating, etc.," restoration category has been revised to "Natural Resource-Based Public Use Enhancement Projects." In addition, language has been added to the restoration categories, within the preferred restoration alternative, that more broadly incorporate the variety of restoration techniques and projects under consideration, including invasive species removal, BMPs, and natural resource based recreational and educational projects.

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Figures

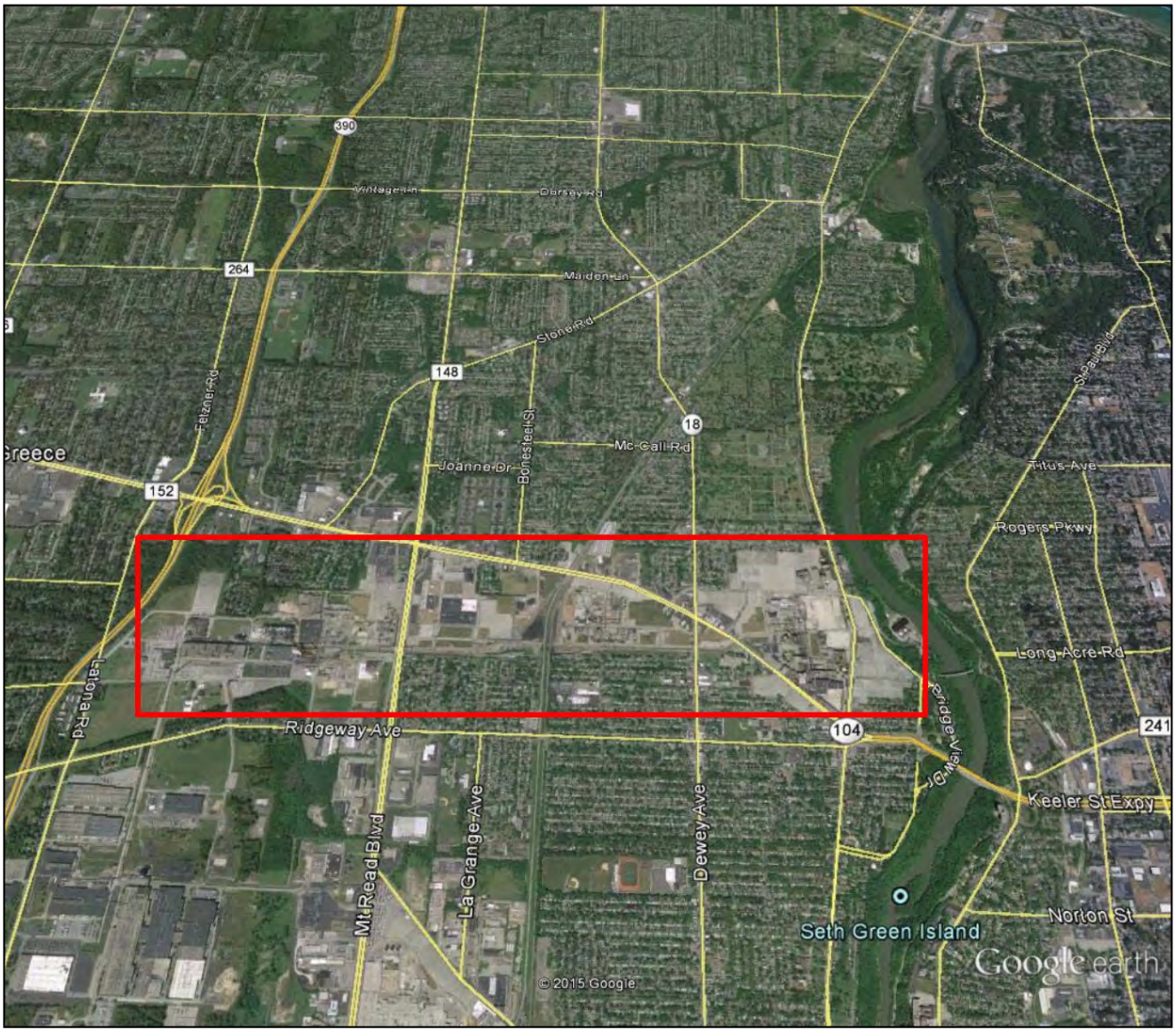


Figure 1. Eastman Kodak Company's Rochester facilities, adjacent to the Genesee River, in Rochester, New York.

