

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 4

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www.dec.ny.gov

Region 4 Headquarters
1130 North Westcott Road
Schenectady, NY 12306
(518) 357-2070
(For Albany, Columbia, Greene, Rensselaer,
Montgomery, Schenectady, Schoharie Counties)

Region 4 Stamford Field Office
Route 10
Stamford, NY 12167
(607) 652-7367
(For Delaware & Otsego Counties)

REQUEST FOR WETLANDS DETERMINATION OR DELINEATION

If you would like a Department biologist to come to your property to determine whether or not a New York State regulated wetland exists on the property (and if one does exist, to determine or delineate the wetland boundaries), you must complete this form and mail it, along with the items listed below, to the appropriate address (based on which county the property is located in) listed above. A biologist will then contact you and arrange to meet you at the site. PLEASE NOTE - If you do not own the property, you must submit with this request form with written permission from the landowner stating that he/she will allow this inspection.

1. Check the box which describes what you are requesting:
2. Wetland Determination - Biologist will examine the property to determine if a wetland exists on the property and will only point out its boundary.
3. Wetland Delineation - Biologist will examine the property and place flagging along the wetland boundary. The property owner must then have the boundary line surveyed, at his/her expense, according to the conditions on the attached page, and submit 3 copies to this office for review and approval. A survey map is required when a proposed project will cause any disturbance to the land within 100 feet from the marked wetland boundary line.

Name: _____
Mailing Address: _____
Telephone: Home () _____ Work () _____
Property Location: Address: _____
(C, T, V): _____ County: _____

3. Please state the reason a field inspection is necessary at this time (specific project or activity being proposed)
4. Attach to this completed form one 8 ½" x 11" copy of a section of either a county road map or USGS topographic map with the location of the property highlighted.
5. Also attach either a tax map OR survey map which shows all the property boundaries (8 ½" x 11" maximum size).



6. I hereby request that a department biologist inspect the wetland boundary on my property. If a delineation is performed, I agree to have the wetland boundary surveyed and to send 3 copies of the survey map to the Department of Environmental Conservation for approval.

Signature of Requester

Date of Request

FOR OFFICE USE ONLY

Inquiry # _____ Wetland # _____ Class _____

Date Forwarded to Wildlife Unit _____ Quad _____

Forward To: _____

Freshwater Wetland Determination/Delineation

The presence of freshwater wetlands on a property may affect where, and to what extent development can occur on a property, if at all. If wetlands are present, you may need to obtain a state and/or federal wetland permit before commencing your project.

The DEC has mapped the approximate boundaries of all known freshwater wetlands in the state that are 12.4 acres in size or larger. In some cases these maps include smaller wetlands of unusual local importance. These maps are used to provide guidance as to the potential presence of freshwater wetlands on particular properties and they show the approximate boundary at the time the maps were made, which in some cases, can be more than 15 years ago. The actual wetland boundary may now be different due to changes in the landscape caused by agricultural uses, ecological succession, new water drainage patterns caused by recent commercial/residential development, beaver activity, mapping inaccuracies and deviations produced by different map scales.

If you are planning to purchase or develop a parcel of land it is important to first verify whether a freshwater wetland is present, and if so, to determine what portion of the parcel is considered to be wetland.

Services Available (Services provided by DEC staff will vary depending on the project circumstances):

Small projects by a current landowner involving a single family residence, accessory structure, or agricultural lands - A DEC biologist or technician will visit the site and may flag the wetland boundary, if deemed necessary.

Prospective purchasers of land - DEC biologists will review materials in the office and provide a written response. A single site visit will only be made at the request of the landowner.

Development projects involving state and federal wetlands - In most situations, the landowner/developer should retain a private wetland consultant to flag all state and federal wetlands on the site. Upon receipt of a copy of a survey map of the property showing the wetland boundary, DEC staff will meet in the field with the consultant to review and approve the wetland boundary.

Interveners in a Development Proposal - DEC biologists will review materials in the office to assess the potential for state wetlands on the site. When appropriate, the DEC will contact the project sponsor or local government reviewing board to coordinate identification of wetlands on the project site.

Wetland Violation Resolution - A DEC biologist will visit the site to determine the location of the wetland boundary and the nature and extent of the violation. Depending on circumstances, a portion of the wetland boundary adjoining the violation site may be flagged.

