



Environmental
Compliance
Services, Inc.
ENVIRONMENTAL CONSULTING

VIA FEDERAL EXPRESS

July 16, 2004

Ms. Margaret Duke
Regional Permits Administrator
NYS Department of Environmental Conservation
21 South Putt Corners Road
New Paltz, New York 12561

Re: Patriot Estates Subdivision and Patriot Bluff Condominiums
Town of New Windsor, Orange County, New York
(ECSI Project No. 4133.EA)

Dear Ms. Duke:

We are writing on behalf of RPA Associates, LLC and request the Department's assistance to process a Water Quality Certification for two Nationwide Permits (NWP) recently issued (July 1, 2004) by the US Army Corps of Engineers for the above noted project. The permits have been issued for a utility crossing (NWP # 12) and for the disturbance of Federal jurisdictional wetlands associated with the proposed residential development (NWP # 39).

The area of wetland disturbance resulting from the proposed utility crossing is 0.01 acre, all of which will be restored after utility line construction. Approximately 0.48 acres will be altered for residential development. A total of 0.64 acres of wetlands will be created on-site as compensation for the alteration of the 0.48 acres of disturbed wetlands. We realize that a Statewide Water Quality Certification exists for the NWP # 12, however, we'd like to have the Department document the granting of each certification to facilitate a pending SEQR review by the project's Lead Agency, the Town of New Windsor Planning Board.

It is important to point out that the Town Planning Board has previously completed a SEQR review of the project and issued a SEQR Findings Statement on September 21, 1989. More recently, the Board's review of the project for Site Plan and Subdivision Approval has resulted in a need to reevaluate information pertaining to impact issues previously addressed under the original SEQR process. Essentially, the Board concluded that given the amount of time which has past since the original SEQR process, the Board resolved to require the preparation of a DSEIS by the Applicant, RPA Associates, LLC.

In an effort to assist you, enclosed please find the following items:

- Joint Permit Application
- Short Environmental Assessment Form (for WQC purposes)

226 East Main Street, Middletown, NY 10940 (845) 342-6540 Fax: 342-0811

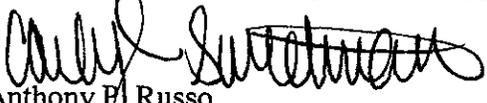
- Epiphany College Property Findings Statement
- Wetland Delineation Report for Patriot Estates Subdivision
- Wetland Mitigation Plan for Patriot Estates Subdivision
- Project Correspondence between ECSI and US Army Corps of Engineers
- Wetland Mitigation Plan Sheets 1 through 8
- Nationwide Permit # 12 and # 39
- Town Planning Board Resolution to require completion of a DSEIS for the project and a SEQR Notice of Intent for same.

Please be aware that a Storm Water Management Plan and the original EAF (long form) completed for the project will be forwarded to your attention in the near future, which will further your review of the project for Water Quality Certification.

If you or any member of your staff should have any questions regarding the above, please feel free to call.

Very truly yours,

ENVIRONMENTAL COMPLIANCE SERVICES, INC.


Anthony P. Russo for
President

APR/cas

Enclosures

cc: T. Perna, RPA Associates (w/o enclosures)
G. Shaw, Shaw Engineering (w/o enclosures)
M. Edsall, McGoey, Hauser & Edsall, P.C. (w/o enclosures)
B. Orzel, USACOE (without enclosures)