



2026 Periodic Review Report

(Reporting Period: March 28, 2025 to March 28, 2026)

Location:
Hanna Furnace Subparcel 3
Buffalo, New York
BCP Site #B00164

Prepared for:
Buffalo Urban Development Corp.
95 Perry Street, Suite 404
Buffalo, New York 14203

LaBella Project No. 2262002

April 2026

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1.0 EXECUTIVE SUMMARY

This Periodic Review Report (PRR) is a required element of the approved Site Management Plan (SMP) for the Hanna Furnace Subparcel 3 (hereafter referred to as the “Site”) Development. The Site is part of the Union Ship Canal Public Open Space known as Buffalo Lakeside Commerce Park (BLCP) in Buffalo, New York. The site was remediated in accordance with State Assistance Contract (SAC)#C3-03-218, Site #B00164, which was executed on February 17, 2005, and last amended on December 8, 2010.

1.1 Site Summary

The City of Buffalo and County of Erie entered a SAC with the NYSDEC to remediate the site and required the Remedial Party to investigate and remediate contaminated media at the site. The site Investigation (SI) determined that elevated levels of Semi Volatile Organic Compounds (SVOCs) are present in the site’s soils. Those elevated levels were above the concentrations allowed for commercial use as established in the Explanation of Significant Difference (February 2017), prepared by the NYSDEC, for passive recreational areas. Groundwater samples were collected in November 2001 and again in March 2003 using low-flow pumping to reduce the turbidity that had been observed in the earlier sampling event. March 2003 samples were collected using low-flow pumping methods to reduce turbidity. Samples collected using the low pumping methods were found to either eliminate or reduce detections of analytes. The groundwater beneath the site has elevated pH levels and dissolved metals with the primary dissolved metal being sodium and isolated cases of iron, antimony, arsenic, lead, magnesium, and manganese. SVOCs consisting primarily of phenols were also found in the groundwater. The canal sediments had levels of SVOCs (primarily carcinogenic polyaromatic hydrocarbons [cPAHs]), several metals, and polychlorinated biphenyls (PCBs). Implementation of groundwater treatment was assessed as a remedial action; however, given the industrial surroundings it is unlikely that groundwater quality standards on site could be maintained over the long term.

The site contains contamination left after completion of the remedial action. Engineering controls (ECs) and institutional controls (ICs) have been incorporated into the site remedy to control exposure to remaining contamination during the use of the site to promote protection of public health and the environment. An Environmental Easement granted to the NYSDEC and recorded with the Erie County Clerk requires compliance Site Management Plan (SMP) (March 2022) and all ECs and ICs placed on the site. The ICs place restrictions on site use, and mandate operation, maintenance, monitoring and reporting measures for all ECs and ICs. This PRR was developed in accordance with SMP requirements to ensure that all site ECs and ICs remain in compliance.

1.2 Effectiveness of Remedial Program

Based on a recent inspection of the site, the engineering and institutional controls are generally in place, are performing properly, and remain effective and protective of public health and the environment.

1.3 Non-Compliance

No areas of non-compliance regarding the major elements of the SMP were identified during the preparation of this PRR.

1.4 Recommendations

Overall, the remedial program is viewed to be effective in achieving the remedial objectives for the site. No changes to the SMP or the frequency of PRR submissions are recommended at this time. Vehicle rutting observed across the site should be properly repaired to maintain the effectiveness of the cover system.

2.0 SITE OVERVIEW

2.1 Site Description

The site is located in the City of Buffalo, County of Erie, New York and is identified as Parcel Number 3 in Lot 18 in the Ogden Gore Track, Township Number 10, Range Number 8. The site is an approximately 22-acre area bounded by vacant property of Parcel 4 of the Buffalo Lakeside Commerce Park to the north, Ship Canal Parkway to the south and east, and Commerce Drive and Fuhrmann Boulevard to the west. The site is located in the middle of the Buffalo Lakeside Commerce Park (BLCP). Site location and boundaries are provided in Figures 1 and 2.

2.2 Summary of Remedial Actions

The site was remediated in general accordance with the NYSDEC-approved Record of Decision (ROD) dated February 2005, with the exception of the reduced requirement for a one-foot minimum clean cover placement. At the time that the ROD was issued, the 6 NYCRR Part 375 regulations did not distinguish between active and passive recreational site uses. Regulations now allow that 12 inches of clean soil cover is protective for passive recreational sites. Given the passive recreational use of the site, the remedy outlined in the ROD was modified to a soil cover system consisting of a 1-foot minimum thickness to prevent human exposure to remaining contaminated soil/fill at the site as detailed in the *Explanation of Significant Difference* (February 2017) prepared by the NYSDEC.

The following is a summary of the Remedial Actions performed at the site:

1. Excavation of soil/fill exceeding Site-Specific Action Levels.
2. Construction and maintenance of a soil cover system consisting of one foot of clean soil on site to prevent human exposure to remaining contaminated soil/fill remaining at the site. A one-foot stone aggregate cover was also placed over the sediment within the canal to prevent direct contact to contaminated canal sediments.
3. Execution and recording of an Environmental Easement to restrict land use and prevent future exposure to contamination remaining at the site.
4. Development and implementation of a SMP for long term management of remaining contamination as required by the Environmental Easement, which includes plans for: (1) Institutional Controls (IC) and Engineering Controls (EC), (2) inspections and maintenance and (3) periodic reporting.

