



ANDREW M. CUOMO
Governor

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Chairman

BRIAN U. STRATTON
Director

June 27, 2019

Daniel Whitehead
Director - Division of Environmental Permits
625 Broadway
Albany, NY 12233-0001

Re: Earthen Embankment Integrity Program

Dear Daniel Whitehead,

The New York State Canal Corporation (NYSCC), a subsidiary of the New York Power Authority (NYPA), plans to implement a comprehensive canal system Earthen Embankment Integrity Program to restore, maintain and manage the integrity of earthen embankments within the New York State Canal System, which includes the modernized Barge Canal and other properties having earthen embankments under NYSCC's jurisdiction. This requires the proper inspection and maintenance of the embankments including any and all drainage, instrumentation, vegetation, animal burrows, seeps, and concrete, masonry or other features associated with the embankments. This program aims to formally establish practices and guidelines for management of earthen embankments, focusing on reducing the risk of embankment failure, and supporting life safety, asset preservation, and environmental protection. The program will also identify reasonable alternative management practices to tree removal in areas within close proximity to recreational uses, parks, municipal, residential and commercial areas. Having a documented program will provide greater transparency in decision-making.

NYSCC has classified the Embankment Maintenance Program as a State Environmental Quality Review Act (SEQRA) Type I Action. As such, pursuant to 6 NYCRR Part 617 and 21 NYCRR Part 461, NYSCC has completed the attached Part 1 of the Full Environmental Assessment Form (FEAF) and will conduct a Coordinated Review among the potential SEQRA Involved Agencies. To ensure that no areas have been missed, the project area contemplates all lands in and along the canal system where there may be embankments.

NYSCC has identified your agency as a potential Involved or Interested Agency. If you believe that your agency has discretionary authority over any aspect of the proposed action, as described in the attachments, and you concur that NYSCC should act as the Lead Agency, please sign below and return this form within thirty days of the date of this letter to NYSCC's consultant at:

Bergmann
Attention: NYSCC Earthen Embankment Integrity Program
280 East Broad Street, Suite 200
Rochester New York 14604

The concurrence letter may also be submitted via email to:

NYSCC-Embankments@bergmannpc.com.

Please note that if you do not respond within thirty days, it will be considered as your agency's having no objection to NYSCC being Lead Agency. If you are aware of any other agency under your jurisdiction that could have a discretionary permit or approval over the proposed action, please direct this letter to their attention.

For local municipalities, the figures/maps attached to this letter are limited to your geographic location. A complete set of figures/maps and other documents are available at <http://www.canals.ny.gov/index.shtml>. Please note that the project boundaries on the figures/maps are extended to ensure that potential environmental impacts to the adjacent surrounding areas are considered in the environmental review. The physical work contemplated under the program is limited to the earthen embankments and access points.

As Lead Agency, NYSCC anticipates issuance of a positive declaration followed by public outreach about the program, which will contribute to development of a Draft Generic Environmental Impact Statement. Whether or not you respond to this letter, you will be included on future notices related to this program's environmental review. We welcome your participation and public involvement as we conduct our review.

If you wish to discuss this proposed action or have any questions, please call me at (518) 433-6841 or Erika Cozza at (914) 287-3654.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Jim Candiloro". The signature is fluid and cursive, with the first name "Jim" being more prominent.

James Candiloro, P.E.
Director, Environmental, Health & Safety

Enclosure – SEQRA FEA/ Part I with Attachments

We concur with NYSCC being designated as SEQRA Lead Agency for the Earthen Embankment Integrity Program.

Signature / Date

Name (Type or Print)

Title

Agency

Please specify involvement in project (discretionary action):

Please provide interests and concerns about the project: