



**US Army Corps  
of Engineers®**

# PUBLIC NOTICE

Applicant:  
**The Wetland Trust (TWT)**

Published: April 28, 2025  
Expires: May 30, 2025

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**New York District  
Permit Application No. NAN-2018-00619-UCA (M3)  
Wallkill Preserve Mitigation Site**

TO WHOM IT MAY CONCERN: The New York District of the U.S. Army Corps of Engineers (Corps) has received a proposal pursuant to 33 CFR 332 requesting the modification of the existing Hudson River Umbrella Wetland Mitigation Banking Instrument (UMBI) sponsored by The Wetland Trust (TWT) in the West of Hudson-Roundout service area encompassing the 02020007 8-digit hydrologic unit. The purpose of this public notice is to solicit comments from the public regarding the work described below:

**APPLICANT: The Wetland Trust  
4729 State Route 414  
Burdett, New York 14818**

This modification request includes a plan for the construction of a new 28-acre wetland mitigation bank site known as the Wallkill Preserve Mitigation Site. TWT currently provides mitigation for impacts to waters of the United States under Section 404 of the clean water act through the Hudson River UMBI program in the Hudson Wappingers Service area. The purpose of this notice is to solicit comments and recommendations from the public; Federal, state, and local agencies and officials; Indian tribes; and other interested parties so that we may consider and evaluate the impacts for the work described below and determine whether to issue, modify, condition, or deny the request to modify the UMBI.

This is an application for work in federally regulated waters; authorization under Section 404 of the Clean Water Act is required for implementation of this particular mitigation site that is proposed under the modification of the UMBI, if approved. No decision has been made as to whether this proposed modification will be approved.

ACTIVITY: Construction of the Wallkill Preserve Mitigation Bank Site to provide compensatory mitigation for section 404 impacts to wetlands. This action would involve amending the Umbrella Mitigation Banking Instrument by adding one new mitigation site to open the West of Hudson-Roundout Service Area.

WATERSHED AREA: Hudson River

LOCATION: The proposed project site is located north of 100 Oil City Road, southeast of Swan Street and northwest of Mission Land Road at Latitude 41.2848 Longitude -74.5192 in the Town of Warwick, Orange County NY. The service area for this site would encompass part of one 8-digit HUC (Hydrologic Unit Code is a designation for the

watershed drainage area encompassed) watersheds within the U.S. Army Corps of Engineers New York District as follows:

West of Hudson Basin (02020007), within portions of Orange, Sullivan and Ulster Counties

**DESCRIPTION OF PROPOSED ACTIVITY:** Under Section 404 of the Clean Water Act (CWA), applicants requesting Department of the Army permits to discharge dredged or fill material into waters of the United States, including wetlands and streams, are often required to mitigate for permitted wetland and stream losses by creating, restoring, enhancing, or in exceptional circumstances, preserving wetlands and streams.

Authorized Mitigation Banking programs provide the Corps and the regulated public with an additional option for compensatory mitigation using a watershed approach, instead of permittee-responsible mitigation. The January 2021 Wetland Trust Hudson River UMBI was previously approved by the Interagency Review Team (IRT) and this proposed modification of the instrument would be in accordance with the process described in 33 CFR 332. The IRT is comprised of the Corps (Buffalo and New York Districts), the U.S. Environmental Protection Agency, the U.S. Fish and Wildlife Service, New York City Department of Environmental Protection, the U. S. Department of Agriculture-Natural Resource Conservation Service, the National Oceanic and Atmospheric Administration-National Marine Fisheries Service and the New York State Department of Environmental Conservation.

The proposed Umbrella Mitigation Bank expansion plan is described in the document **“Wallkill Preserve Wetland Restoration and Mitigation Plan, Hudson River Wetland Umbrella Mitigation Bank Instrument, West of Hudson Service Area HUC 02020007, Warwick, New York”**, attached to this Public Notice. This document contains all the information normally contained in a plan to allow for the for the modification of the UMBI. If approved this modification would be incorporated as an amendment to the 2021 TWT Umbrella Mitigation Bank program instrument.