Remedial activities were completed at the site in September 2011. After completion of the remedial activities described in the Remedial Work Plan, some contamination was left in the subsurface at this site.

In 2016, site cover system thickness evaluations were conducted in accordance with the Work Plan dated August 2, 2016. The soil cap was observed throughout the site at depths ranging from 11 to 32 inches below ground surface (estimated cap thickness of 11 to 14 inches) and an orange demarcation fabric was also observed throughout the site below the cap material in 39 of the 44 soil borings.

A SMP was prepared and submitted to NYSDEC in April 2022 to manage remaining contamination at the site until the Environmental Easement is extinguished in accordance with ECL Article 71, Title 36.

3.0 PERFORMANCE, EFFECTIVENESS & PROTECTIVENESS OF THE REMEDY

This is the third annual PRR inspection since development and execution of the SMP in 2022. Site inspection activities consist of a visual site walk-through to observe and photograph the integrity of the cover systems including sloughing, cracks, settlement, erosion, distressed vegetation, and damage to the cover system.

Site inspection activities were conducted on March 23, 2026, under damp conditions, 34 degrees Fahrenheit and cloudy. Inspection activities indicate that the various cover system components, including soil cover and asphalt, are functioning as intended. Some minor to significant vehicle rutting were observed adjacent to the north and south parking areas. Ponding and water accumulation was observed during this inspection within the rutting and path network on the south side of the canal. The observed rutting will be corrected and cover system repaired in the Spring of 2026 and activities summarized in the next PRR. Additional details of these deficiencies can be found in Section 5. The inspection and certification forms are included in Appendix 1 and 2. Inspection photographs are included as Appendix 3 and Figure 3.

4.0 INSTITUTIONAL/ENGINEERING CONTROL (IC/EC) PLAN COMPLIANCE REPORT

4.1 IC/EC Requirements and Compliance

Institutional Controls and Engineering Controls (IC/EC) currently enacted at the site include the following, as described in the SMP:

- Soil Cover Systems
- Excavation Work Plan
- Site Use Restrictions
- Groundwater Use Restrictions

4.1.1 Engineering Control-Soil Cover System

Exposure to remaining contamination in soil/fill at the site is prevented by a soil cover system placed over the site. This cover system is comprised of a minimum of 12 inches of clean soil, asphalt pavement, concrete-covered sidewalks, and concrete building slabs. There is an orange demarcation fabric between the clean cover and the remaining contaminated soil. The Excavation Work Plan (EWP) that is attached as Appendix B to the SMP outlines the procedures required to be

implemented in the event the cover system is breached, penetrated, or temporarily removed, and any underlying remaining contamination is disturbed.

4.1.2 *Engineering Control-Excavation Work Plan*

The site has been remediated for commercial use. Any future intrusive work that will penetrate the soil cover or cap, or encounter or disturb the remaining contamination, including any modifications or repairs to the existing cover system will be performed in compliance with the EWP that is attached as Appendix B to the SMP. Any work conducted pursuant to the EWP must also be conducted in accordance with the procedures defined in a Health and Safety Plan (HASP) and Community Air Monitoring Plan (CAMP) prepared for the site.

4.1.3 *IC Requirements-Site and Groundwater Restrictions*

Institutional Controls identified in the environmental easement may not be discontinued without an amendment to or extinguishment of the environmental easement. The Site has a series of ICs in the form of restrictions. Site restrictions that apply are as follows:

- The use of the site is limited to park space provided that long-term ECs and ICs are employed. Under Part 375 regulations, "commercial use" includes passive recreational areas (i.e., parks) without areas such as playgrounds and athletic fields. The property cannot be used for a higher level of use such as residential without additional remediation and amendment of the Environmental Easement. Activities that will disturb the remaining contaminated material on the property must be conducted in accordance with the SMP. No vegetable gardens or farming is permitted on the property.
- Use of groundwater on site is prohibited without treatment rendering it safe for the intended use.

LaBella has concluded that the ICs are in force and are being adhered to with respect to the condition and use of the Site and activities conducted thereon.

4.2 *IC/EC Certification*

All IC/ECs for the site have been implemented in accordance with the DEC-approved SMP and Environmental Easement. The IC/EC Certification Form for the site was completed as all ICs/ECs are in place for the site per the SMP. Appendix 2 includes the signed NYSDEC Site Management Periodic Review Report Notice-Institutional and Engineering Controls Certification Form.

5.0 **MONITORING PLAN COMPLIANCE**

Site-wide inspections will be performed during each annual certifying period when the cover is visible. Site-wide inspections will also be performed after severe weather conditions that may affect ECs. During these inspections, an inspection form will be completed. The form will compile sufficient information to assess the following:

- Compliance with all ICs, including site usage.
- An evaluation of the condition and continued effectiveness of the site cover system and canal walls.
- General site conditions at the time of the inspection.

Cover system monitoring was performed in accordance with the SMP, and included the annual visual inspection of the cover system components. As described in Section 3, the cover system was observed to be generally intact and functioning as intended, and is continuing to satisfy the remedial objectives for the site. Some minor to significant vehicle rutting were observed across portions of the site.