If you want to have a DEC biologist evaluate your property for the presence of state regulated wetlands you must first complete the attached request form and submit it to the appropriate office which handles your county. A DEC biologist will arrange to meet you at the parcel to identify wetlands and to discuss how their presence may affect your plans. If the biologist determines that your plans will require a precise marking of the location of the wetland boundary (delineation) the biologist will do so, and you must then have the wetland boundary line surveyed by a professional surveyor who will draw the wetland boundary line on a survey map of the property. You must then submit at least three copies of the map to the DEC biologist for review and approval. Once the map is approved by the biologist, a copy will be returned to you. The map and wetland delineation are considered valid for a period of three years. There is no fee for the DEC biologist to delineate the wetlands and review the map prepared by the surveyor, however, the surveyor's fee is the responsibility of the requestor/landowner. Questions may be directed to a DEC biologist at (518) 357-2070 or (607) 652-7367

Please Note the following information pertaining to state and federal wetland permits:

The New York State Department of Environmental Conservation (NYSDEC) has regulatory jurisdiction over wetlands that are 12.4 acres in size or larger, while the U. S. Army Corps of Engineers (the Corps) regulates wetlands of all sizes. This means that almost all state regulated wetlands are also regulated by the Corps. Wetlands less than 12.4 acres in size are usually regulated only by the Corps and not the state.

In cases where both state and federal wetlands are involved a state wetland permit and a state 401 Water Quality Certification (WQC) may be required for a project, in addition to a federal wetland permit. In those cases where only a federal wetland is involved, and not a state wetland, you would not need a state (Article 24) wetland permit, but you may still need to obtain a Water Quality Certification from the state, based on the type of work you propose to do.

Even if a DEC biologist determines that there are no state regulated wetlands on the parcel, this does not necessarily mean that you will not need any wetland approvals for your project. In most cases the presence of any wetlands on the site means that those wetland areas would be regulated by the Army Corps of Engineers.

When you are considering undertaking a project you should first consult directly with both the Army Corps of Engineers and the NYSDEC to discuss what regulatory requirements will apply to the project. It is the responsibility of private landowners to find out whether wetlands are present on their property and whether their proposed project will impact those wetlands. The Army Corps of Engineers does not have maps of all federal wetlands and does not delineate wetlands on private property. The DEC only delineates state wetlands. Therefore, if there is wetland on the property the landowner should have a private wetland consultant delineate all the wetlands on the parcel and submit a copy of the map to the Army Corps and to DEC for review and approval. Otherwise, if the landowner only requests a delineation by a DEC biologist the landowner may be required by the Army Corps to have a second wetland delineation performed by a private biologist to determine the location of federal wetlands. This may result in increased costs and delays in the landowner's project.

Copies of the original DEC wetland maps were provided to local government clerk's offices and are available for review at DEC Regional offices. You may also purchase copies of specific maps from: Syracuse Blue Print Company, Inc., 825 East Genesee Street, Syracuse, NY 13210
Telephone: (800) 962-1458 or (315) 476-4084, Fax: (315) 476-4006

Order forms may be obtained directly from the company's internet site at: www.syracuseblueprint.com

Inquiries to the Corps for proposed projects within the nine (9) counties in NYSDEC Region 4 (Albany, Columbia, Delaware, Greene, Montgomery, Otsego, Rensselaer, Schenectady, Schoharie) should be directed to:

Upstate Regulatory Field Office
ATTN: CENAN-OP-RU, Bldg. 10, - 3rd Floor North
1 Buffington Street, Watervliet Arsenal
Watervliet, NY 12189-4000
518-266-6350 (Permits Processing Team)
518-266-6360 (Permits Compliance and Enforcement)
Email: cenan.rfo@usace.army.mil

SURVEY REQUIREMENTS FOR A DEC WETLAND DELINEATION MAP

When this Department receives a written request for a wetland delineation a DEC biologist will contact the requester to schedule a field meeting. This meeting will be arranged with the understanding that after the biologist marks the wetland boundary line the requester will have a professional surveyor plot the wetland boundary line on an official survey map of the property according to the following conditions and requirements:

I - REQUIRED SURVEY

Once the field marking is completed, we require from the requester three paper copies of the survey map showing the delineated wetland boundary line and a line showing the boundary of the wetland's 100-foot adjacent (buffer) area. The map must contain adequate survey information or attendant data to relocate these two boundaries in the field.

II - MAP STANDARDS

1. The wetland boundary is to be shown on the property map as a traverse line with bearings and distances assigned and labeled.
2. The traverse line representing the delineated wetland boundary is to be coordinated with the property line monumentation by bearings and distance lines.
3. The survey map must be stamped by a licensed land surveyor certified to practice in New York State.
4. The survey should be performed shortly after the actual field marking by the Department biologist.
5. The property owner is responsible for paying the surveyor's fees.

III - DEC ACCEPTANCE AND NOTIFICATION

You must provide the department with at least three (3) copies of the survey maps. Upon receipt of the maps, the biologist who marked the wetland boundary will examine them to determine if they accurately depict the delineated wetland boundary. If the maps are accurate, the biologist will notify the requester in writing. The department will keep two (2) of the accepted maps on file and return the remaining one(s) to you.

The accepted map may then be used as a base map for planning your project. If your project will affect the wetland or its 100-foot adjacent (buffer) area you will need to apply for a wetland permit from this department and provide a copy of the survey map as part of your permit application.