This public notice is being issued based on information furnished by the applicant. This information has not been verified or evaluated to ensure compliance with laws and regulation governing the regulatory program. The geographic extent of aquatic resources within the proposed project area that either are, or are presumed to be, within the Corps jurisdiction has been verified by Corps personnel.

The decision whether to modify the TWT UMBI will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation,

water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people.

The Corps is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other Interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this determination, comments are used to assess impacts to endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment (EA) and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act (NEPA). Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The New York District will receive written comments on the proposed work, as outlined above, until May 30, 2025. Comments should be submitted electronically via the Regulatory Request System (RRS) at <https://rrs.usace.army.mil/rrs> or to George Casey at [george.d.casey@usace.army.mil](mailto:george.d.casey@usace.army.mil). Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, New York District, Attention: George Casey, 1 Buffington Street Building 10, Third Floor, North Watervliet, New York 12189. Please refer to the permit application number in your comments. ALL COMMENTS REGARDING THE PERMIT APPLICATION MUST BE PREPARED IN WRITING AND SENT IN AS INDICATED ABOVE TO REACH THIS OFFICE BEFORE THE EXPIRATION DATE OF THIS NOTICE, otherwise, it will be presumed that there are no objections to the activity.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing will be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. Comments provided will become part of the public record for this permit application. All written comments, including contact information, will be made a part of the administrative record, available to the public under the Freedom of Information Act. The Administrative Record, or portions thereof, may also be posted on a Corps of Engineers internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

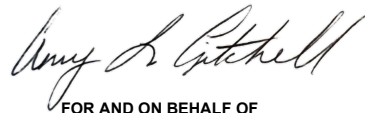
It is requested that you communicate the foregoing information concerning the activity to any person known by you to be interested and who did not receive a copy of this notice. If you have any questions concerning this application, you may contact George Casey at (518)266-6361 or [george.d.casey@usace.army.mil](mailto:george.d.casey@usace.army.mil).

In order for us to better serve you, please complete our Customer Service Survey located at:

<http://www.nan.usace.army.mil/Missions/Regulatory/CustomerSurvey.aspx>

For more information on New York District Corps of Engineers programs, visit our website at:

<http://www.nan.usace.army.mil>

A handwritten signature in black ink, appearing to read "Amy L. Mitchell".