6.0 CONCLUSIONS AND RECOMMENDATIONS

The annual inspection of the site was performed on March 23, 2026 by LaBella Associates, DPC as prescribed in the SMP. As a result of this inspection, LaBella has determined that the site is in compliance with all elements of the SMP. A summary of observational findings from the site inspection are provided below:

- The 2026 inspection was performed under damp conditions. Ponding and surface water accumulation was noted in rutting located on the south side of the Site.
- Minor to significant rutting was observed in numerous locations across the site. Significant rutting was observed on the south side of the site. Rutting appears to be from unauthorized vehicular traffic entering the site at the south parking area. It is strongly recommended that areas be filled and reseeded with NYSDEC approved materials as part of future site maintenance to prevent the long-term deterioration of the Site cover systems.
- Continued evidence of standard deterioration and pitting of the canal wall was observed on all sides of the canal. The minor deterioration of the canal wall appears to be the result of the age of the canal. No indications of canal wall settling, cracking, or bowing were observed during visual observation (See Photographs in Appendix 3). Additional observation in future inspections will be necessary to assess continued deterioration.

As reflected by the signed Institutional and Engineering Controls Certification Forms (Appendix 2), LaBella has concluded that:

- The required EC/ICs are in place, are performing properly, and remain effective for the site;
- The Site Monitoring Plan is being implemented;
- Operation and Maintenance activities are being conducted properly; and
The remedy continues to be protective of public health and the environment and is performing as designed.

7.0 LIMITATIONS

The conclusions presented in this report are based on information gathered in accordance with generally acceptable professional consulting principles and practices. All conclusions reflect observable conditions existing at the time of the Site inspection. Information provided by outside sources (individuals, agencies, laboratories, etc.) as cited herein, was used in the assessment of the Site. The accuracy of the conclusions drawn from this assessment is, therefore, dependent upon the accuracy of information provided by these sources. Furthermore, LaBella is not responsible for the impacts of any changes in environmental standards, practices, or regulations subsequent to the performance of services.

This report is based upon the application of scientific principles and professional judgment to certain facts with resultant subjective interpretations. Professional judgments expressed herein are based upon the facts currently available with the limits of the existing data, scope of services, budget and schedule. To the extent that more definitive conclusions are desired by the Client than are warranted by the current available facts, it is specifically LaBella's intent that the conclusions and recommendations stated herein will be intended as guidance and not necessarily a firm course of action except where explicitly stated as such. LaBella makes no warranties, expressed or implied including without limitation, warranties as to merchantability or fitness of a particular purpose. Furthermore, the information provided in this report is not be construed as legal advice.

This inspection and report have been completed and prepared on behalf of and for the exclusive use of the Buffalo Urban Development Corp. Any reliance on this report by a third party is at such party's sole risk.

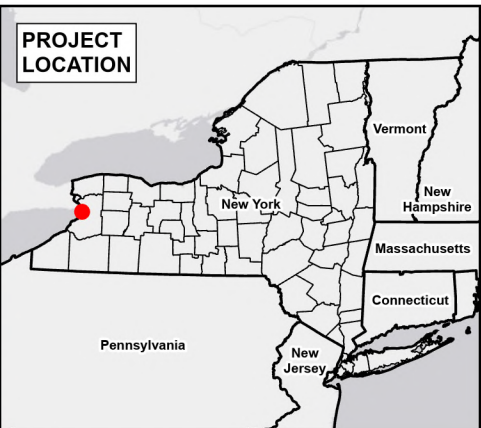
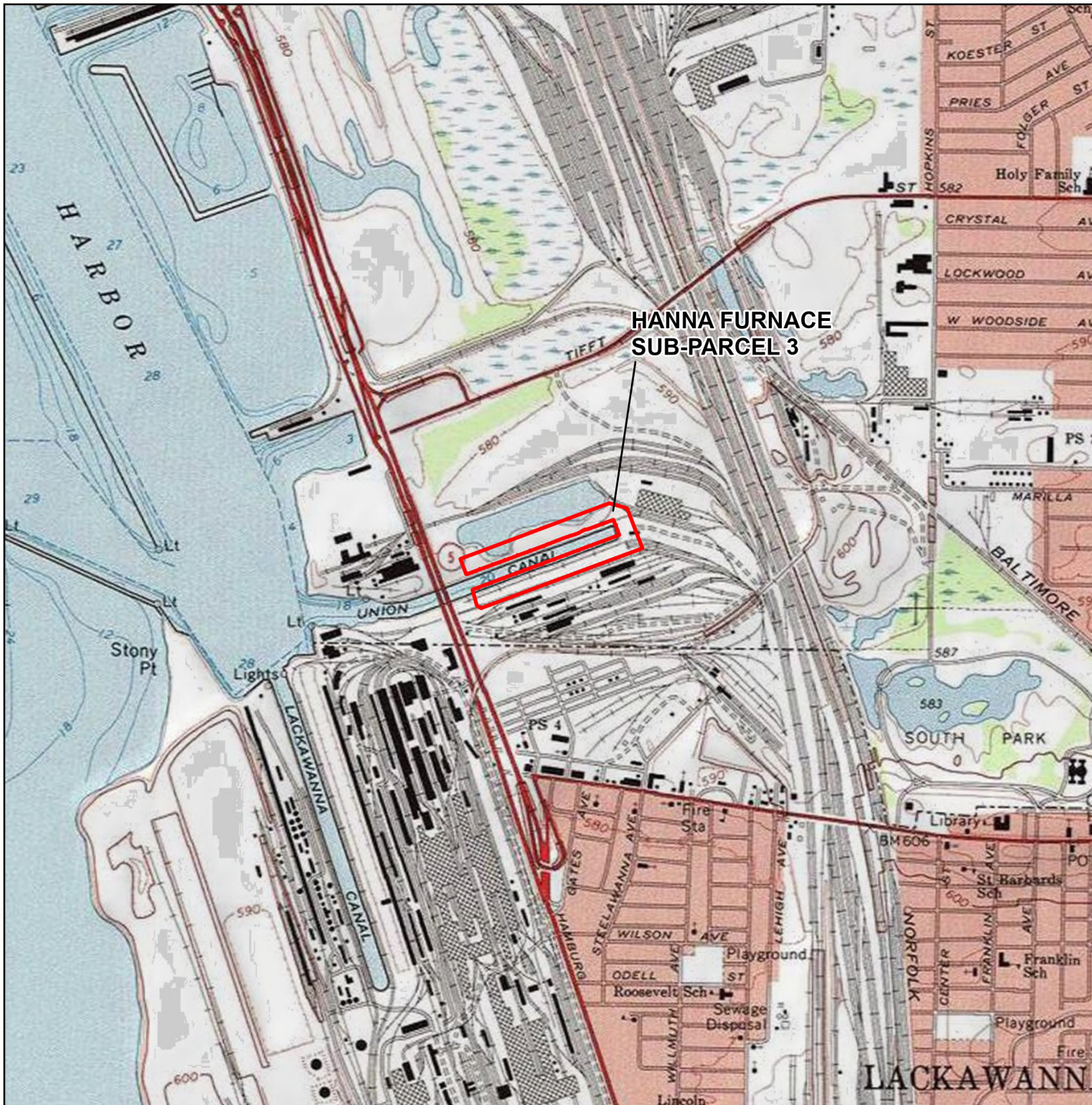
8.0 REFERENCES

