



To: Ms. Kim Kinsella, Ms. Catherine Templar EDR Project No: 10013  
From: Ms. Jane Rice, Mr. Jim Pippin  
Date: November 5, 2013  
Reference: Pinnacle Athletic Campus Wetland Delineation Report

Comments:

Environmental Design & Research, Landscape Architecture and Engineering, P.C. (EDR) was requested by the Town of Victor Planning Department to review the wetland delineation report prepared by Earth Dimensions, Inc. (EDI) for the Pinnacle Athletic Campus in the Town of Victor, Ontario County, New York: This memo provides a summary of EDR's comments.

1. Page 1 - Recommend including in the Introduction under Section 1 (second paragraph), the need for Section 401 of the Clean Water Act Water Quality Certification (administered by NYSDEC) and Article 15 (NYS protected streams and waterways) under the NYS Environmental Conservation Law.
2. Page 10 - Please confirm that the updated 2013 National Wetland Plant List was used.
3. Page 15 - Third paragraph states that Irondequoit Creek is a Traditionally Navigable Waterway (TNW). In fact, Irondequoit Creek is not a TNW. The TNW designation in this watershed begins at the terminus of Irondequoit Creek at Irondequoit Bay and includes the entire bay.
4. There is a discrepancy between the numbers of wetlands that EDI deems jurisdictional/non-jurisdictional. On Page 16, first paragraph, it states that "nineteen (18) of the twenty (20) wetland features" are believed to be isolated (non-jurisdictional). Please confirm change to "eighteen (18)".
5. On Page 16, Item 2 - A 50 foot adjacent area for the two C(t) state protected streams identified on site is mentioned. New York State protected streams (Article 15) do not have a regulated 50 foot adjacent area. A Protection of Waters Permit is only required for disturbing the bed or banks of a designated protected stream. However, New York State protected wetlands (Article 24) do have a regulated 100 foot adjacent area. Note: Article 15 state protected streams are streams classified as AA, A or B, or with a classification of C with a standard of (T) or (TS). The two C(t) streams identified on the project site are unnamed tributaries of Irondequoit Creek.
6. Additionally, on Page 16, Item 2 - The report states that no wetlands were found in the Phase I portion of the project site. On July 3, 2013, EDR conducted a site visit identifying approximate locations of wetlands throughout the site. A small wetland (potentially isolated) with evidence of hydrology and dominated by *Typha latifolia* (broad-leaf cattail) was observed in the eastern portion of the project site amongst the area EDI identified as successional old field on Figure 5 (See Attachment A - photo #1). If EDI feels that this area is not a wetland (jurisdictional or isolated) then routine data forms should be completed at this location to support that conclusion and discussed in the report. EDI Data forms D1 and D2, according to Figure 6 of the EDI report, were taken to the west of this area.

7. EDR also observed potentially isolated wetlands within the former mining operations area located within the Phase I boundary. These wetlands exhibit similar characteristics to the EDI delineated wetlands in the southern portion of the property. EDR recommends that this area be included in the delineation and an isolation determination from the Corps be obtained during the Jurisdictional Determination as suggested by EDI on Page 16 of their report. Again, if EDI feels that the water features in this area are not wetlands (jurisdictional or isolated) then routine data forms should be provided to support that conclusion.
8. EDR observed a man-made drainage ditch flowing east out of EDI wetland W3 and continuing off-site (see Attachment A, photos 2 - 3). There is no mention of this drainage in the report. Please provide more information/data to support the proposed isolation determination for this wetland.
9. EDR observed riparian wetlands along the two C(t) streams identified as Drainage 1 and Drainage 2 of the EDI report. However, EDI did not include the limits of these wetlands and streams in the report. Currently the limits of the streams are indicated with a single line with flow directional markers. EDR strongly recommends including the delineation of all stream channels and any adjacent wetlands of these areas. Forested wetlands were observed along both of these streams during the EDR site visit (see Attachment A, photos 5 – 10). As indicated by EDI in the report, these two streams are regulated under Article 15 of the NYS ECL and Section 404 of the Clean Water Act as Waters of the U.S. These delineated areas should then also be included in the jurisdictional determination as suggested by EDI in the Recommendations section of their report. In addition, it is EDR's professional opinion that Drainage 1 and Drainage 2 are both perennial streams rather than intermittent streams as indicated in EDI's report.
10. The location of Drainage 3 does not seem to be indicated on Figure 6.
11. EDR recommends that EDI include a figure in the report that overlays their delineated wetlands boundary over the limits of the Phase I boundary since there is a conclusion being made that there are no wetlands within the Phase I boundary.