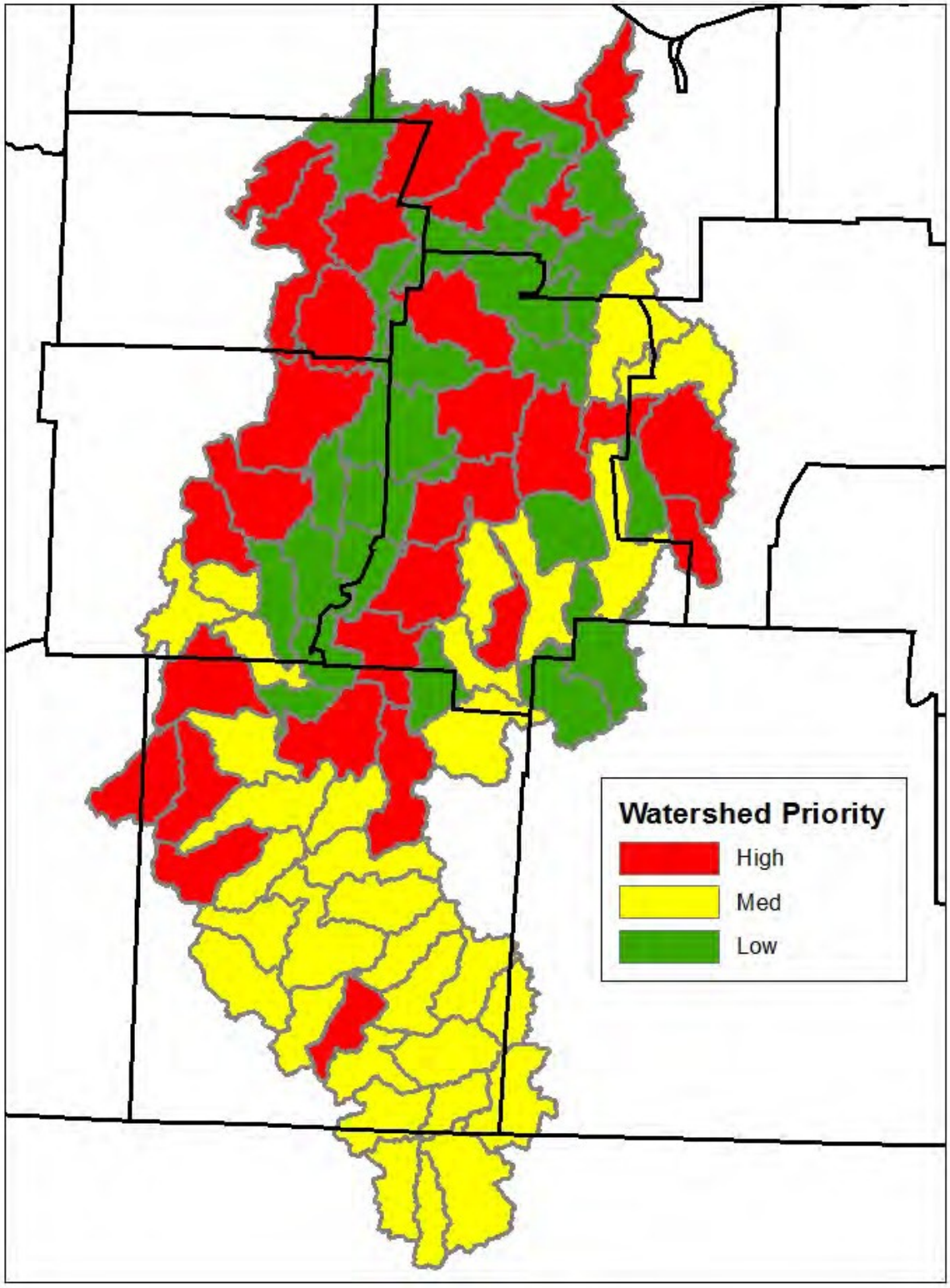


Figure 2. Highest priority subwatersheds, for phosphorus loadings, within the Genesee River Basin. Figure from NYSDEC 2015.

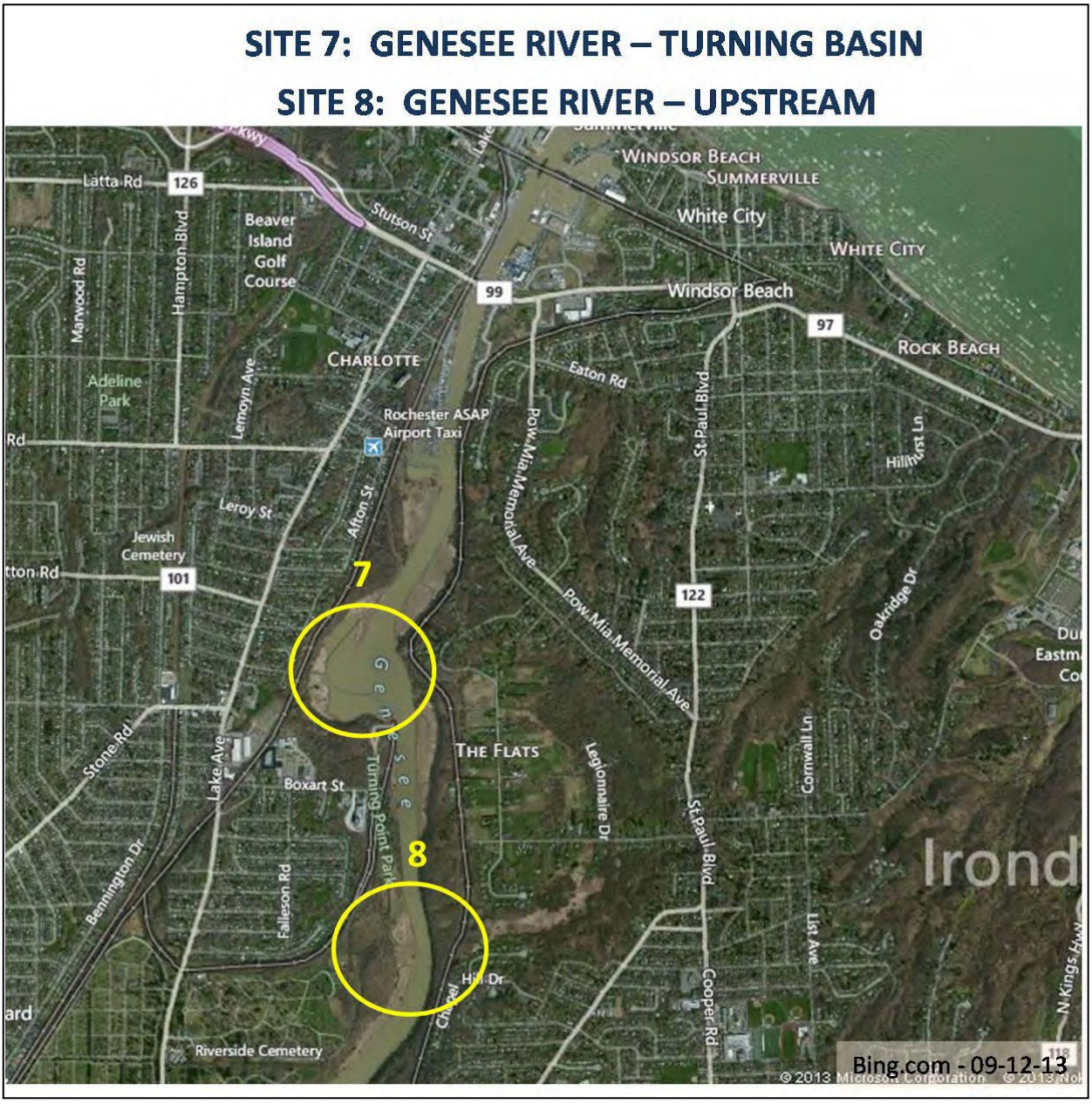
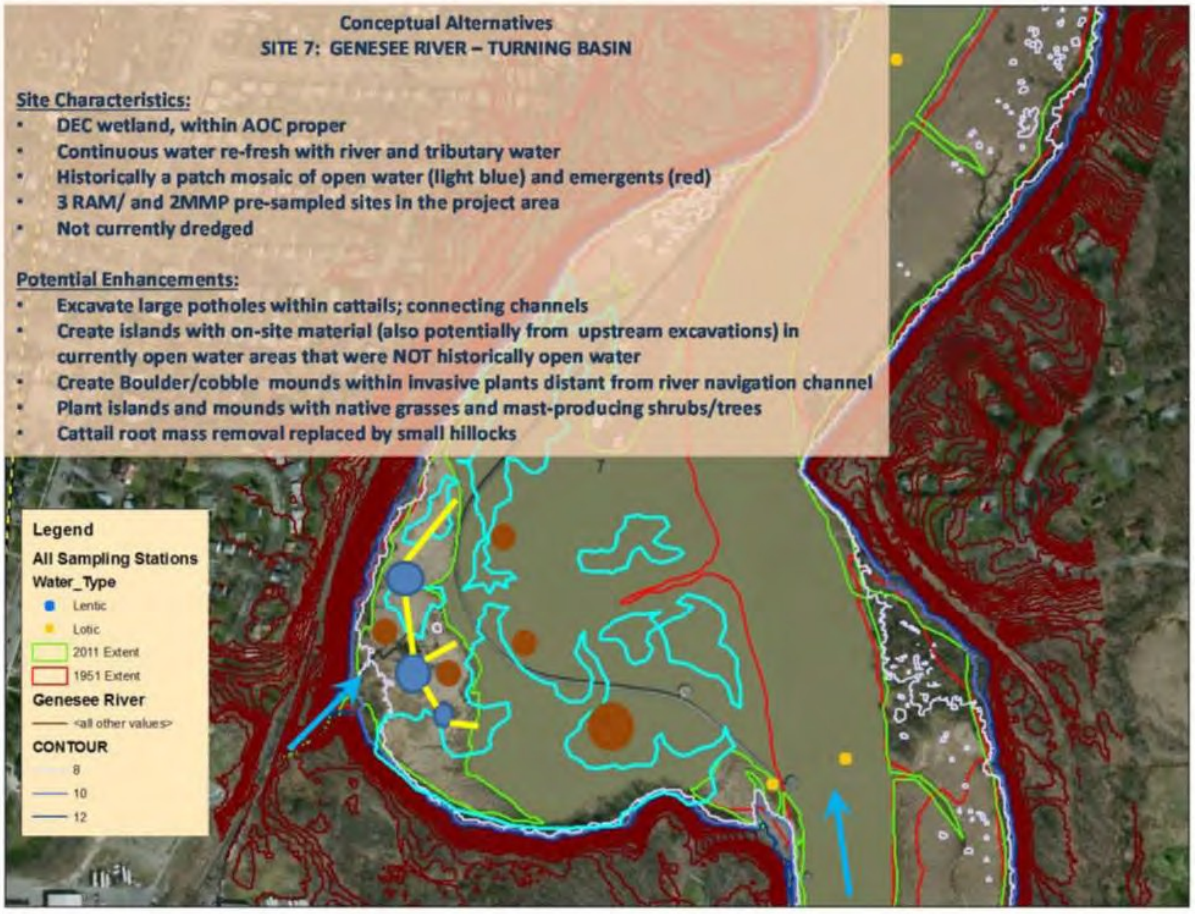


