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Town of Hyde Park
Planning Board

Wetland Functional Evaluation Report **FILE COPY**

Beligni Site
64 Fallkill Road
Town of Hyde Park
Dutchess County, New York

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1.0 EXISTING CONDITIONS/SUMMARY

Regulatory Review - Ecological Solutions, LLC completed a wetland evaluation and impact assessment for a proposed lot, located at 64 Fallkill Road in the Town of Hyde Park. The proposed lot is 19.75 acres and is to be created for one residential dwelling.

The wetland boundaries on the site were identified by Ecological Solutions, LLC in accordance with the Routine Onsite Determination Method prescribed in the 1987 US Army Corps of Engineers (USACE) Wetlands Delineation Manual and Northcentral/Northeast supplement. The wetland areas are two man made ponds/water features and do not contain a regulated buffer.

Since there is no discharge of fill material into the ponds no authorization of the project is required from the USACE.

There is no New York State Department of Environmental Conservation (NYSDEC) regulated wetland in the area.

Project Description/Impacts - The Applicant is seeking to create a 19.75 acres lot. There is no wetland impact proposed. A 12 foot wide gravel access currently exists to the lot.

2.0 WETLAND FUNCTIONS

An assessment of wetland functions and values was conducted on the ponds identified on the site. Using a widely accepted method for wetland functions and values assessment developed by the New England District, U.S. Army Corps of Engineers, 13 distinct wetland functions and values were assessed for the delineated wetlands on the site. This method yielded an objective, descriptive quality index of each wetland rather than a subjective quantified rating of each wetland. This assessment had two major objectives:

1. Objectively identify the functions and values provided by the wetland identified on the western section of the site.
2. Provide baseline data with which the Applicant could work in planning land uses, and against which the Applicant could assess potential impacts of proposed development of the site.

The descriptive quality index of each wetland, based on this methodology, is summarized in this report.

Wetlands are legally protected because of the functions they perform and the benefits that society reaps from those functions. Wetland functions are chemical, physical, and biological processes that wetlands naturally perform as a matter of course, such as absorption of nutrients or floodwaters, or provision of habitat for fish and wildlife. Wetland values are the benefits that society derives from wetland functions, such as flood abatement, or water quality maintenance.

The functions and values assessment conducted on the property was based on the method outlined in *The Highway Methodology Workbook Supplement: Wetland Functions and Values, A Descriptive Approach*, by the U.S. Army Corps of Engineers New England District. This method was selected over an arbitrary numeric quantifying assessment scheme because it provides an objective, descriptive approach to functions and values assessment based on professional observation and judgment rather than a simple numeric value rating system. Quantified functions and values assessments do not always provide for descriptive information about wetlands and therefore may overlook important aspects of wetland functions and values.

The Highway Method provides for assessment of each wetland for thirteen defined functions and values. Of these, the first eight are considered wetland functions, and the last five are considered to be wetland values.

Findings of the assessment are outlined below.

The ponds on the site are man made features that are more likely old gravel excavations associated with the trails/paths that wind through this area. Functions and values provided by the ponds includes floodflow attenuation, sediment trapping, nutrient removal, and wildlife habitat. Of these, the most significant functions based on extent of rationale in identifying functions and values are floodflow attenuation and wildlife habitat. Wildlife usage of the pond is anticipated to be consistent with other ponds in the area since

there were deer tracks observed in the substrate as well as raccoon tracks and other mammals. Common bird species would also be expected to utilize the ponds for foraging/bathing.

The following functions were reviewed:

1. **Groundwater Recharge/Discharge** – the potential for a wetland to serve as a recharge area for an aquifer or as a surface discharge point for groundwater.

The proposed lot and associated features do not impact the pond areas. The proposed project will not impact this function.

2. **Floodflow Attenuation**– A wetland's ability to store and attenuate floodwaters during prolonged precipitation events, thereby reducing or preventing flood damage.

This is one of the major functions provided by the ponds. The proposed lot does not impact the ponds. The proposed project will not adversely impact this function.

3. **Fish and Shellfish Habitat** – The ability of permanent or temporary water bodies to provide suitable habitat for fish or shellfish.

There will be no impact to open water bodies so no impact is expected.

4. **Sediment/Toxicant/Pathogen Retention** – The effectiveness of the wetland in trapping sediments, toxicants or pathogens, thereby protecting water quality.

This is also one of the major functions provided by the ponds. Erosion controls can minimize any runoff from any work proposed on the lot. The proposed project will not adversely impact this function.

5. **Nutrient Removal/Retention/Transformation** – The effectiveness of the wetland at absorbing, retaining, and transforming or binding excess nutrients, thereby protecting water quality.

This is also one of the functions provided by the ponds. As with sedimentation, erosion controls will minimize any runoff from any work proposed on the lot so that no sediment/additional nutrient load will reach the ponds.

6. **Production Export** – The wetland's ability to produce food or usable products for humans or other living organisms.

There is no impact to this function.

7. **Sediment/Shoreline Stabilization** – The wetland's ability to prevent erosion and sedimentation by stabilizing soils along stream banks or the shorelines of water bodies.

The is no impact to this function since there is no impact to ponds/waterbodies.

8. **Wildlife Habitat** – The ability of wetlands to provide food, water, cover, or space for wildlife populations typically associated with wetlands or their adjacent areas, both resident and migratory.

This is one of the functions provided by the pond areas. The proposed lot does not impact the pond areas which are man made.

9. **Recreation** – The value placed on a wetland by society for providing consumptive and non-consumptive as well as active or passive recreational opportunities such as canoeing/boating, fishing, hunting, bird/wildlife watching, hiking, etc.

There is no impact to this function.

10. **Education/Scientific Value** – The value placed on a wetland by society for providing subjects for scientific study or research or providing a teaching resource for schools.

There is no impact to this function.

11. **Uniqueness/Heritage** – The value placed on a wetland by society for having unique characteristics such as archaeological sites or sites of historical events, unusual aesthetic qualities, or unique plants, animals, or geologic features, etc.

There is no impact to this function. The ponds are man made.

12. **Visual Quality/Aesthetics** – The value placed on a wetland by society for having visual and/or other aesthetic qualities.

There is no impact to this function.

13. **Threatened or Endangered Species Habitat** – The value placed on a wetland by society for effectively harboring or providing habitat for threatened or endangered species.

There is no impact to this function as provided below.

A review of the identified species and its associated habitat with respect to the proposed lot is provided.

SPECIES LISTING Common Name (Scientific Name)	FEDERAL / STATE STATUS	HABITAT DESCRIPTION	DETERMINATION OF EFFECT
Indiana bat (<i>Myotis sodalis</i>)	FE / SE	Hibernates in caves; maternity sites generally are behind loose bark of dead or dying trees or in tree cavities. Foraging habitats include riparian areas, upland forests, ponds, and fields. Forested landscapes supporting suitable habitat (trees > 5-inches dbh) are the most important habitat.	<u>May affect, not likely to adversely affect</u> – suitable summer habitat (i.e. trees with dbh > 5-inches) would be removed from the proposed project area. Clearing trees between October 1 and March 31, during hibernation, would eliminate the possibility of taking individual bats.

As noted in the table above, potentially suitable habitat (trees with dbh > 5-inches) capable of supporting the Indiana bat (*Myotis sodalis*) are present on the lot. However, provided that any activity that requires tree clearing occurs between October 1 and March 31, it is anticipated that no impact will occur.

