

Appendix 1



Trip Memorandum

To: Doug McCord, MLA
Dave Tuttle, Lu Engineers

From: Fran Reese

Date: 12/19/2003

Project: Highland-Canalway Trail Connector

Lu Project No.: 32402

Project Purpose

The purpose of the proposed project is to construct a multi-purpose connecting trail link between the existing Canalway trail system and the City of Rochester Highland Park trail system. It is anticipated that this trail link will be used by a variety of people, including pedestrians, bicyclists, in-line skaters, and wheelchair users. It is not anticipated that this trail will be used by snowmobiles or other motorized off-road vehicles.

Description and Understanding

The proposed Highland-Canalway Connector trail alignment is located between an existing trailhead on Sawgrass Drive north of the Canal, and Wilson Boulevard in the City of Rochester. The purpose of this investigation was to confirm the location of federal and State wetlands along the alignment between Westfall Road and Elmwood Avenue in the Town of Brighton.

Prior to our field inspection, we reviewed available topographic maps, soil maps, National Wetland Inventory Maps and NYS Freshwater Wetland maps for the project area. Lu Engineers also interviewed Scott Jones, Bureau of Habitat, NYS Department of Environmental Conservation (NYSDEC) and Ramsey Boehner, Planner, Town of Brighton, for this project.

Topography

Figure 1 shows the approximate trail alignment on a U.S. Geological Survey topographic base map. The topography of the site is predominantly flat, with a few mounds of soil created by earth-moving activities. The elevation of the site ranges from approximately 525 feet to 510 feet above sea level.

The proposed alignment crosses Buckland Creek, an intermittent tributary of Allen Creek. The tributary originates on the Rochester Psychiatric Center property and flows easterly and then northeasterly toward Elmwood Avenue.

NYS Freshwater Wetlands

The BR-10 wetland is mapped within the project area (Figure 2). Even though this wetland is less than the 12.4 acre threshold required for State regulations, this wetland was reclassified from a Class II wetland to a Class I wetland because it has unusual local significance. According to Scott Jones, NYSDEC Region 8 Bureau of Habitat, this wetland was recommended for preservation by the Town of Brighton because it has good habitat value for amphibians and birds, is located in an urbanizing area, and provides recreational and aesthetic benefits to local residents.

National Wetland Inventory Wetlands

The National Wetland Inventory (Figure 3) shows a 16+ acre area of palustrine, broad-leaf deciduous wooded wetland within the project area. The area is described as being flooded or seasonally saturated. This area extends further south than the mapped limits of the NYS freshwater wetland. The area includes a ponded area surrounded by berms.

Soils

The project site includes four mapped soil types (Figure 4): Hilton loam, 5-8% slopes; Cayuga silt loam, 2-6% slopes; Lakemont silt loam; and Odessa silt loam, 0-2% slopes. The Lakemont silt loam is a hydric, deep, fine-textured, poorly drained and very poorly drained, lacustrine soil. This soil type is typically found in depressional areas on lake plains. The Odessa silt loam is a somewhat poorly drained, fine-textured soil with potential hydric inclusions. This soil is found in association with Lakemont soils. Cayuga and Hilton soils are moderately well drained soils. These soils typically do not have hydric inclusions.

Findings of Site Visit

Fran Reese and John Hauber walked the trail alignment from the north side of the Monroe Developmental Center parking lot (north of Westfall Road) to Elmwood Avenue on Thursday, December 4, 2003. The ground surface was covered with approximately 2-3 inches of snow. Temperature was approximately 35 degrees F.

An existing trail leads westerly from a pond site located on the St. John's Meadows property into the BR-10 wetland. The wooded area consists primarily of white oak and hickory. Further south along the proposed alignment the wooded area is dominated by more hydrophytic species, such as green ash, red and silver maple, with smaller percentages of swamp white oak, Eastern cottonwood and American elm.

Several berms are located south of proposed trail alignment. Two ponds are located inside this area. Judging from the vegetation present (mature trees), the berms appear to be quite old (50+ years). Three small brick buildings were observed north of the tree line on the Monroe Development Center property. These features are shown in Figure 5. These buildings appear to be pump stations. The architectural style of the buildings appears to date to the late 19th or early 20th century.

Jessie Werner, a long-time member of the Brighton Conservation Advisory Board, reported that the ponds may have been used to obtain ice, and may have been used as a water supply.