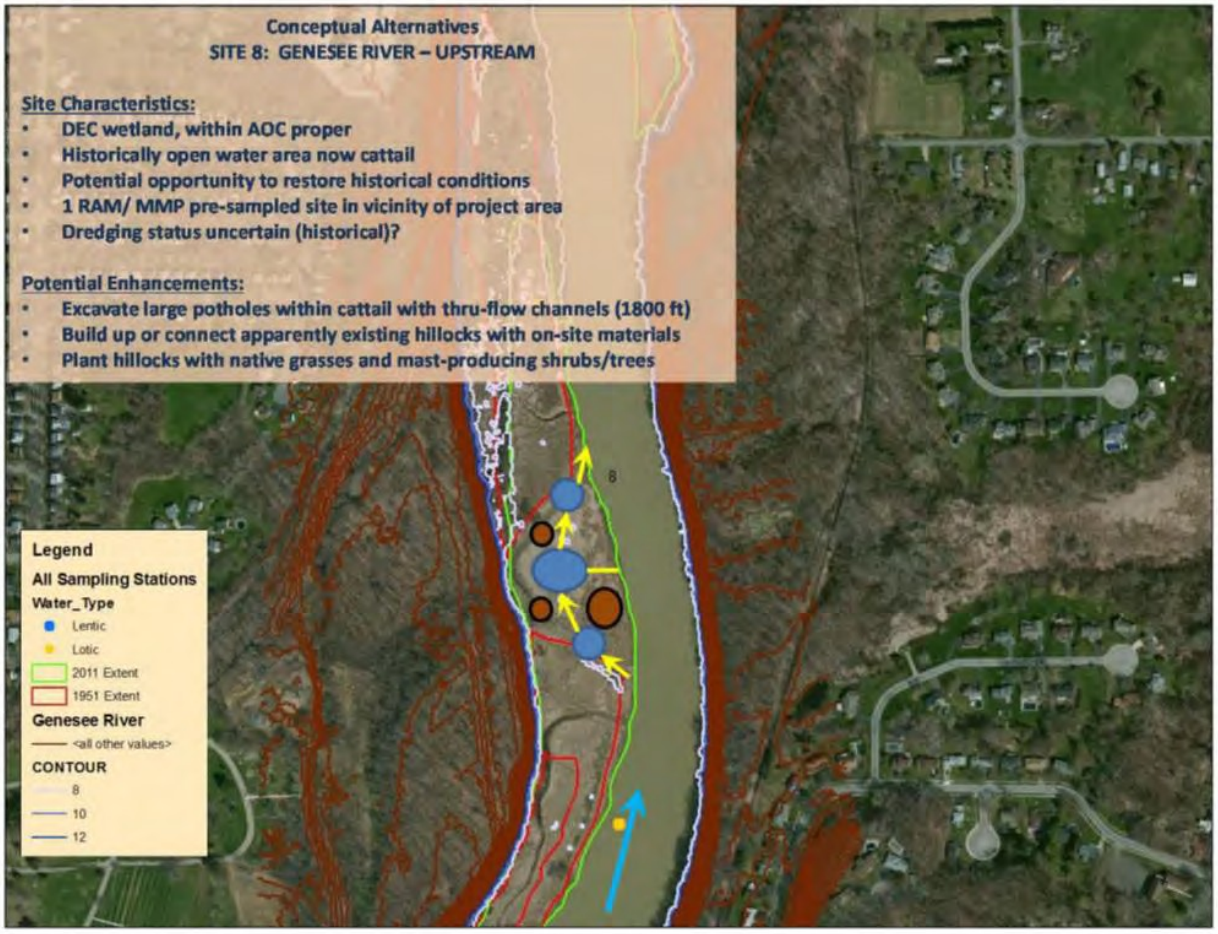
Figure 3. Genesee River wetland restoration projects recommended for the AOC. Figure from Gefell et al. 2014c.



Symbol Explanation: blue arrows indicate current flows; yellow lines are proposed new surface water connectors; blue ovals are proposed new potholes; brown ovals are proposed new islands or boulder/cobble mounds; light blue polygons were areas of open water in 1951 interspersed within historically more extensive emergent wetland (historical outer boundary of marsh is red line at edge of navigation channel)

Legend Explanation: contours are from LiDAR data (presumably feet above mean lake level); 2011 and 1951 Extent are emergent wetland boundaries developed in the wetland assessment project; Sampling Stations are also from the wetland assessment project

Figure 4. Genesee River Turning Basin wetland restoration project recommended for the AOC. Figure from Gefell et al. 2014c.



Symbol Explanation: blue arrows indicate current flows; yellow lines are proposed new surface water connectors; blue ovals are proposed new potholes; brown ovals are proposed new islands or boulder/cobble mounds; light blue polygons were areas of open water in 1951 interspersed within historically more extensive emergent wetland (historical outer boundary of marsh is red line at edge of navigation channel)

Legend Explanation: contours are from LiDAR data (presumably feet above mean lake level); 2011 and 1951 Extent are emergent wetland boundaries developed in the wetland assessment project; Sampling Stations are also from the wetland assessment project

Figure 5. Genesee River Turning Point Park wetland restoration project recommended for the AOC. Figure from Gefell et al. 2014c.