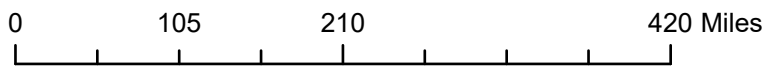
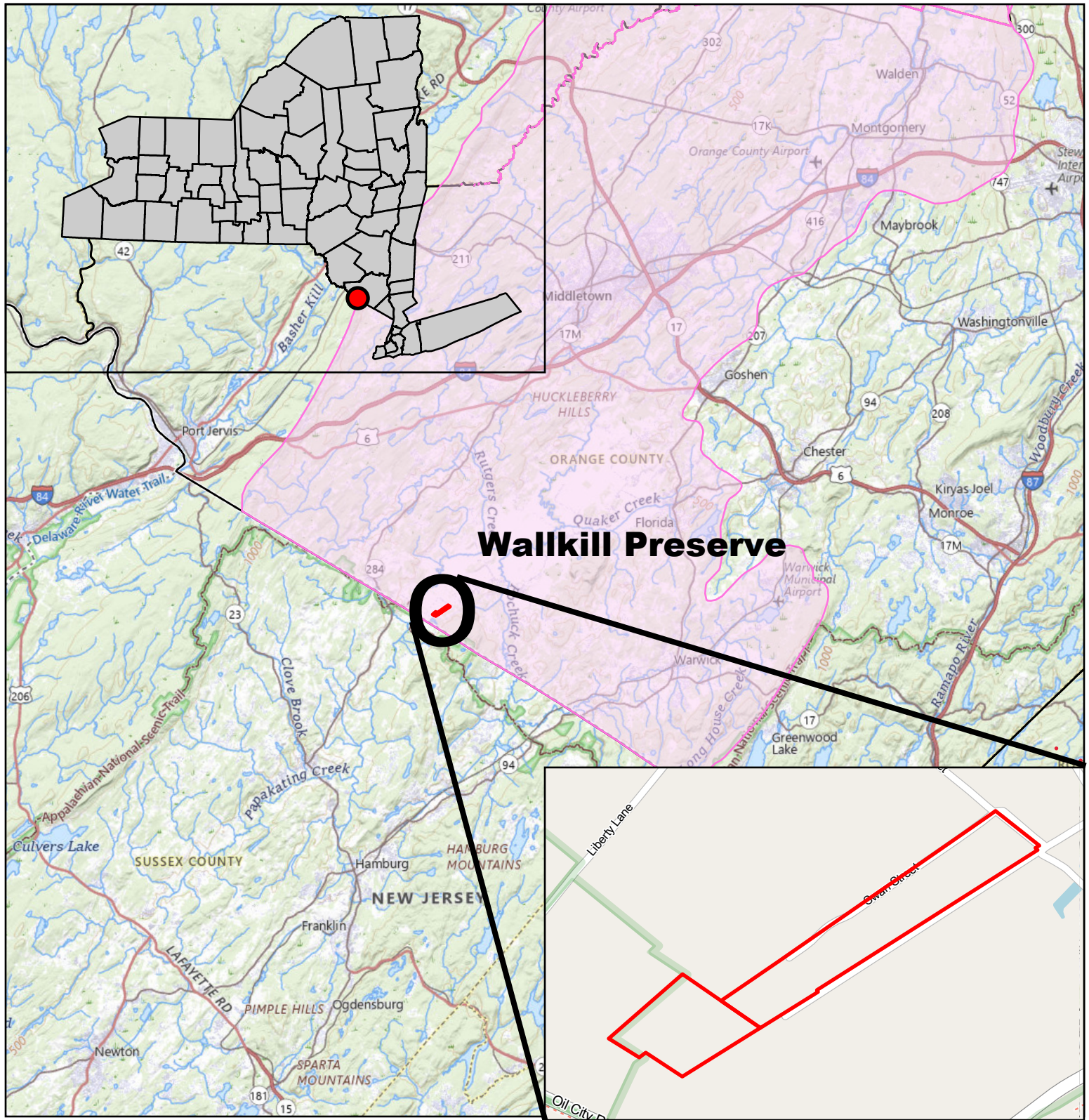
FOR AND ON BEHALF OF

Stephan A. Ryba

Chief, Regulatory Branch

Enclosures





**Site Location**  
 Walkkill Preserve  
 Town of Warwick,  
 Orange County, NY

- Conservation Easement Boundary
- West of Hudson Service Area (HUC 02020007)
- Location

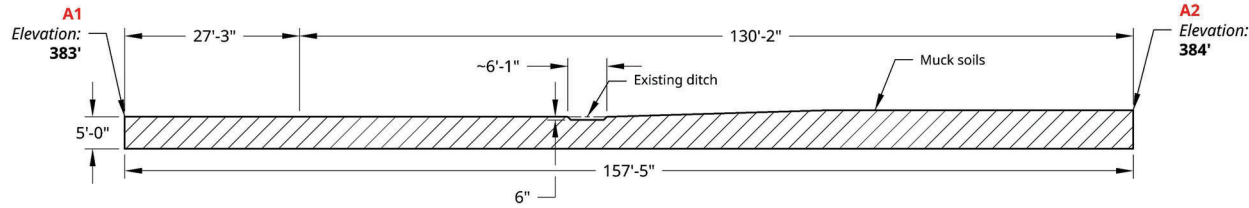
 The Wetland Trust, Inc.  
 4729 State Route 414  
 Burdett, NY 14818  
 (607) 765-4780