DER-10/Technical Guidance for Site Investigation and Remediation, NYSDEC, May 3, 2010

Site Management Plan for Hannah Furnace Subparcel 3 Union Ship Canal Public Open Space – Arcadis, April, 2022

\\CASH.LAB\U\PROJECTS\BUFFALO URBAN DEVELOPMENT CORP\2262002 - HANNA FURNACE SUB PARCEL 3\11_REPORTS\2026PRR\FINAL 2026 PRR_HANNA FURNACE SUBPARCEL 3(C915198L).DOCX

FIGURES



LEGEND:

Site Location

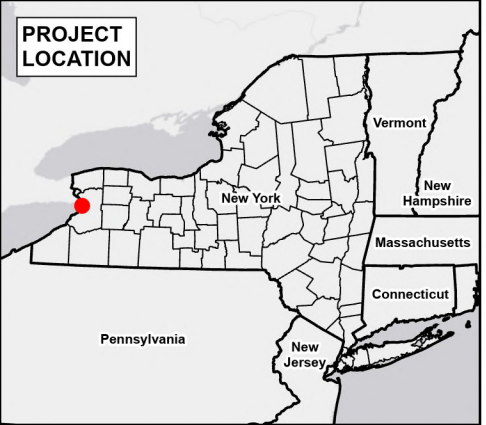
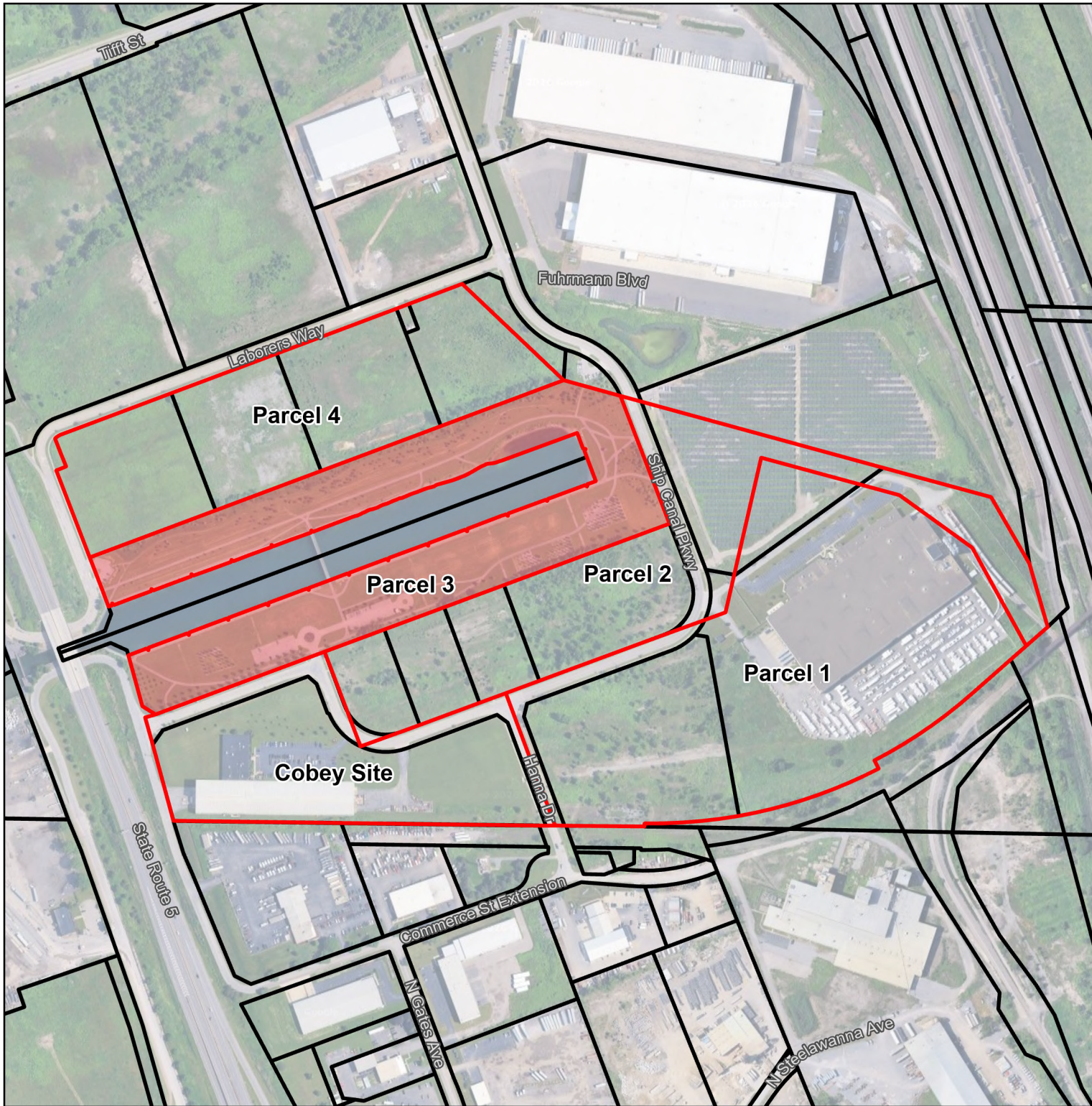
0 625 1,250 2,500 Feet