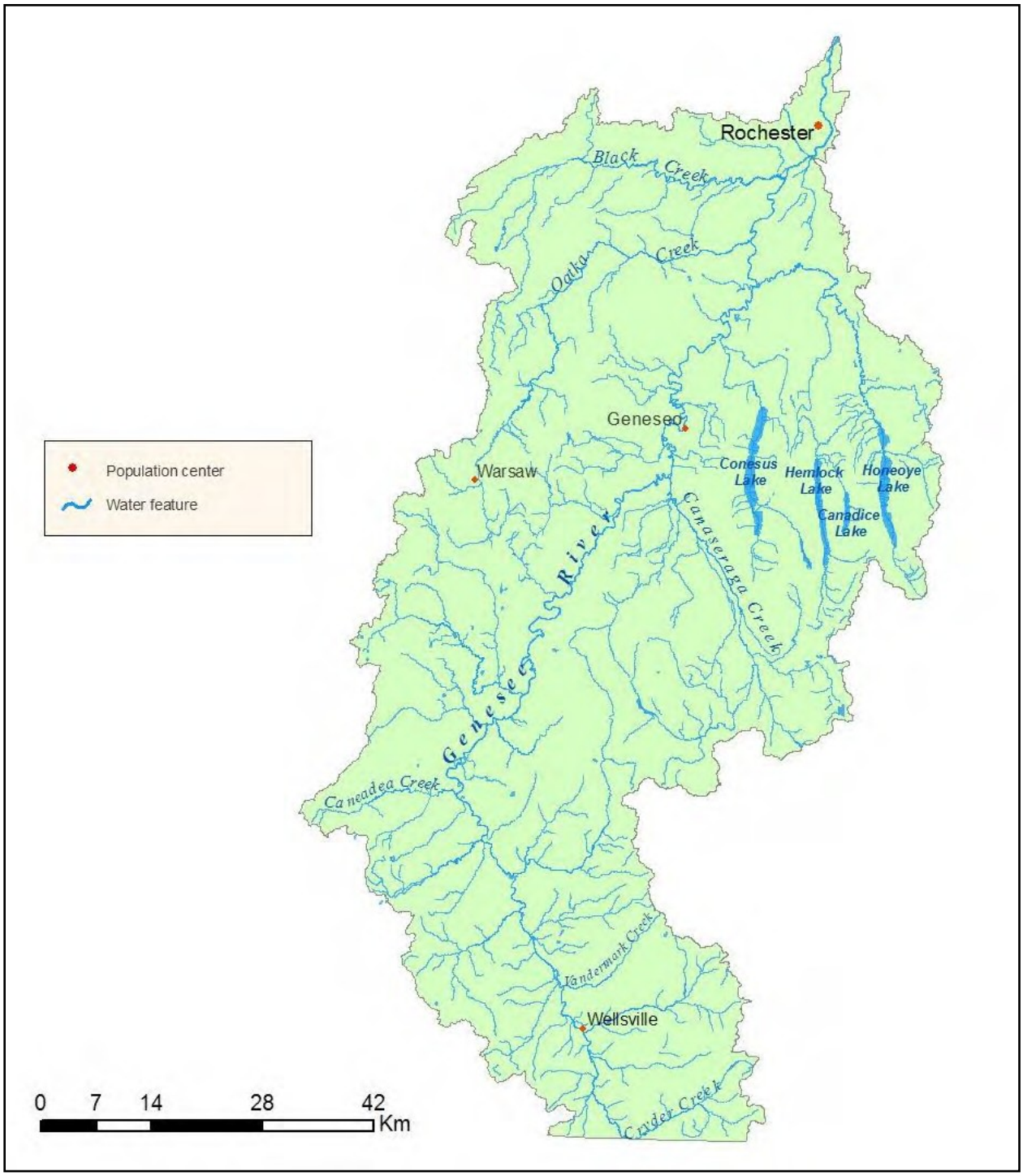


Figure 6. New York Genesee River Watershed Map (http://www.dec.ny.gov/lands/53653.html)

UNITED STATES FISH & WILDLIFE SERVICE

ENVIRONMENTAL ACTION STATEMENT

Within the spirit and intent of the Council of Environmental Quality's regulations for implementing the National Environmental Policy Act (NEPA) and other statutes, orders and policies that protect fish and wildlife resources, I have established the following administrative record and have determined that the action of the Final Restoration Plan and Environmental Assessment for the Genesee River, and Genesee River Watershed, New York:

_X_ is a categorical exclusion as provided by 516 DM 6 Appendix 1 and 516 DM 6, Appendix 1. No further documentation will therefore be made.

_____ is found not to have significant environmental effects as determined by the attached Environmental Assessment and Finding of No Significant Impact.

_____ is found to have significant effects, and therefore further consideration of this action will require a notice of intent to be published in the Federal Register announcing the decision to prepare an EIS.

_____ is not approved because of unacceptable environmental damage, or violation of Fish and Wildlife Service mandates, policy, regulations, or procedures.

_____ is an emergency action within the context of 40 CFR 1506.11. Only those actions necessary to control the immediate impacts of the emergency will be taken. Other related actions remain subject to NEPA review.

Other supporting documents (list):

Regional Director/DOI Authorized Official

6 March 2019
Date

Final 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 Final Restoration Plan and Environmental Assessment for the Genesee River and Genesee River Watershed, New York, is hereby approved.

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

SIGNED BY
Mark Barash
2/6/2019
Senior Attorney
Northeast Region
Office of the Solicitor

Approved:

Concurred:

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

Date

Andrew Guglielmi
Senior Attorney
Office of General Counsel
New York State Department of
Environmental Conservation

Date

Final Genesee River Restoration Plan and Environmental Assessment Approval
Genesee River and Genesee River Watershed, New York

By the signatures below, the Final Genesee River Restoration Plan and Environmental Assessment is hereby approved.

APPROVED:

Thomas S. Berkman
Deputy Commissioner and General Counsel

New York State Department of
Environmental Conservation

Appendix A. Received Restoration Project Ideas

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: htt ://www.fws. ov/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/no rtheast/nyfo/ec/GeneseeRiver .htm Send completed forms to:

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

[redacted]

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 Osprey are present during the breeding season, they are not yet nesting int he area. Reestablishment of breeding pairs would restore and ensure future generation the presence of this toptrophic 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).
__ 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.
__ 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/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 Trustee Council

Natural Resource Damage Assessment and Restoration

NEW YORK STATE OF OPPORTUNITY | Department of Environmental Conservation

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

[redacted]

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 theJandowne.r

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 describe any actions, studies, or funding commitments that have already been initiated for this project.

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

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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

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

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 SUGGESTIONFORM

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

[redacted]

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).

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_ 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. GEi'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

r-0Ew YORK | Department of Environmental Conservation

RESTORATION SUGGES ION FORM

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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).

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_ 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

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NEW YORK STATE OF OPPORTUNITY | Department of Environmental Conservation

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9

[redacted]

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).

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_ 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 resourceeducation/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: 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/Contactt 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)"

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Genesee River

Natural Resource Damage Assessment and Restoration

Trustee Council

WYORK lf.%N1rv Department of Environmental Conservation

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Am_Roe_fws._ov

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[redacted]

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. "

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

WYORK Ri N,n Department of Environmental Conservation

RESTORATION SUGGESTION FORM

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

---1..,.,

Written: "*- center for environmental

[redacted]

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"

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!