**Application No. NAN-2018-00619-UCA(M3)**  
**Sheet 1 of 5**

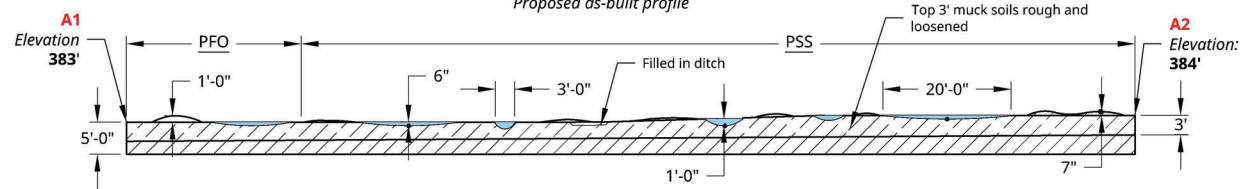


### Walkill South Parcel Cross Section Perpendicular to Ditch

Original topography profile



Proposed as-built profile

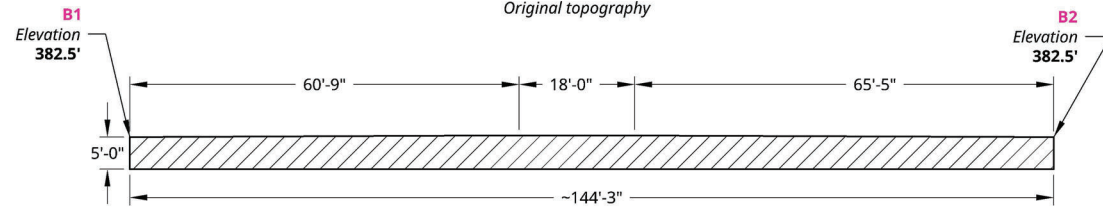


PFO includes pits averaging 6-10 feet in diameter and 2-3 feet deep, as well as scrapes ranging from 10-20 feet in diameter with an average depth of 6 inches. Mounds for planting trees are 12 inches high, not compacted. The soil is loosened to a depth of 3 feet, and drainage structures are removed or disabled to maintain soil saturation.

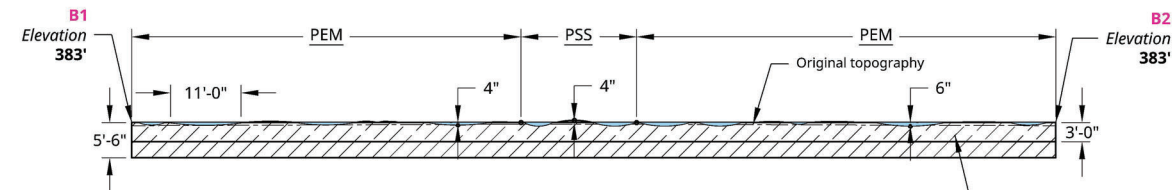
PSS includes pits of 3 feet in diameter and 1 foot deep, with scrapes of 10-20 feet in diameter and an average depth of 6 inches. Mounds for planting shrubs are 4 inches high, not compacted, and remain saturated. Like the forested wetland, the soil is loosened to a depth of 3 feet, and drainage structures are removed or disabled.

### Walkill South Parcel Cross Section Parallel to Ditch

Original topography

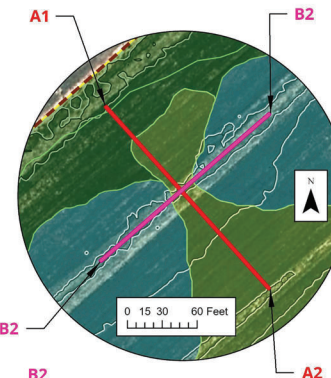


Proposed as-built profile



PEM areas have soil spread evenly from pits and scrapes adjacent to the wetlands. Scrapes are 10-20 feet in diameter and approximately 6 inches deep. The soil is loosened to a depth of 3 feet, and drainage structures are removed or disabled to ensure consistent saturation.