The proposed Connector trail alignment parallels an existing trail constructed by the St. John's Meadow project for a short distance through the BR-10 wetland. The alignment would be located between the existing trail and the pond area. The woods in this area appear to consist primarily of white oak, shagbark hickory, and green ash with an understory of common buckthorn and tartarian honeysuckle. Vegetation on the berms north of the ponds consists largely of green ash, common buckthorn, eastern cottonwood, and honeysuckle.

Continuing west of the ice ponds, the proposed alignment crosses a tributary of Allen Creek. This tributary appears to have been straightened and channeled in the past. Side-cast dredgings are present on both sides of the channel. The channel is approximately 3-4 feet deep, with a water depth of 1.5-2 ft on 12/4/03. The channel width is approximately 8-12 feet. The current flows slowly north toward Elmwood Avenue. Both sides of the channel are well vegetated with small trees and shrubs. The channel is formed by the confluence of two piped drainages near the proposed trail crossing point. The source of these drainages appears to be the Monroe Development Center property and the Rochester Psychiatric Hospital. At least one of the pipes is partially submerged and obstructed. Probe testing showed one of the pipes to be a 24-30 in. diameter RCP. The other pipe was submerged. This channel is mapped on the USGS topographic map and qualifies as a Water of the United States.

The area immediately west of the stream channel is quite wet, with ponded water approximately 6-8 inches deep. Dominant species include red maple, Eastern cottonwood and green ash.

Continuing northwesterly, the proposed alignment passes through a very heavy shrub growth. Dominant species in this area include hawthorn, buckthorn, dogwoods, multiflora rose, and various species of crabapple.

The alignment follows the west property line of the "Mansions" property to a point approximately 250 feet south of Elmwood Avenue. The trail is proposed just east of the brush line. At this point, the alignment veers northwesterly toward the intersection of Elmwood and Lilac Drive.

We also walked the stream channel from its origin at the two culverts north about 1500 feet. A wood debris dam is located approximately 300 feet north of the culverts. This dam causes a pool to form behind it. The depth of the pool is estimated at 4-5 feet. The channel width varies from 8 to 15 feet. Both banks have some side-castings present, and are well-vegetated and stable. Most of the channel is well-shaded with tree and shrub growth.

Conclusions

In general, we concur with the wetland boundaries that have been defined for the project area. Scott Jones provided a copy of a wetland boundary map surveyed by the NYSDEC in 2001. This map shows that the bermed pond area is outside the regulated wetland boundary, although it is located in the buffer zone.

These ponds are likely to be regulated under Section 404 of the Clean Water Act because they are contiguous to a "Water of the United States" as defined in 33 CFR Part 323. In our opinion, these ponds should be considered jurisdictional for both state and federal wetlands because they function as part of the hydrologic unit.

Mr. Hauber said that the total acreage of the BR-10 wetland was found to be less than the required 12.4 acres for State jurisdictional status. The NYSDEC was requested to initiate studies to determine if the wetland had characteristics of “unusual local importance” as defined under Section 24-0301(l) of the Freshwater Wetlands Act. Mr. Hauber said that he thought the public interest review of this study indicated that the State thought that this wetland merited protection under Article 24 of the Environmental Conservation Law due to its habitat value. Mr. Hauber said that six amphibian species were found to be resident in this wetland. Based on this classification, it is likely that any proposals for disturbance of the wetland are likely to be scrutinized closely for habitat impacts.

The issue of federal wetlands may require re-examination if the Corps of Engineers has not concurred with the boundary as delineated by the “Mansions of Brighton” project. This issue should be resolved prior to final trail design. Based on our field walkover, there are a few isolated areas of hydrophytic vegetation located near the west property line of the “Mansions” site that could be impacted by trail construction. If federal jurisdictional wetlands have not been defined for the “Mansions at Brighton” site, they should be formally delineated.

The BR-10 wetland provides significant recreational and aesthetic benefits to elderly populations housed at St. John’s Meadows. The existing nature trail provides access for these residents for walking. The trail surface consists of bark chips and a boardwalk section through the wetland. It is not a suitable surface for bicycles or wheeled vehicles. These facilities are immediately adjacent to the BR-10 wetland.

Based on discussions with the Trail Advisory Group at their meeting on 12/8/2003, the existing trail was constructed by the Town of Brighton, and was envisioned as a public use trail. The Town would like to see a linkage between the existing trail and the proposed multiple use trail. Trail Advisory Group members would like to see trail design elements to separate “high speed” users of the multiple use trail (in-line skaters, bicyclists, runners) from the slower speed (and often more vulnerable) users of the nature trail. A concern was also expressed for the integrity of the wetland resource. Previous trail projects in environmentally sensitive areas have resulted in degradation of the habitat, including loss of nesting area and native wildflowers. Design elements should be included to minimize the incursion of off-trail use in the wetland.