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
- 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:/lwww.fws. ov/northeast/n o/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

Written: "*- center for environmental

[redacted]

Project Description: Please describe project, including objectives, and explain how the project would address potentiallyinjured 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 protectio.n)

_ 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)"

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

Genesee River

Natural Resource Damage Assessment and Restoration

Trustee Council

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
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.

Fishing & Recreational Lower Genesee River Access Dock & Deck in Seneca Park
Objectives:
1. Construct a permanent fishing and recreational access dock and deck on the east side of the lower Genesee River in Seneca Park at the same site where remnants of a previous wooden dock exist accessed off of a trial at the end of Seneca Park Avenue.
2. Create ADA accessibility to the only fishing & recreational dock and deck on the lower Genesee River in Monroe County's Seneca Park.
3. Restore wildlife (fish, bird, reptile, amphibian...) habitat adjacent 1/4 acre on either side of the new dock/deck by removing cat tails and phragmites following established protocols (PRISM).

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.

☐ 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.

Monroe County Seneca Park in Irondequoit

.....Permanent ADA Accessible trail from parking area existing on County Park owned railroad bed with switch back approaching river bank ending at 30 foot long (parallel to river bank) and 12 feet wide river front deck and dock.

.....Potential cost = $600K ($50K planning & design, $550K construction)

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

.....Site visit by County Parks Department leadership and cost benchmarked with Turning Point River Walk across the river.

.....See attached Power Point presentation with site map and photos.

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

County of Monroe Parks Department subcontract for design & construction and guidance from PRISM for cat tail removal and management

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Genesee River

Natural Resource Damage Assessment and Restoration

Trustee Council

RESTORATION SUGGESTION FORM

GENESEE RIVER NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION

Background:

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- Likelihood of success
- Cost effectiveness
- Ability to produce demonstrable, quantifiable benefits
- Compatibility with Trustee resource management goals

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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.

The Lower Falls Foundation proposes to revive commercial riverboating on the Genesee River for historical tourism, ecotourism, classroom enrichment, and recreational enhancement. The launch point would be the King's Landing area, along the Genesee River in Rochester, NY. The King's Landing area is user friendly to Eastman Business Park and near a parking lot on Lake Avenue with a potential ADA compliant pathway from the wooded upper section of the gorge which descends to the river. The goal is to develop a self-sustaining business that provides local jobs, recreational opportunities, improves the accessibility of public lands, improves awareness of the environmental issues in the area and expands interpretive and recreational opportunities for travelers along this fascinating and underdeveloped corridor and its impact on history. In alignment with the draft restoration plan and the environmental assessment, the project as proposed offers proximity to the Genesee River (impacted site), proximity to injured resources, proximity to protected lands, and contributes to public enjoyment of natural resources.

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.
- ☐ 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.

Current owner is the City of Rochester. The use of King's Landing as a launch site would lead to expeditions to areas such as the Carthage settlement, Kelsey's Landing, the stone quarry near Memorial Bridge used by Native Americans, Charlotte and other points of interest along the 4 miles of waterway between the Lower Falls and the port of Charlotte. We estimate $25,000 is required to redevelop a path into an ADA compliant walkway. We estimate an initial cost of $50,000 with tours lasting two hours for $15 each. Based on our paid classroom and historic tours made available to the public, we estimate 1,500 customers the first year equivalent to $22,500 in revenue.

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

The Lower Falls Foundation has applied for the site of Kelsey's Landing (north of driving park bridge on west bank of the Genesee) to be included on the Network to Freedom. Inclusion in the network would bring the first federal designation to acknowledge the importance of the Underground Railroad in Rochester, NY, and celebrate Kelsey's Landing as a site where Frederick Douglass himself raised funds and smuggled freedom seekers to ships bound for Canada, Detroit and Europe. Lower Falls Foundation has also done extensive tours of the area and led several neighborhood cleanups in the area. The Lower Falls Foundation has delivered numerous tours to neighborhood, corporate, and student groups to great acclaim.

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

Community organizations include the Maplewood YMCA of Greater Rochester. NYS Senator Rich Funke has endorsed the educational and philanthropic activities of the Lower Falls Foundation. See his video at https://www.lowerfallsfdn.com/2016/06/10/senator-rich-funke-showcases-lower-falls-foundation
The Maplewood Neighborhood Association is also a partner in showcasing the opportunities of the Lower Falls neighborhood. The Rochester Museum and Science Center also house a collection of Native American and European cultures, as well as significant interpretive resources of the area that would address the archaeology, biology, geology of the area. The museum also houses many artifacts that would complement the tours offered.

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Genesee River
Natural Resource Damage Assessment and Restoration
Trustee Council

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

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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.

The Lower Falls Foundation proposes the transformation of the Hawkeye Plant (1447 St. Paul Street, Rochester, NY) into the world's most environmentally advanced aquarium. The aquarium would offer scientific and environmental opportunities for residents and tourists alike. The aquarium would raise public awareness of the historical and environmental impact through exhibits, displays, and educational and recreational programs that promote conservation and support research. In addition, the site can offer citizen scientists a base of operations to review collect, organize, analyze, and share river data for monitoring and review. This enriched classroom learning experience would involve earth science, chemistry, cartography, water and soil sampling, and environmental conservation. In alignment with the draft restoration plan and the environmental assessment, the project as proposed offers proximity to the Genesee River (impacted site), proximity to injured resources, proximity to protected lands, and contributes to public enjoyment (and conservation) of natural resources.

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.
- ☐ 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.

Our focus would begin at the Hawkeye plant currently owned by the City of Rochester in Monroe County, NY. The project would require rehabilitation and ADA remediation. The Long Island Aquarium and Exhibition Center opened in 2000 for $15M as a repurposed industrial site. In addition to the Restoration Funding, other potential sources include Community Development Block Grants, NYS Office of Parks, Recreation and Historic Preservation, federal constituencies such as the Institute of Museum and Library Services and various private foundations toward scientific education, outreach and investment in historically disadvantaged areas and historically underserved populations.

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

Based on on new research and an application from The Lower Falls Foundation, the National Park Service has selected the former site of Kelsey's Landing (north of driving park bridge on west bank of the Genesee) to be included as a site in the Network to Freedom. Inclusion in the network brings the first federal designation to acknowledge the importance of the Underground Railroad in Rochester, NY, and celebrate Kelsey's Landing as a site where Frederick Douglass himself raised funds and led freedom seekers to ships bound for Canada, Detroit and Europe. The Lower Falls Foundation has also led numerous tours to neighborhood, corporate, and student groups to great acclaim as well as several neighborhood cleanups in the area.

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

Community organizations include the Maplewood YMCA of Greater Rochester. NYS Senator Rich Funke has endorsed the educational and philanthropic activities of the Lower Falls Foundation. See his video at https://www.lowerfallsfdn.com/2016/06/10/senator-rich-funke-showcases-lower-falls-foundation
The Maplewood Neighborhood Association is also a partner in showcasing the opportunities of the Lower Falls neighborhood. The Center for Great Lakes Literacy (www.cgll.org) has numerous examples of successful partnerships of K-12 students partnering with mentor organizations at universities and successful data collection projects.