Top 3' of muck soils rough and loosened



- Walkill Tax Parcels
- Contours (1 ft)
- Cross Sections
- South Parcel Perpendicular to Ditch
- South Parcel Parallel to Ditch
- North Parcel Perpendicular to Ditch
- North Parcel Parallel to Ditch
- Designed Wetlands
- Emergent Wetland
- Forested Wetland
- Shrub Wetland
- Soil Spreading Area

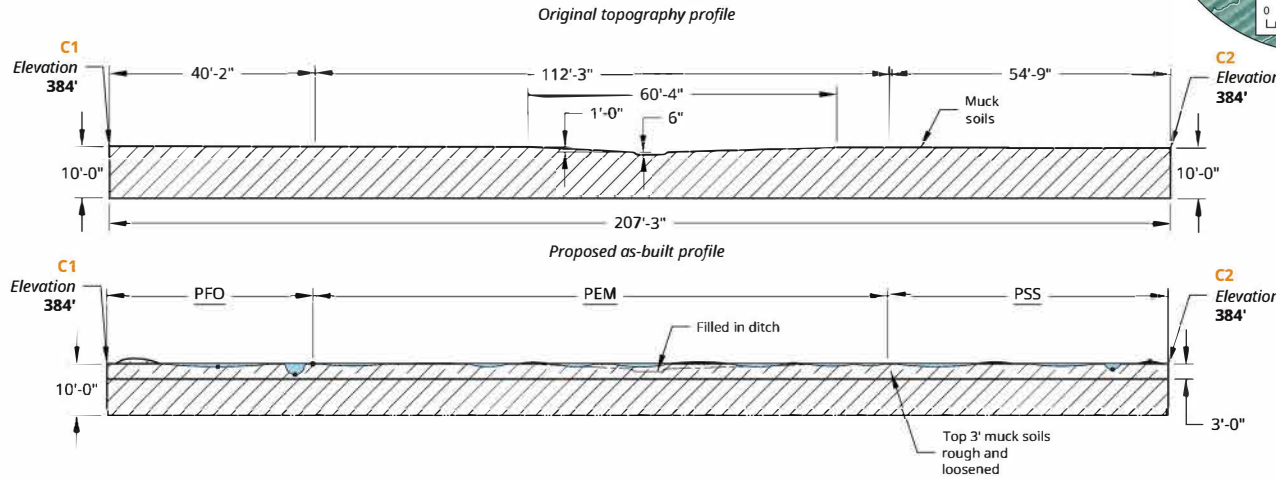
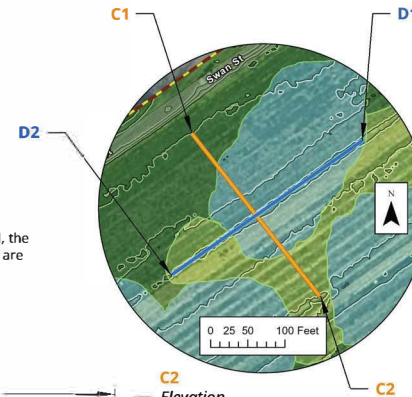
UNLESS OTHERWISE SPECIFIED, DIMENSIONS ARE IN FEET.		NAME		DATE		TITLE	
DRAWN		DYLAN JOHNSTON/JORDAN		02/26/2025		Walkill South Parcel Cross Sections	
CHECKED							
APPROVED							
MATERIAL		FINISH		SIZE		REV.	
				C			
SCALE: 1:180		WEIGHT		SHEET		1 of 1	



