

Statement by Pittsford Town Supervisor Bill Smith
at Public Hearing on Canal Clearcutting Plan on July 14, 2021

My name is Bill Smith. I'm Supervisor of the Town of Pittsford.

1. There is no public need for clearcutting.

The Power Authority has not yet established a "public need" for clearcutting along the Canal. It cites certain guidelines applicable to "levees" and "dams." When Pittsford obtained a court injunction in 2018 to prevent the Power Authority from clearcutting trees in Pittsford, Perinton, and Brighton, we carried the day in part with expert testimony from a recognized slope stability engineer at the University of Michigan, to the effect that trees on embankments not only do no harm to the stability of structures, they enhance them, because their root systems help to hold the earthen banks together. As lead agency under SEQRA, the Power Authority has not shown in its Draft Generic Environmental Impact Statement the "public need" for clearcutting, as required by the applicable SEQRA regulations.

2. The Power Authority denies the Town's power to regulate the Clearcutting.

The Draft Generic Environmental Impact Statement and the proposed Guidebook provide that the Power Authority can ignore "community thresholds" --things like provisions in the Town's Comprehensive Plan to protect aesthetic resources of the Canal and standards established in the Town's Local Waterfront Revitalization Plan. Instead, the Power Authority claims all decision-making power. In several places throughout the Environmental Impact Statement and Guidebook, the Power Authority asserts that municipal authorities have no jurisdiction over this process. In fact, the Power Authority is subject to the zoning provisions of the Town's Local Waterfront Revitalization District that covers the Canal throughout the entire Town, and the Power Authority may not perform activities within the Town's Local Waterfront Revitalization District that our Planning Board finds inconsistent with the Waterfront Revitalization Plan. The final Environmental Impact Statement and final Guidebook should recognize this.

3. No identification of clearcutting areas.

Pittsford objects further that the Power Authority doesn't identify areas proposed for clearcutting. In 2018 with its first proposal, the Authority identified specific land where trees would be cleared. At least the Town knew what environmental resources would be affected by the site-specific activity, and could advise of negative effects. This time, the Power Authority has established a policy of removing all woody vegetation from all "zones" of the embankments, including the inboard slope, crest, and outboard slope and beyond, with few exceptions mentioned later, throughout all 524-miles of the canal system. So now we're in the position of having at risk the entire length of the Canal embankment as it winds through Pittsford, not just specific sites previously identified by the Power Authority. Consequently the Authority's new proposal, ostensibly made to mitigate the harmful effects of clearcutting, intensifies them instead.

4. No meaningful local voice.

While the new policy would include public notice and possibly public feedback, no municipal or public control is allowed. The Power Authority states it will involve "stakeholders" in the decision-making process for removing trees, but reserves all decision-making power to itself.

Thank you for this opportunity. The Town of Pittsford will assert its rights in this matter as vigorously as we have in the past.