

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 7
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LETTER OF NO JURISDICTION

ENDANGERED SPECIES ACT

September 27, 2018

John F. Shields III, E.E.
Hunt Engineers, Architects, Surveyors
Shieldsj@hunt-eas.com

Re: Townhomes at Dryden Development Project
Intersection State Rte 366/Freese Road/Mt. Pleasant Road
Hamlet of Varna, Town of Dryden, County of Tompkins

Dear Mr. Shields:

The Department of Environmental Conservation (DEC) has determined that your proposal to construct 219 units/602 beds of townhomes style housing plus 2,112 SF of retail space conceptually proposed as a coffee shop and specialty retail, located at the intersection of State Route 366, Freese Road and Mount Pleasant Road in the Hamlet of Varna, Town of Dryden, County of Tompkins, is **not** likely to result in the "take" of threatened or endangered species. This determination is based on the information submitted on your September 12, 2018 email to Matthew J. Russo, DEC Division of Water Engineer. Though Sedge Wren are known to occur at or near your project location, the DEC does not anticipate your proposed action to result in a take. Therefore, no permit is required at this time pursuant to the implementing regulations (6NYCRR Part 182) of the New York State Endangered Species Act (Article 11-0535).

Be advised that any changes in location, expansion of the footprint of the project, modifications of the scope, or changes in the timing of proposed actions that are not identified in the submission referenced above may trigger DEC authorization. Please reinitiate contact with this office if such activities are contemplated.

Please note that this letter does not relieve you of the responsibility of obtaining any necessary permits or approvals from other agencies or local municipalities.

Sincerely,



Teri Phelps, Environmental Analyst 1
Division of Environmental Permits-Cortland Office
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cc: Bernie Carr, Terrestrial Environmental Specialists, Inc.
DFWMR-Cortland
Matthew Russo, DEC DOW
DEP-Cortland



Department of
Environmental
Conservation