Mr. Boehner also provided useful background information on the status of the “Mansions at Brighton” project. In May 2003, the Town of Brighton directed the applicant for the “Mansions” project to prepare a draft environmental impact statement for the project because it may have a significant adverse effect on the environment. Mr. Boehner said that the applicant will probably present the completed Draft EIS for public review and comments in the next few weeks.

Article 24 NYS Freshwater Wetland Permit Requirements:

1. The limits of the BR-10 wetland should be clearly established in the field prior to selection of final trail alignment. Trail designers should understand the benefits provided by this wetland, and include design elements (railings, guide rail, use of boardwalk sections, signage, etc.) to discourage off-trail use of the wetland.

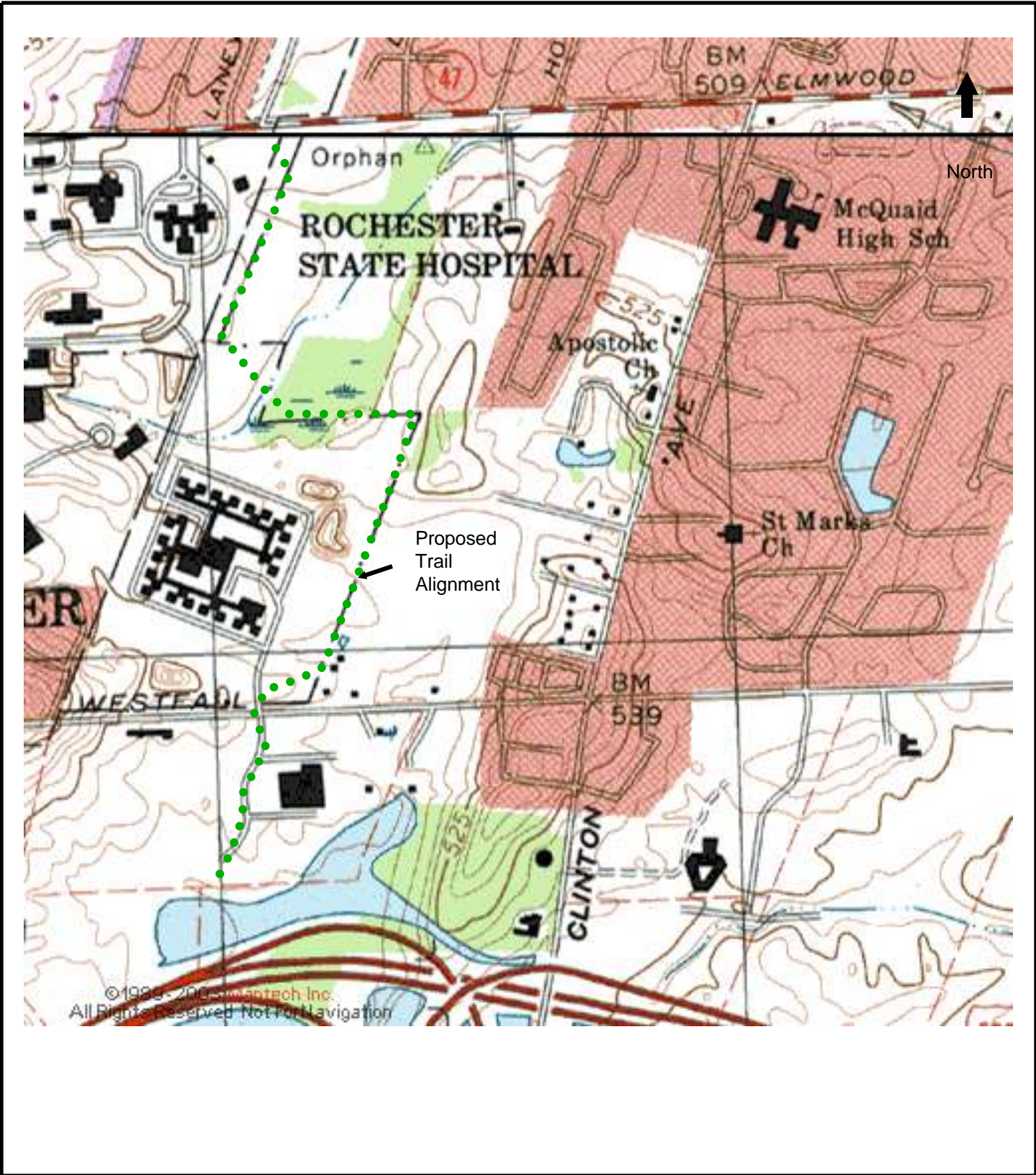
2. Under 6 NYCRR Part 663.4(d)(6), walking trails are a permitted use of wetlands, where no significant impairment of the wetland or its benefits is involved. However, discussions with Scott Jones indicate that a permit application will be required for any fill or disturbance of the regulated adjacent area. Permitting criteria for this project will be subject to the standards for Class I wetlands. Standards and weighing criteria for Class I wetlands found in 6 NYCRR Part 663.5(e)(2) state: *“Class I wetlands provide the most critical of the state's wetland benefits, reduction of which is acceptable only in the most unusual circumstances. A permit shall be issued only if it is determined that the proposed activity satisfied a compelling economic or social need that clearly and substantially outweighs the loss of or detriment to the benefit(s) of the Class I wetland.”*
3. Documentation of the social need for the project must cite recommendations in the Town of Brighton Comprehensive Plan (2000) (or updated), and other planning and transportation documents.