0 170 340 680 Meters




NOTE:
 1. USGS TOPO
 2. ERSI LIGHT GRAY REFERENCE MAP (INSET)

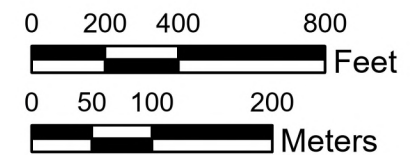
**HANNA FURNACE SUBPARCEL 3
 BUFFALO, NEW YORK
 PERIODIC REVIEW REPORT**

SITE LOCATION MAP



LEGEND:

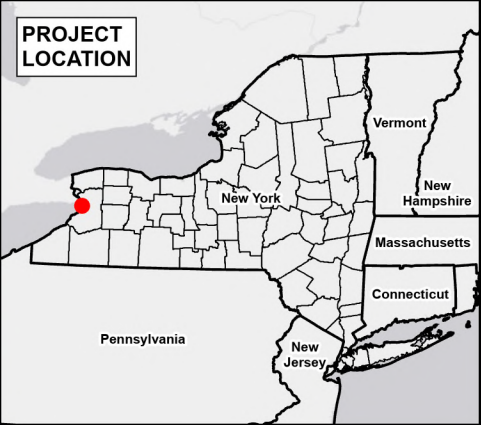
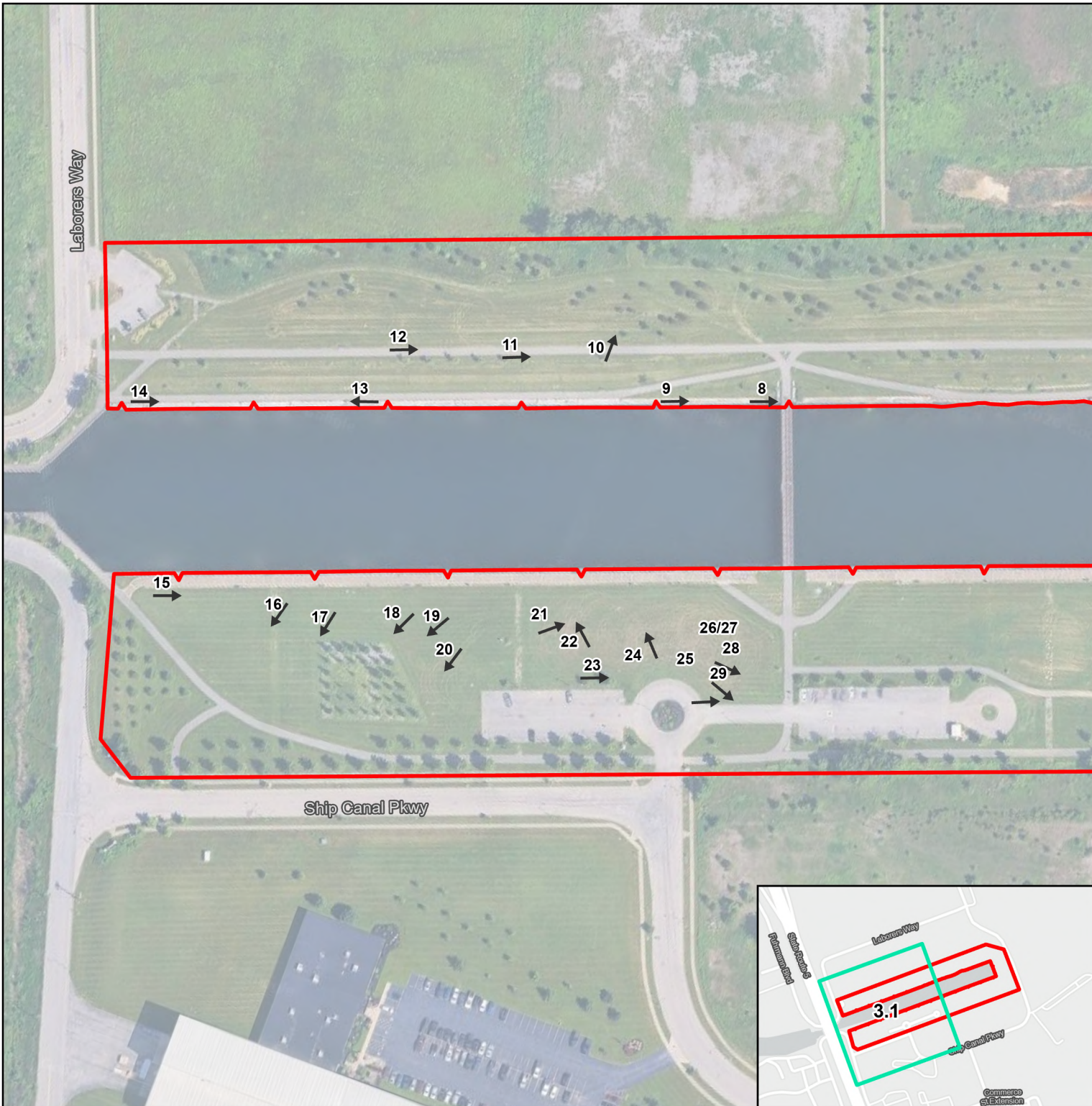
-  Site Location
-  Hanna Furnace Parcels
-  New York State Tax Parcels