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# ATTACHMENT A

EDR Photolog



Photo 01

View of a wetland area within successional old field looking east.



Photo 02

View of drainage ditch with wetland features flowing east from EDI wetland W-3.

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Photo Log - Photos taken during EDR site visit July 3, 2013.

November 2013



Photo 03

View of EDI wetland W-3 at beginning point of drainage ditch looking west.



Photo 04

View of EDI wetland W-3.

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Photo Log - Photos taken during EDR site visit July 3, 2013.

November 2013



Photo 05

View of riparian wetland associated with EDI Drainage 2.



Photo 06

View of C(t) stream (EDI Drainage 2) and adjacent riparian wetland.

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Photo Log - Photos taken during EDR site visit July 3, 2013.

November 2013





Photo 07

View of C(t) stream (EDI Drainage 1) and adjacent riparian wetland.



Photo 08

View of riparian wetland associated with EDI Drainage 1.

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Photo Log - Photos taken during EDR site visit July 3, 2013.

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Photo 09

View of C(t) stream (EDI Drainage 1) and adjacent riparian wetland

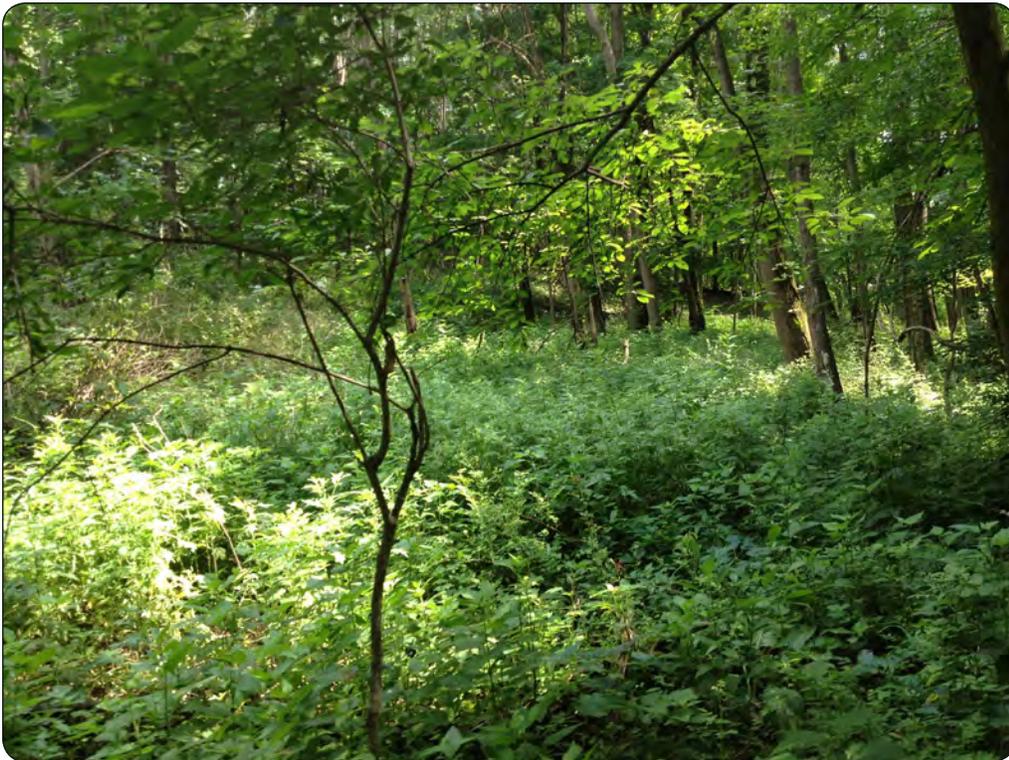


Photo 10

View of riparian wetland associated with EDI Drainage 1.

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