Section 404 Clean Water Act Permit Requirements

1. The proposed trail alignment will also require a Section 404 Clean Water Act permit from the Corps of Engineers to cross Buckland Creek, an intermittent tributary of Allen Creek if the bed or banks of the channel will be affected. The activity is covered under Nationwide Permit No. 42 (Recreational Facilities). This permit could be used to authorize trail construction provided that any fill does not cause the loss of greater than 0.5 acre of wetland or cause the loss of more than 300 linear feet of stream bed. It is not anticipated that more than 60 linear feet of stream channel would be affected by the proposed trail.
2. Placement of an elevated walkway (boardwalk) on pilings in the wetland is exempt from the requirements of the Clean Water Act under 33 CFR 323.3(c)(2) in non-navigable waters. Buckland Creek is a non-navigable Water of the U.S. If the boardwalk is carried over the wetland, and a bridge is constructed from top of bank to top of bank, it is possible that no permit would be required from the Corps of Engineers.

Recommendations

1. Obtain concurrence from the U.S. Army Corps of Engineers for the wetland boundary delineation completed for the “Mansions at Brighton”, if not already done.
2. Determine whether project will meet the criteria for Nationwide Permit 14 or Nationwide Permit 42, and whether pre-construction notification is required to U.S. Army Corps of Engineers.
3. Coordinate trail development with property owners at St. John’s Meadows and “Mansions at Brighton” to provide access to the existing nature trail. Utilize trail design elements to separate “high speed” users of the proposed multipurpose trail from slower speed users of the nature trail.
4. Locate the trail on the west side of the “Mansions of Brighton” property to minimize habitat impairment and disruption of the “Mansions” development.
5. Consider the construction of a boardwalk where needed to minimize wetland impacts.
6. Consider a “top of bank to top of bank” bridge over Buckland Creek to avoid disturbance of the bed or banks of the channel.
7. Locate the multipurpose trail along the berm on the north side of the ice ponds. Existing fill materials could be re-used as a trail base materials and would avoid the need for significant disturbance of the wetland. Guide rail would be required for safety. Additional plantings could be added to provide visual screening of the existing nature trail, and to ensure vegetative canopy regrowth.
8. Provide an adequate program for maintenance and repair of the trail. Overhanging vegetation must be trimmed, boardwalk sections inspected and repaired, and trail washouts repaired as needed. The maintenance plan should include a responsible party, an inspection schedule and a funding mechanism.



LU ENGINEERS
Civil and Environmental

2230 Penfield Road
Penfield, New York 14526
Tel: (585) 377-1450
Fax: (585) 377-1266

Figure 1. Topographic Map
Proposed Highland-Canalway Connector Trail
Town of Brighton and City of Rochester
Monroe County, New York

Date: December 2003
Scale: NTS
Drawn by: FAR
Source: USGS, Pittsford, NY 7.5 Quadrangle, rev. 1978