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Genesee River
Natural Resource Damage Assessment and Restoration
Trustee Council

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:

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- 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

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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.

The Lower Falls Foundation proposes the development of an outdoor wayside interpretive exhibit at the historic King's Landing site along the Genesee River. The exhibit would explore the site as a microcosm of Rochester: a pioneer settlement, a maritime transportation center, a nexus of industry, and the post-Eastman legacy. The exhibit would enhance historical tourism, offer classroom enrichment, and enhance recreation and improve the community's understanding of its place in the history of the nation. In alignment with the draft restoration plan and the environmental assessment, the project as proposed offers proximity to the Genesee River (impacted site), proximity to injured resources, proximity to protected lands, and contributes to public enjoyment of natural resources.

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.
- ☐ 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.

Our focus would begin at the King's Landing / Hanford's Landing site currently owned by the City of Rochester in Monroe County, NY. We estimate $25,000 is required to redevelop a path into an ADA compliant walkway. The site would be in the area of the current historical marker for King's Landing. The outdoor interpretive exhibit would offer interpretive resources regarding several nearby historic locations, including the later river settlements (after King's Landing and Hanford's Landing) of McCrackenville, Carthage, Kelsey's Landing. In addition, the stone quarry near Memorial Bridge used by Native Americans offers additional perspective into the underrepresented pre-European presence in current interpretive resources.

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

The Lower Falls Foundation has applied for the site of Kelsey's Landing (north of driving park bridge on west bank of the Genesee) to be included on the Network to Freedom. Inclusion in the network would bring the first federal designation to acknowledge the importance of the Underground Railroad in Rochester, NY, and celebrate Kelsey's Landing as a site where Frederick Douglass himself raised funds and smuggled freedom seekers to ships bound for Canada, Detroit and Europe. Lower Falls Foundation has also done extensive tours of the area and led several neighborhood cleanups in the area. The Lower Falls Foundation has delivered numerous tours to neighborhood, corporate, and student groups to great acclaim.

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

Community organizations include the Maplewood YMCA of Greater Rochester. NYS Senator Rich Funke has endorsed the educational and philanthropic activities of the Lower Falls Foundation. See his video at https://www.lowerfallsfdn.com/2016/06/10/senator-rich-funke-showcases-lower-falls-foundation
The Maplewood Neighborhood Association is also a partner in showcasing the opportunities of the Lower Falls neighborhood. The Rochester Museum and Science Center offers extensive collections and interpretive aids to the biological, cultural and archaeological record to be explored in the outdoor interpretive exhibit.

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Genesee River
Natural Resource Damage Assessment and Restoration
Trustee Council

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:

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

The Lower Falls Foundation proposes to develop a river-based student/citizen scientist online water monitoring project. The project would train and educate local student scientists and local citizen scientists on the importance of monitoring the river and instruct methods to collect, organize, analyze, and share data for monitoring and review. This enriched classroom learning experience would involve earth science, chemistry, cartography, water and soil sampling, and environmental conservation. In alignment with the draft restoration plan and the environmental assessment, the project as proposed offers proximity to the Genesee River (impacted site), proximity to injured resources, proximity to protected lands, and contributes to public enjoyment (and conservation) of natural resources. Moreover, the local workgroups formed would increase local awareness and ownership of the remediation project.

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.
- ☐ 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.

Our focus would begin at the King's Landing / Hanford's Landing site currently owned by the City of Rochester in Monroe County, NY. The project would require the rehabilitation and ADA remediation of a pathway from the parking lot off Lake Avenue to the riverbed below. We estimate $20,000 would address the project oversight, purchase of equipment, training, curriculum development, and administrative costs. We estimate $25,000 is required to redevelop a path into an ADA compliant walkway. The site would be in the area of the current historical marker for King's Landing. Based on demand for our historical tours open to the public and student group participation, we would estimate that the program would have capacity to graduate a total of 500 student and citizen scientists from 2017 to 2021.

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

The Lower Falls Foundation has applied for the site of Kelsey's Landing (north of driving park bridge on west bank of the Genesee) to be included on the Network to Freedom. Inclusion in the network would bring the first federal designation to acknowledge the importance of the Underground Railroad in Rochester, NY, and celebrate Kelsey's Landing as a site where Frederick Douglass himself raised funds and smuggled freedom seekers to ships bound for Canada, Detroit and Europe. Lower Falls Foundation has also done extensive tours of the area and led several neighborhood cleanups in the area. The Lower Falls Foundation has delivered numerous tours to neighborhood, corporate, and student groups to great acclaim.

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

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The Maplewood Neighborhood Association is also a partner in showcasing the opportunities of the Lower Falls neighborhood. The Center for Great Lakes Literacy (www.cgll.org) has numerous examples of successful partnerships of K-12 students partnering with mentor organizations at universities and successful data collection projects.

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Genesee River

Natural Resource Damage Assessment and Restoration

Trustee Council

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
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.

Genesee Riverway Trail, Brewer Street entrance. The project would enhance the entrance to the Gensee Riverway Trail at Brewer Street, making it more welcoming for neighborhood residents. The Brewer Street entrance, off of St. Paul Street, was identified as an area to improve for safety and to encourage residents to explore the Genesee River by the El Camino Revitalization Area charrette conducted in November 2015. Many residents of the El Camino neighborhood either don't know there is an opportunity to access the Genesee Riverway Trail in their neighborhood or they do not feel it is safe. Improving this entrance will increase the number of people who consider the River to be an asset to their neighborhood.

Additionally, car-top boat access would be explored at this location. The Brewer Street entrance is one of the few opportunities to access the Genesee River and paddle between Middle Falls and High Falls.

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).
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- ☐ Enhance reptiles and amphibians.
- ☐ Provide invasive species control.
- ☐ Enhance or protect rare, threatened and endangered species or species of special concern.
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- ☐ 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.

The project site is located in the northeast quadrant of the City of Rochester, County of Monroe on the east bank of the Genesee River. The parcel is owned by the City of Rochester. The City constructed a trailhead on the parcel in the mid-1990s but it is in need of redesign.

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

The El Camino Revitalization Area Vision Plan was completed in August 2016 and outlines some concepts for improving and enhancing the Brewer Street trail entrance.

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

City of Rochester
Genesee Land Trust
Project HOPE
Ibero-American Development Corporation
Conkey Cruisers
Group 14621 Neighborhood Association
Genesee Transportation Council
Community Design Center Rochester

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Genesee Riverway Trail at Maplewood Park. The project would provide access for wheelchairs, bicycles, and other non-motorized vehicles to the Genesee Riverway Trail at Maplewood Park. Currently , this portion of the Genesee Riverway Trail contains stairs with no ramp or other infrastructure to enable those with physical limitations to utilize the trail through Maplewood Park. Installing a ramp would improve access and provide connections to the remainder of the Genesee Riverway Trail system, including opportunities to access the Genesee River itself at Lower Falls. The project would also seek to install a pedestrian crossing at the intersection of the Genesee Riverway Trail and Driving Park Boulevard to increase safety and encourage more recreational use of the Riverway Trail.