NOTE:
1. GOOGLE EARTH
2. ERSI LIGHT GRAY REFERENCE MAP (INSET)

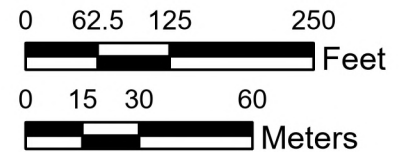
HANNA FURNACE SUBPARCEL 3
BUFFALO, NEW YORK
PERIODIC REVIEW REPORT

PARCEL MAP



LEGEND:

Site Location



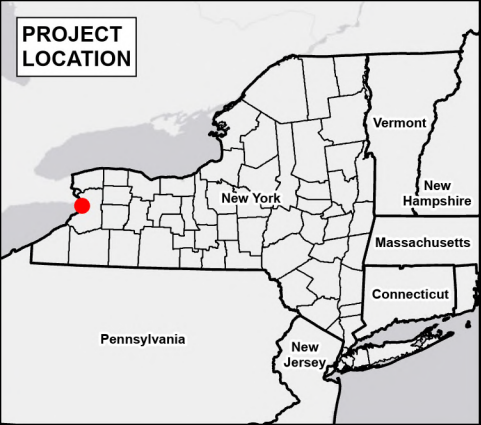
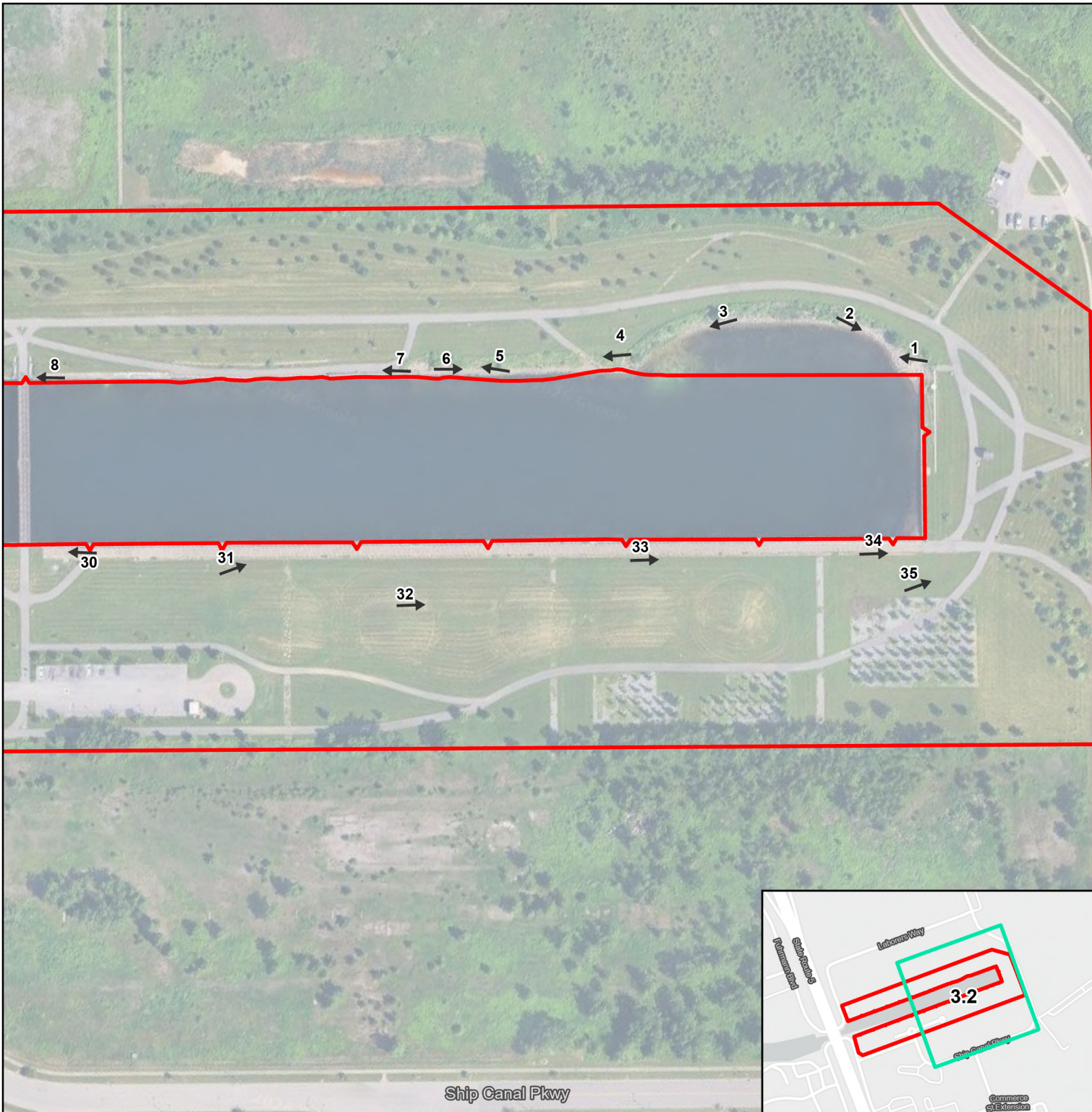
NOTE:
 1. GOOGLE EARTH
 2. ERSI LIGHT GRAY REFERENCE MAP (INSET)