2230 Penfield Road
 Penfield, New York 14526
 Tel: (585) 377-1450
 Fax: ((585) 377-1266

Figure 2. Detail of BR-10 Wetland Boundary

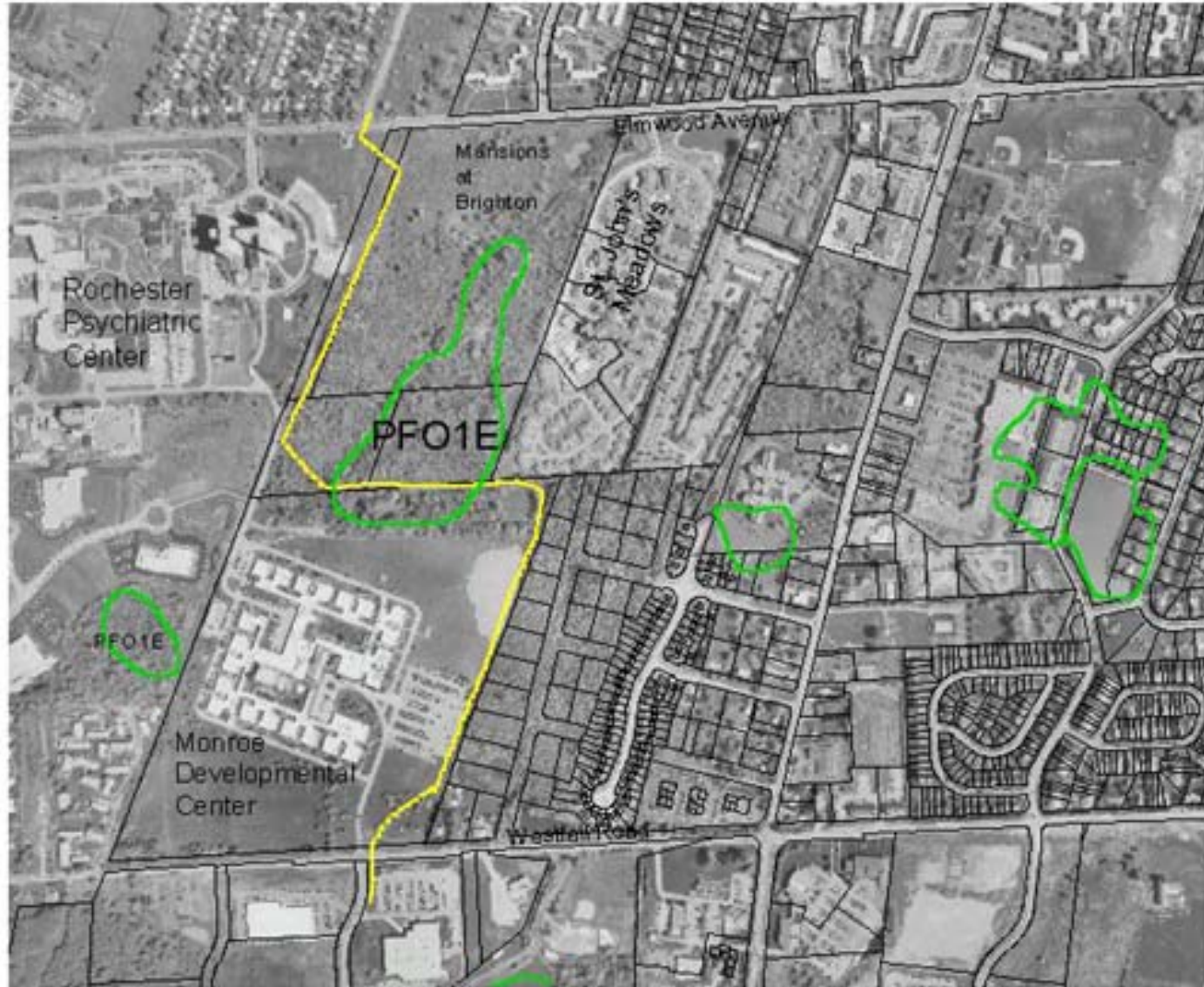
Date: December, 2003

Scale: Not to scale

Drawn by: FAR

Source: NYS Dept. of Environmental Conservation, S. Jones, Pers. Comm.

**Figure 3. National Wetland Inventory Wetlands
Westfall-Elmwood Segment
Proposed Highland-Canalway Connector Trail**



Key to Wetland
Cover Type

PFO1E - Palustrine, deciduous,
broad leaf, seasonally flooded or
saturated

-  IIWI WetlandWet_fed.shp
-  Proposed connector trail
-  Bh_par.shp

2000 0 2000 4000 Feet



**Figure 4. Mapped Soil Types
Westfall to Elmwood Segment
Canalway-Highland Park Connector Trail**



Key to Soil Types

- CeB Cayuga silt loam, 2-6% slope
- HIB Hilton loam, 3-8% slope
- Le Lakemont silt loam
- OdA Odessa silt loam, 0-2% slope

Proposed
Trail
Alignment





Figure 5. Pond and Berm Area



Scale