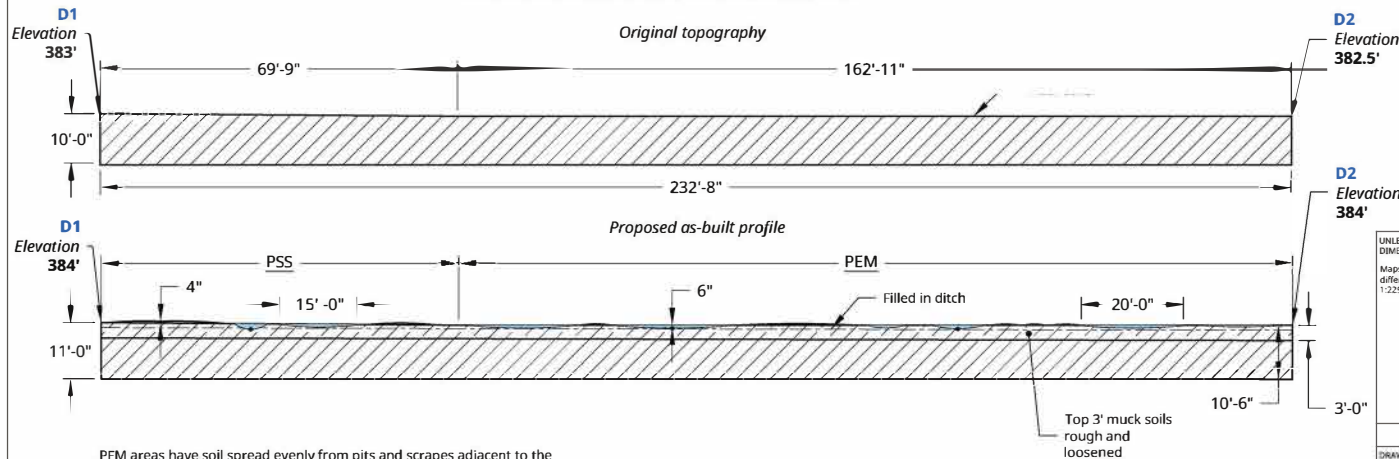
### Walkill North Parcel Cross Section Perpendicular to Ditch

PFO includes pits averaging 6-10 feet in diameter and 2-3 feet deep, as well as scrapes ranging from 10-20 feet in diameter with an average depth of 6 inches. Mounds for planting trees are 12 inches high, not compacted. The soil is loosened to a depth of 3 feet, and drainage structures are removed or disabled to maintain soil saturation.

PSS includes pits of 3 feet in diameter and 1 foot deep, with scrapes of 10-20 feet in diameter and an average depth of 6 inches. Mounds for planting shrubs are 4 inches high, not compacted, and remain saturated. Like the forested wetland, the soil is loosened to a depth of 3 feet, and drainage structures are removed or disabled.



### Walkill North Parcel Cross Section Parallel to Ditch



PEM areas have soil spread evenly from pits and scrapes adjacent to the wetlands. Scrapes are 10-20 feet in diameter and approximately 6 inches deep. The soil is loosened to a depth of 3 feet, and drainage structures are removed or disabled to ensure consistent saturation.



UNLESS OTHERWISE SPECIFIED, DIMENSIONS ARE IN FEET  
Maps and drawings are at different scales. Drawings are 1:225, maps are variable.