Additionally, unimproved social trails exist along the steep embankment of Genesee River in Maplewood Park. These social trails indicate a desire to access this portion of the Genesee River. This project would properly grade and formalize these existing trails, improving safety and accessibility.

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

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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.

The project site is located in the northwest quadrant of the City of Rochester, County of Monroe on the west bank of the Genesee River. The parcel is owned by the City of Rochester. The City constructed a trail through the parcel in the mid-1990s but it is in need of reconstruction to current multi-use standards.

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

None.

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

City of Rochester
Genesee Land Trust
Maplewood Neighborhood Association
Genesee Transportation Council
Community Design Center Rochester

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

Project description.
Objectives:
1) To maintain and enhance fish and wildlife habitat in the Genesee River through proactive law enforcement marine patrols. A marine patrol vessel allows for direct access and interaction with boaters, fisherman, and sportsman. This interaction can ensure compliance to both federal and state laws concerning species protection and preservation. The Division of Law Enforcement (DLE) continues to play a proactive role in supporting the department's fish stocking program and is actively involved throughout the stocking process. A marine vessel will provide the ability to monitor stocking activity before, during, and after any initially stocking. A good example of this is the lake sturgeon stocking program on the Genesee River. Numerous sturgeon have been caught since the program's initial inception and continued monitoring of this activity is essential to its success.
2) To ensure protection of natural resources, protected species, and habitat. A marine vessel provides the ability to directly monitor the environmental conditions and habitat for species in both the Upper and Lower Genesee River. A marine vessel provides an ideal platform to access areas of concern that might otherwise go unprotected. These areas serve as a valuable nesting and breeding grounds for many species of fish, birds, and amphibious creatures. The preservation of vital wetland areas of the Lower Genesee will continue to enhance the preservation of these types of species. These locations are not easily accessible by land due to the steep terrain of the Lower Genesee River gorge, areas that can only be accessed by boat.
3) Enforce Department of Environmental Conservation (DEC) laws, rules, and regulations related to invasive species prevention. DLE has been at the frontline of enforcement measures to control and prevent the spread of invasive species. New regulations being introduced address these concerns directly. Invasive species are often transported and introduced into the environment through marine vessels. Current types of aquatic invasive species include: zebra mussels, water chestnut, hydrilla, alewife, common carp, Eurasian ruffe, Eurasian water milfoil, purple loosestrife, quagga mussel, rainbow smelt, round goby, rusty crayfish, sea lamprey, and the spiny water-flea. Several more invasive species are looming on the horizon, poised to cause additional detriment to the Genesee including: Asian carp, Asian clams, and the Northern snakehead. The ability to proactively conduct a marine patrol of the river would greatly increase DEC DLE personal in directly addressing these concerns and curbed further destruction of our lake and river.
4) Monitor and safeguard the habitat for species of special concern, as well as protecting threatened and endangered species. The Genesee River serves as a habitat for a number of threatened and endangered wildlife species, including lake sturgeon, bald eagles, peregrine falcons, various salamanders and turtles. Much of the Lower Genesee River is in a regulated wetland. DLE continually assists DEC Bureau of Habitat in enforcement and protection of wetland areas. As previously indicated many of these areas are nearly impossible to access by land. A marine vessel would provide an essential ability for both DLE and habitat staff to ensure the continuance of these areas.
5) Provide natural resource education through outreaches. DLE staff routinely participate in a wide range of public outreach efforts and education. The ability to bring these efforts directly to the public on a marine platform can only enhance this mission. These educational outreaches include informing the public of invasive concerns, habitat protection, and threatened and endangered species. A marine platform would provide the ability to direct outreach efforts towards the source of impending issues before they can potentially become a concern.

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

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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.
This vessel would operate on both the upper and lower Genesee River in the Monroe County, where it would be stored on a trailer allowing for transportation and availability to several location along the river.

Cost.
Please see attached quote from Brunswick Commercial and Government Products for a 19 foot center console Boston Whaler. The DEC Division of Law Enforcement has purchased vessels from this manufacture in the past.

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/organizations likely to participate in project in or are knowledgeable about the project.

Web Pearsall; Region 8 DEC Bureau of Fisheries.
Scott Jones; Region 8 DEC Bureau of Habitat.

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Genesee River

Natural Resource Damage Assessment and Restoration

Trustee Council

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Genesee Riverway Trail, St. Bernard's section. The project would repair a failing portion of the existing City of Rochester Genesee Riveweray Trail on the west bank of the Genesee River. Currently this section of trail is failing, causing erosion into the Genesee River and is hazardous for users, whether on foot or bicycle. If stabilized, property graded, and brought up to current multi-use trail specifications, the trail provides an excellent opportunity for users to experience the Genesee River and the wooded habitats that once existed through the region.

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

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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.

The project site is located in the northwest quadrant of the City of Rochester, County of Monroe on the west bank of the Genesee River. The parcels are owned by St. Bernard's Housing Development. The City of Rochester owns a trail easement across the property and constructed a trail through the property in the mid-1990s but it is in need of reconstruction to current multi-use standards.

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

None.

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

City of Rochester
Genesee Land Trust
Maplewood Neighborhood Association
Genesee Transportation Council
Community Design Center Rochester

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

El Camino Trestle - This project would rehabilitate a former railroad trestle over the Genesee River into a walking and bicycling bridge, extending City of Rochester's El Camino trail from the east side of the west side. The restored bridge would provide a prime view shed of the river and gorge and connect El Camino to the Genesee Riverway Trail. Completion of the Trestle would allow greater appreciation of the Genesee River, more recreational opportunities, and great connection to the natural environment within the City of Rochester. If the Trestle is not rehabilitated, it is likely that it will eventually deteriorate and fall into the River, causing further ecological damage.

Several City Council and City of Rochester staff are supportive of restoring the Trestle and have advocated for the inclusion of this project in the City of Rochester's annual Capital Improvement Projects budget.

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

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- ☐ 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.

The project site spans the Genesee River between the northeast and northwest quadrants of the City of Rochester, County of Monroe. The railroad bridge is owned by the City of Rochester. Estimated costs for rehabilitating the bridge for a multi-use trail are $2.6 million.

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

The City of Rochester, consulting with Bergmann Associates, completed the Rochester Running Track Railroad Bridge Pedestrian Conversion Feasibility Study in 2010. The feasibility study outlines design concepts and estimated costs.

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

City of Rochester
Genesee Land Trust
Project HOPE
Ibero-American Development Corporation
Conkey Cruisers
Group 14621 Neighborhood Association
Genesee Transportation Council
Community Design Center Rochester
Genesee Brewery
GardenAerial

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

Parking lot conversion - This project would acquire and convert an unused parking lot associated with Eastman Kodak Company's Hawkeye Building into an urban forest or other green space. The parking lot is on the east bank of the Genesee River with prime views of the River and Lower Falls. Converting this lot to a forest or other green space would capture storm water runoff, reducing non-point source pollution, and providing wildlife habitat within the urban context of the City of Rochester.

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

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- ☐ 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.

