

From: [MacDougall, David](#)
To: [Olivia Feldman](#)
Cc: [Allen Tate](#); [McNeill, Emily](#)
Subject: Tuytenbridge Wetlands
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Attachments: [image001.jpg](#)

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Good Morning Emily,

As discussed, The Freshwater Wetlands Act (FWA) (Article 24 and Title 23 of Article 71 of the Environmental Conservation Law [ECL]) gives the NYSDEC jurisdiction over wetlands along with a 100-foot regulated Adjacent Area that meet certain criteria (6 NYCRR Part 664). NYSDEC freshwater wetland regulations changed on January 1, 2025, and include new criteria in which a wetland may come under the jurisdiction of NYSDEC. State regulated wetlands include all wetlands 12.4 acres in size or larger, or smaller wetlands if the wetland meets one of 11 criteria to be considered a wetland of unusual importance. Informational mapping that shows previously mapped NYSDEC wetlands and other potential wetland areas is provided by NYSDEC. Wetlands on any given site are required to have a Jurisdictional Determination review by NYSDEC to determine State jurisdiction under Article 24 of the FWA.

A jurisdictional determination (JD) request following this new process was submitted on January 21, 2025 through the new online system

<https://survey123.arcgis.com/share/be5c071ff72d4876986b18488721e55f>

The department has 90 calendar days to respond to JD requests of whether or not the department believes that regulated wetlands are within the project parcel and that determination would come from the Central Office. There was a previously mapped NYSDEC wetland on the parcel outside of our study area to the east at the toe of a hillside which will not be impacted by the project.

Dave

David W. MacDougall, CWB®, PWS

LaBella Associates | Ecological Services Project Manager
USFWS Qualified bog turtle surveyor CT, MA, NY, PA



518-266-7326 direct
518-796-9049 cell
4 British American Blvd
Latham, NY 12110
labellapc.com