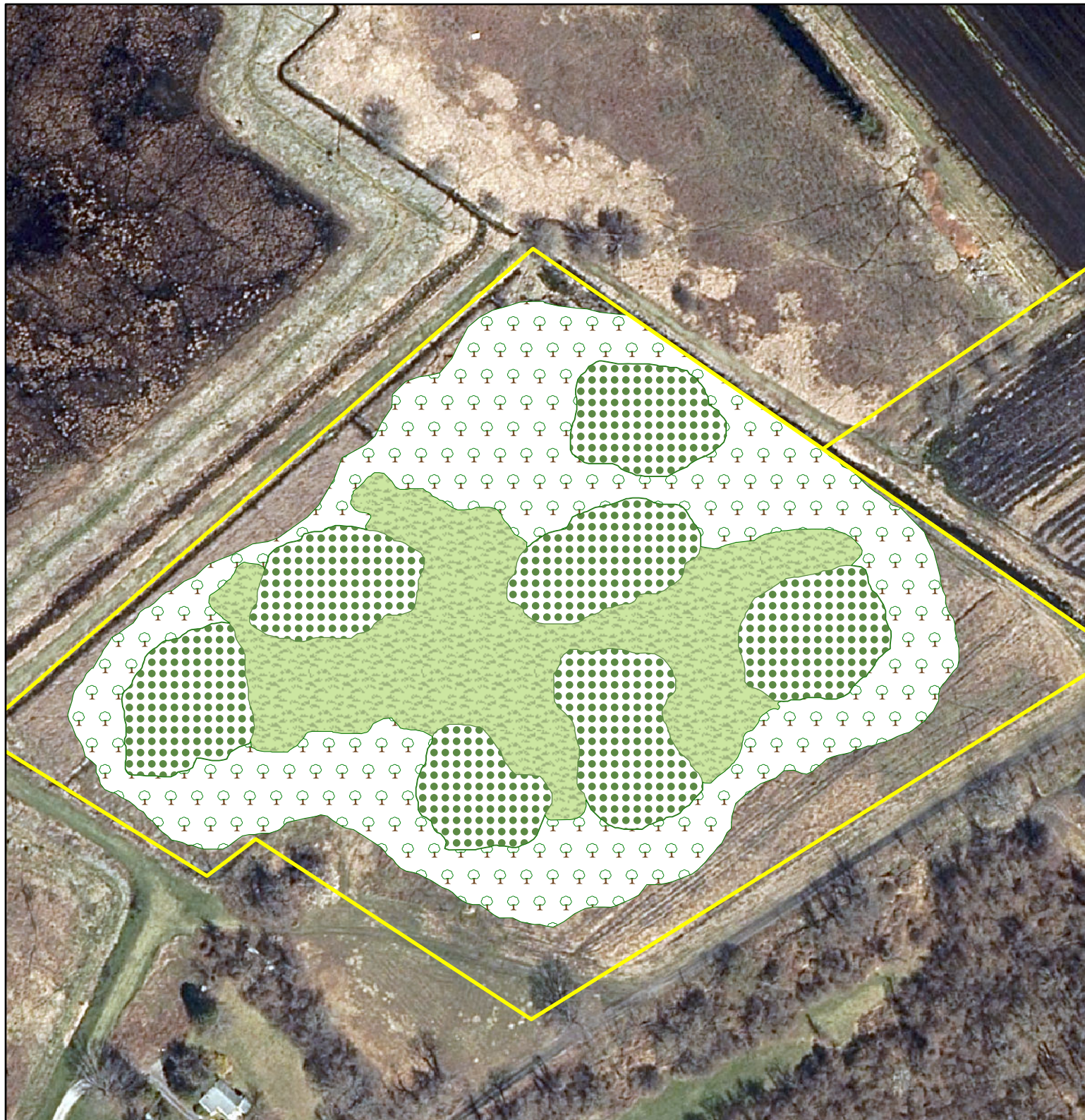
- Walkill Tax Parcels
- Contours (1 ft)
- Cross Sections
  - South Parcel Perpendicular to Ditch
  - South Parcel Parallel to Ditch
  - North Parcel Perpendicular to Ditch
  - North Parcel Parallel to Ditch
- Designed Wetlands
  - Emergent Wetland
  - Forested Wetland
  - Shrub Wetland
- Soil Spreading Area

**Application No. NAN-2018-00619-UCA(M3)**  
**Sheet 3 of 5**

NAME		DATE	TITLE	
DRAWN	DYLAN JOHNSTON/JORDAN	02/28/2025	Walkill North Parcel Cross Sections	
CHECKED				
APPROVED				
MATERIAL	FINISH	SIZE	WEIGHT	REMARKS
		C		
SCALE: 1:225		SHEET 1 of 1		











0 100 200 400 Feet

## Planting Plan: South

Walkkill Site

Town of Warwick,

Orange County, NY

-  Tax Parcel Boundary 9.17 acres
-  Emergent Wetland (PEM) 2.39 acres
-  Shrub Wetland (PSS) 1.801 acres
-  Forested Wetland (PFO) 3.32 acres



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**Sheet 4 of 5**





Cartographer: Kirsten Gerhardt | Date: 20 Jan. 2023 | Projection: NAD 1983 State Plane New York East | References: NYS GIS Clearinghouse





0 225 450 900 Feet

**Planting Plan: North**  
Walkkill Site  
Town of Warwick,  
Orange County, NY

-  Tax Parcel Boundary 20.5 acres
-  Emergent Wetland (PEM) 7.99 acres
-  Shrub Wetland (PSS) 2.52 acres
-  Forested Wetland (PFO) 10.39 acres



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