The project site is located in the northeast quadrant of the City of Rochester, County of Monroe on the east bank of the Genesee River. The parcel is owned by the Eastman Kodak Company and served as parking for Kodak employees. With significant downsizing of Kodak the Hawkeye Building and associated parking lots are no longer in use.

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

None.

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

City of Rochester
Genesee Land Trust
Project HOPE
Ibero-American Development Corporation
Conkey Cruisers
Group 14621 Neighborhood Association
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T|O,- WYORK RTUMTY | Environmental Department of Conservation

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

CONCEPT: The Genesee RiverWatch will facilitate the development, start-up and operation of a Genesee River Institute which will provide river-oriented education and outreach programming at the River Street Railroad Station.
Education: The educational programming will have a direct component that involves providing educational opportunities such as:
1. Math and science education based upon water quality issues in the Genesee River to Rochester City School District (RCSD) K-12 students;
2. College level classes on aquatic science subjects;
3. Genesee River Watch programming; and
4. Other educational programming oriented to the river.
Outreach: The outreach programming will be geared towards providing information and materials associated with organizations who have a stake in the aesthetic, recreational, tourism, and water quality aspects of the Genesee River. This would include materials from the City of Rochester, tourism-related organizations up and down the entire river, and non-profits with a mission focused on recreation and water quality.

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.

_ 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; otheridentifying landmarks; historic conditions of site; potential cost (if known) and the landowner.

490 River St, Rochester, NY
Owned by the City of Rochester
Potential Cost: $400,000

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

A proposal has been developed and shared with the City of Rochester and a preliminary concept accepted. See letter from Mayor Lovely Warren.

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

-St. John Fisher College
-Rochester city school district
-River Street Marina
-Port of Rochester Marina Operations
-Charlotte Merchants Association
-SUNY Brockport
-Rochester Institute of Technology
-City of Rochester, Department of Environmental Sciences
-Seneca Park Zoo

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

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NEW YORK | 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 source management goals

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

Instructions:

Please complete as many sections as possible. Your suggestion will still be cons idered 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/GeneseeRiller.htm Send completed forms to:

Amy Roe, USFWS
3817 Luker Road, Cortland, **NY** 13045
Amy_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.

IRONOEQUIT-SENECATRAIL - The project would acquire a CSXT rail corridor along the east bank of the Genesee River for eventual conversion to a multi-use trail. The trail would provide significant connectivity to the City's Genesee Riverway Trail, El Camino Trail and Seneca Park in the south to the Port of Rochester in the north, along 37+ acres of State owned river gorge, with significant connectivity to various neighborhoods in the Town of Irondequoit. Corridor acquisition will eventually allow the project partners to implement a trail along the east bank of the river gorge that will compliment the City's existing Genesee Riverway Trail along the west bank, and allow for greater connectivity, appreciation of the natural environment, and recreational opportunities through and around the Genesee River and gorge. If a single landowner does not acquire the corridor it is likely that CSXT would divide it for sale to adjacent private land owners.

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.

_ Provide new or enhance fishing/boating opportunities.

X_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; otheridentifying landmarks; historic conditions of site; potential cost (if known) and the landowner.

The project site is located adjacent to the northeast quadrant of the city of Rochester in the Town of Irondequoit, County of Monroe. The CSXT owned corridor extends from the northern extent of the historic Seneca Park to the Port of Rochester along the east bank of the Genesee River. Potential cost- see below.

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

The town of Irondequoit and County of Monroe, with funding provided through the Genesee Transportation Council, completed the Irondequoit Seneca Trail Feasibility Study in 2014. The study assessed the feasibility of developing a 3.6-mile multi-use trail along the eastern side of the Genesee River from St. Paul Boulevard through Seneca Park to the O'Rorke Bridge in the Town of Irondequoit, largely utilizing the CSXT corridor. The Town and County have been actively working with the Trust for Public Land (TPL) to acquire the corridor. Under this agreement the TPL would fund half the acquisition cost. Restoration funds would provide the matching funds. Acquisition costs are estimated to be in the $750K to $1M range.

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

Town of Irondequoit
Monroe County Parks Department
Trust for Public Land
Genesee Land Trust
Genesee Transportation Council
City of Rochester

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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.

KING'S LANDING TRAILHEAD - The project would remove all or part of an existing underutilized parking lot with a prime viewshed of the Genesee River gorge and restore it to open space for passive and active uses. The restored site would include an upgraded section of the Genesee Riverway Trail complete with trailhead and river gorge overlook. Green infrastructurepractices would be implemented as appropriate to capture and treat site stormwater and site appropriate native vegetation utilized to benefit insect, bird and animal species.

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).

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

The project site is located in northwest quadrant of the City of Rochester, County of Monroe on the west bank of the Genesee River. The parcels are presently owned by the Eastman Kodak Company and served as parking for Kodak employees. With the significant downsizing of Kodak the parking lots are rarely used. The City constructed a section of trail through the parcel between the parking lot and gorge edge in the mid 1990's but it is in need of reconstruction to current multi-use standards. Conceptual cost estimate, inclusive of design, construction, and inspection, is $650,000.

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

The city, with funding provided through the Genesee Transportation Council, completed the Urban Trail Linkages Planning & Preliminary Design Study in 2013. One of the plan's overall recommendations was to establish an enhanced through trail with trailhead and overlook at this location. Recommended improvement included: relocation through trail with gorge edge protection; bike parking; trail kiosk; interpretive signage; seating; landscaping; and, parking. The City and Eastman Business Park have begun preliminary discussions regarding easements or land transfer for trail improvements.

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

Town of Irondequoit
Monroe County Parks Department
Trust for Public Land
Genesee Land Trust
Genesee Transportation Council
City of Rochester

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Genesee River

Natural Resource Damage Assessment and Restoration

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NEW YORK STATE OF OPPORTUNITY | Department of Environmental Conservation

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

Your Name: [redacted]	**Street Address:** [redacted]
City, State, Zip: [redacted]	

Project Description: Please describe project

Project description: Please describe project, including objectives, and explain how the project would address potentially injured resources and/or losses to the public. Written: " A fish cleaning station would be nice on the Genesee River at the port of Rochester. Possibly a Nice of ich. Would be a great place to clean fish and to dispose of fish carcasses."

CARCASSES.

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.

__ 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 L>cat! Qn afld Cost: If youhave a specific site in mine, briefly describe location; town/city and county; other identifying landmarks; historic conditions of site; potential cost (if known) and the landowner.

Port of Rochester NY boat launch

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/organizations likely to participate in project in or are *tf*

Monroe County Fish Advisory Board
Frank Sanza

Genesee Charter Boat Assoc.
Sa Genesee

N NYS DEC
W

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

Your Name:

Street Address:

[redacted]

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

Written: *"Provide a new public concrete boat launch ramp with floating dock. Current location is too close to the mouth of the Genesee River, and does not have a floating dock. When winds are out of the north, there is a storm surge of waves coming up the river that create unsafe launching."*

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, stacking. spawning habitat, stream improvements).

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

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_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: "Put a concrete launch ramp for the lower Genesee River at the end of Petten street. This site is far enough upstream, and doesn't have any storm surge.

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

Unknown.

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

[redacted]