

Appendix 2

Wetland and Slater Creek Protection

(FEAF §D.2.a)

Part of New York State designated Freshwater Wetland GR-25 is located on the Russell Station site. While the goal is to avoid Project-related work in the Freshwater Wetland or its designated Buffer zone, this may not be entirely possible. If work must be done within the Wetland or its Buffer Zone, the amount of disturbance will be minimized to the extent practicable. All work within the GR025 or its buffer zone will be done pursuant to a Freshwater Wetlands permit obtained from NYSDEC. The responsibility for preparing the application and then obtaining and complying with the Permit will be the responsibility of the D&R Contractor. However, RG&E, mainly through its Construction Manager, will review the draft application and monitor the work done by the D&R Contractor to ensure consistent compliance.

In addition to GR-25, the bed and banks of Slater Creek have been designated as a National Fish and Wildlife Service riverine wetland of the type R2UBHx.² Two aspects of this Project work could involve Slater Creek:

1. SPDES Permit Discharge Points 001, and 003 which exit into Slater Creek, will be cleaned of debris and then inspected. Unless problems are found, the upstream ends of these points will then be flushed. The stormwater collection system and discharge points will be left in place and will serve as the final stormwater management system. The flushed water used for cleaning will be collected and treated on-site before being discharged to the County sewer system. Short-term, minor disturbance of the stream bed and banks could occur as a result of this cleaning process. If such disturbance will occur, the appropriate state and federal permits will be obtained first. The measure summarized below and the application for those permits, combined with the permits themselves, will set forth the steps that will be taken to prevent or minimize any negative environmental impact.
2. The Lake water that is present in the landward end of the intake tunnel, after the plug which will divide the lakeward from the landward end is installed, will be pumped to the discharge leading to Outfall 001, where it will flow into Slater Creek and then into Lake Ontario.

² “Wetlands” depicted on NF&WS wetland maps are not necessarily regulated under the Clean Water Act. This R2UBHx designation indicates that it is of the “Riverine/Lower Perennial/Unconsolidated Bottom/Permanently Flooded/Excavated” type. See, <http://www.fws.gov/wetlands/Documents/Wetlands-and-Deepwater-Habitats-Classification-chart.pdf>.

With respect to the discharge of this Lake water, consistent with RG&E's discussions with NYSDEC, the following is planned:

- Dewatering will be done in stages by lowering the dewatering pump intake point at each stage to minimize sediments from being pumped. The discharge will be monitored and pumping will be slowed or stopped if significant solids are observed in the pumped water. A dewatering protocol will be provided by the D&R Contractor that includes contingency measures that can be implemented if turbidity levels in the pumped waters begin to rise. If they become elevated, the remaining water will be diverted and filtered prior to discharge.
- Most of the water from the landward end of the Intake Tunnel will be discharged directly to the former Outfall 001 (non-contact cooling water and stormwater) discharge tunnel which empties into Slater Creek just upstream of its juncture with Lake Ontario. Due to the anticipated short duration and the fact that there will be no Project-related pollutants added to this water, NYSDEC has indicated that this discharge will not necessitate a modification of the current SPDES Permit which covers the site.
- In order to minimize trauma to any fish in this water and return them to the Lake very quickly, RG&E does not anticipate treating, filtering or settling this Lake water before it is discharged through Outfall 001.
- Dewatering will not occur between mid-August and November to avoid pulling salmon into Slater Creek.

With respect to protecting GR-25 and Slater Creek from these and other aspects of the Project, the D&R Contractor is required to have and implement an Environmental Protection Plan (EPP) documenting the D&R Contractor's means and methods of performing the work in conformity with all applicable laws and permits, taking into account among other things, protection of the Genesee River and groundwaters.

Project specific specifications provide for temporary and permanent run-on, run-off, erosion, slope protection and sediment controls (including constructing diversion swales, silt fences, erosion fabric, straw bale dikes, check dams, erosion control blankets, vegetation and other sediment controls, and their removal after demolition). A Stormwater Pollution Prevent Plan (SWPPP) documenting the D&R Contractor's means and methods of performing the work in accordance with the specifications and in conformity with all applicable laws, regulations, permits and RG&E's SOPs is a required submittal. Among other things, the SWPPP will mandate certain Best Management Practices (BMPs) and measures intended to prevent any Project-related sediment, hazardous material etc. from getting picked up by precipitation as it infiltrates and/or runs off the site. The D&R Contractor must have a qualified professional (e.g., NYS licensed Professional Engineer, Licensed Landscape Architect or Certified Professional in

