



LETTER OF POSITIVE JURISDICTION – FRESHWATER WETLANDS

04/17/2025

Alan Pilch

P.O. Box 843, Ridgefield, CT 06877

Sent via email to: alpengineering-la@outlook.com

Re: DEC Freshwater Wetlands Parcel Jurisdictional Determination for Parcel 90.11-1-1, Westchester County.

Dear Alan Pilch,

Based on the parcel identified in your request, the New York State Department of Environmental Conservation (DEC) has determined that the parcel contains freshwater wetlands and/or freshwater wetlands adjacent areas (AA) regulated by DEC pursuant to Article 24 of the Environmental Conservation Law (ECL). Specifically, the parcel contains freshwater wetlands and/or regulated adjacent area(s) that meet an Unusual Importance (UI) criterion. Specifically, the wetland is located within or adjacent to an urban area, as defined and identified by the United States Census Bureau.

The table below identifies the orientation of jurisdictional wetlands and adjacent areas within the parcel, the wetland class, and the classification characteristic(s) identifying it as a Class II wetland.

Tax ID #:	Wetland / AA Location	Classification
90.11-1-1	The wetland and adjacent area are located on the northwestern portion of the parcel paralleling road frontage	Class II: it is located wholly or partially within an Urban Area as defined and identified by the United States Census Bureau (December 2022)(§ 664.5 (b)(13)).

This determination shall remain valid for five years from the date of this letter (through 04/15/2030).

A freshwater wetlands permit from DEC is required for any regulated activity planned or proposed to be undertaken within regulated wetlands or their regulated adjacent areas.

A freshwater wetlands delineation is necessary to determine the precise boundary of jurisdictional wetlands areas on the subject parcel.

Please use this link <https://dec.ny.gov/nature/waterbodies/wetlands/freshwater-wetlands-program/freshwater-wetland-jurisdictional-determination> to identify and contact the appropriate DEC Regional Office prior to undertaking any regulated activities on the referenced parcel to determine whether a permit is required. In addition, you can visit DEC's website to learn more about the types of jurisdictional determinations and wetland delineations:

<https://dec.ny.gov/nature/waterbodies/wetlands/freshwater-wetlands-program/freshwater-wetland-jurisdictional-determination>

Pursuant to ECL section 24-0301(4), there is a rebuttable presumption that areas meeting the definition of Freshwater Wetland are regulated and subject to permit requirements. If you believe this jurisdictional determination has been made in error, you may request an initial consultation with DEC by scheduling a meeting on the parcel or property with the appropriate regional office to review the jurisdictional determination, pursuant to 6 NYCRR 664.9.

Please note that this determination pertains only to state-regulated, freshwater wetlands and regulated adjacent areas. DEC also regulates protected streams, tidal wetlands, coastal erosion hazard areas, and other important environmental resources. Work affecting those areas may also require DEC permits. More information on other DEC permit programs is available online at <https://dec.ny.gov/regulatory/permits-licenses/environmental-permits>.

In addition, please note that this letter does not relieve you of the responsibility of obtaining any other necessary permits or approvals from other local, state, or federal agencies.

If you have questions regarding this determination, please email FWWjurisdiction@dec.ny.gov.