

From: Michael Nowicki <ecolsol@aol.com>
Sent: Friday, December 15, 2023 11:54 AM
To: Bill Povall <whp@povallengineering.com>
Subject: Fw: Proposed Uhaul - Town of Wappinger

Bill

see below - the wetland is not DEC regulated - Sarah mentions bats and turtles which i had addressed in the habitat report.

Mike

----- Forwarded Message -----

From: Pawliczak, Sarah A (DEC) <sarah.pawliczak@dec.ny.gov>
To: ECOLSOL@AOL.COM <ECOLSOL@AOL.COM>
Sent: Friday, November 3, 2023 at 03:17:36 PM EDT
Subject: RE: Proposed Uhaul - Town of Wappinger

Hi Mike,

The onsite wetlands are not currently regulated by the NYSDEC but may be regulated when recently adopted changes to Article 24 become effective in 2025. Since the precise regulatory requirements for implementing these statutory changes are only in the initial stages of development, it is impossible to provide specific details regarding how these regulatory changes could potentially impact this project. If the onsite wetlands become jurisdictional under Article 24 in 2025, please know that the Department's regulations generally require avoidance and minimization of impacts to regulated wetlands and their 100-foot adjacent areas. In situations where impacts are unavoidable and have been minimized, mitigation may be required to compensate for remaining losses of wetland benefits.

The site is within the screening distance of Indiana bat and Blanding's turtles. The project may require a Section 401 Water Quality Certification if a Section 404 permit is required from the US Army Corps of Engineers. For more information, see attached permit jurisdictional guidance.

Thank you,

Sarah Pawliczak (she/her/hers)

Biologist, Bureau of Ecosystem Health

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