HANNA FURNACE SUBPARCEL 3
 BUFFALO, NEW YORK
 PERIODIC REVIEW REPORT

PHOTO LOCATION MAP

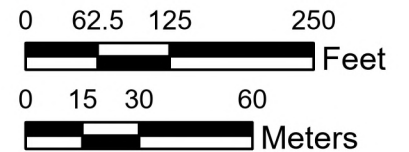


FIGURE
3.1



LEGEND:

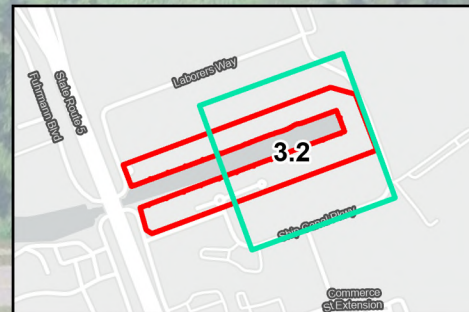
 Site Location



NOTE:
1. GOOGLE EARTH
2. ERSI LIGHT GRAY REFERENCE MAP (INSET)

HANNA FURNACE SUBPARCEL 3
BUFFALO, NEW YORK
PERIODIC REVIEW REPORT

PHOTO LOCATION MAP



APPENDIX 1

Cover Inspection Form

COVER & VEGETATION

	Yes	No
2. Final cover in acceptable condition?	<u>X</u>	<u> </u>
Is there evidence of sloughing, <u>erosion</u> , ponding or settlement?	<u> </u>	<u>X</u>
Is there evidence of <u>unintended traffic</u> ; rutting?	<u>X</u>	<u> </u>
Is there evidence of distressed vegetation/turf?	<u> </u>	<u>X</u>
3. Final cover sufficiently covers soil/fill material?	<u>X</u>	<u> </u>
Are there cracks visible in the soil or pavement?	<u> </u>	<u>X</u>
Is there evidence of erosion in the stormwater channels or swales?	<u> </u>	<u>X</u>

CANAL WALL

	Yes	No
4. Canal wall in acceptable condition?	<u>X</u>	<u> </u>
Is there evidence of excess pitting, <u>erosion</u> or settlement?	<u> </u>	<u>X</u>
Are there tension cracks visible in the concrete?	<u> </u>	<u>X</u>
Canal wall or parts of wall are visually out of plumb, tilting or deflecting?	<u> </u>	<u>X</u>
Other signs of damage or deterioration?	<u>X</u>	<u> </u>

Describe:

General aging and historical erosion/deterioration

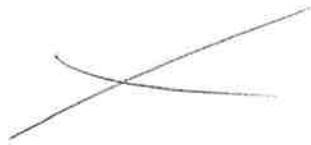
Displacement of canal wall mark from prior inspection? NA in.

ACTIVITY ON SITE

	Yes	No
5. Any activity on site that mechanically disturbed soil cover?	<u> </u>	<u>X</u>

ADDITIONAL FACILITY INFORMATION

Development on or near the site? (Specify size and type: e.g., residential, 40 acres, well and septic)



COMMENTS

Significant unauthorized vehicular traffic has resulted in rutting across much of the southern portion of the site. Some ruts have filled with large amounts of water.

see attached photos

ATTACHMENTS

See Appendices

APPENDIX 2

**Site Management Periodic Review Report Notice-Institutional and
Engineering Controls Certification Form**



Enclosure 2
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Site Management Periodic Review Report Notice
Institutional and Engineering Controls Certification Form



	Site Details	Box 1		
Site No.	B00164			
Site Name Hanna Furnace Sub-Parcel 3				
Site Address: 2 Ship Canal Parkway Zip Code: 14203				
City/Town: Buffalo (C)				
County: Erie				
Site Acreage: 21.771				
Reporting Period: March 28, 2025 to March 28, 2026				
		YES	NO	
1.	Is the information above correct?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	If NO, include handwritten above or on a separate sheet.			
2.	Has some or all of the site property been sold, subdivided, merged, or undergone a tax map amendment during this Reporting Period?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
3.	Has there been any change of use at the site during this Reporting Period (see 6NYCRR 375-1.11(d))?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
4.	Have any federal, state, and/or local permits (e.g., building, discharge) been issued for or at the property during this Reporting Period?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	If you answered YES to questions 2 thru 4, include documentation or evidence that documentation has been previously submitted with this certification form.			
5.	Is the site currently undergoing development?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
		Box 2		
		YES	NO	
6.	Is the current site use consistent with the use(s) listed below? Commercial and Industrial	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
7.	Are all ICs in place and functioning as designed?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
IF THE ANSWER TO EITHER QUESTION 6 OR 7 IS NO, sign and date below and DO NOT COMPLETE THE REST OF THIS FORM. Otherwise continue.				
A Corrective Measures Work Plan must be submitted along with this form to address these issues.				
_____ Signature of Owner, Remedial Party or Designated Representative			_____ Date	

Description of Institutional Controls

Parcel

Owner

Institutional Control

Portion of 132.19-1-4.11

City of Buffalo

Ground Water Use Restriction
Soil Management Plan

Landuse Restriction
Monitoring Plan
Site Management Plan
IC/EC Plan

Prohibition against use of groundwater without treatment;
Compliance with a soils management plan; and
Use must be maintained as commercial (passive recreation).

Description of Engineering Controls

Parcel

Engineering Control

Portion of 132.19-1-4.11

Cover System

Site-wide cover system of soil (minimum 1 foot thick) and asphalt pavement.

Periodic Review Report (PRR) Certification Statements

1. I certify by checking "YES" below that:

a) the Periodic Review report and all attachments were prepared under the direction of, and reviewed by, the party making the Engineering Control certification;

b) to the best of my knowledge and belief, the work and conclusions described in this certification are in accordance with the requirements of the site remedial program, and generally accepted engineering practices; and the information presented is accurate and complete.

YES NO

2. For each Engineering control listed in Box 4, I certify by checking "YES" below that all of the following statements are true:

(a) The Engineering Control(s) employed at this site is unchanged since the date that the Control was put in-place, or was last approved by the Department;

(b) nothing has occurred that would impair the ability of such Control, to protect public health and the environment;

(c) access to the site will continue to be provided to the Department, to evaluate the remedy, including access to evaluate the continued maintenance of this Control;

(d) nothing has occurred that would constitute a violation or failure to comply with the Site Management Plan for this Control; and

(e) if a financial assurance mechanism is required by the oversight document for the site, the mechanism remains valid and sufficient for its intended purpose established in the document.

YES NO

IF THE ANSWER TO QUESTION 2 IS NO, sign and date below and DO NOT COMPLETE THE REST OF THIS FORM. Otherwise continue.

A Corrective Measures Work Plan must be submitted along with this form to address these issues.

Signature of Owner, Remedial Party or Designated Representative

Date

IC CERTIFICATIONS
SITE NO. B00164

Box 6


SITE OWNER OR DESIGNATED REPRESENTATIVE SIGNATURE

I certify that all information and statements in Boxes 1,2, and 3 are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law.

I ANDREW BENKREMAN at LABECCA ASSOCIATES
300 PEARL ST, BUFFALO, NY
print name print business address

am certifying as OWNER REPRESENTATIVE (BUDC) (Owner or Remedial Party)

for the Site named in the Site Details Section of this form.


Signature of Owner, Remedial Party, or Designated Representative
Rendering Certification

4/27/26
Date

EC CERTIFICATIONS

Box 7

Qualified Environmental Professional Signature

I certify that all information in Boxes 4 and 5 are true. I understand that a false statement made herein is punishable as a Class "A" misdemeanor, pursuant to Section 210.45 of the Penal Law.

I ANDREW BENKLEMAN at LABELLA ASSOCIATES
print name 300 PEARL ST. BUFFALO, NY
print business address

am certifying as a Qualified Environmental Professional for the OWNER (BUDC)
(Owner or Remedial Party)


Signature of Qualified Environmental Professional, for
the Owner or Remedial Party, Rendering Certification

Stamp
(Required for PE)

4/27/26
Date

APPENDIX 3

Photographs



North Side Photographs



1. North side looking west at rock wall



2. North Side looking east at rock wall



3. North side looking southwest at rock wall



4. North side looking west at beginning of canal wall



5. North side looking at beginning of canal wall



6. North side looking east at top of canal wall



7. North side looking west at side of canal wall



8. North side looking east at top of canal wall and bridge



9. North side looking east at top of canal wall



10. North side looking north at field, some seasonal pooling and mild rutting



11. North side looking west at field and asphalt path, some seasonal pooling and mild rutting



12. North side looking northwest at field, some seasonal pooling and mild rutting



13. North side looking west at top of canal wall



14. North side looking east at top of canal wall



South Side Photographs



14. South side looking east at top of canal wall



15. South side looking east at top of canal wall



15. South side looking south at field/path



17. South side looking south at rutting in field



18. South side looking south at rutting



19. South side looking northeast at rutting



20. South side looking south at rutting



21. South side looking northeast at rutting



22. South side looking northwest at rutting



23. South side looking east at rutting



24. South side looking northeast at rutting



25. South side looking east at rutting



26. South side looking at significant rutting



27. South side looking north at rutting



28. South side looking east at rutting



29. South side looking east at rutting



30. South side looking west at canal wall



31. South side looking northeast at top of canal wall



32. South side looking east at rutting



33. South side looking east at top of canal wall



34. South side looking east at end of canal, canal wall in good condition



35. South side looking northeast at end of canal rutting