



February 25, 2026

Alex Molik  
300 Pearl Street, Suite 130  
Buffalo, New York 14202

Dear Alex Molik:

**DEC Freshwater Wetland  
Parcel Jurisdictional Determination  
& Boundary Verification  
Consultant Option  
2020 River Road  
Town of Wheatfield, Niagara County**

The New York State Department of Environmental Conservation (DEC) has reviewed the proposed Parcel Jurisdictional Determination (JD) prepared by LaBella Associates and submitted to DEC on October 24, 2025 for the 2020 River Road property, parcel 174.07-3-6, 174.07-3-7, 174.07-3-8, and 174.07-3-9, Town of Wheatfield. Based on the information provided in the request, DEC determined that the parcel contains freshwater wetlands and freshwater wetlands 100-foot adjacent areas (AA) regulated by DEC pursuant to Article 24 of the Environmental Conservation Law (ECL).

On February 25, 2026, DEC Ecologist Mandi Ohar remotely evaluated, using multiple years of aerial imagery supported by other map resources on the DEC's GIS, the wetland delineation performed by LaBella Associates within the parcel, verifying that the consultant-delineated wetland boundary is accurately depicted in LaBella Associate's July 2025 wetland delineation report (enclosed).

The table below identifies the jurisdictional wetland(s) and 100-foot adjacent area(s) within the parcel, wetland class, and associated classification characteristic(s).

Wetland ID	Jurisdictional Criteria Acreage/Unusual Importance (UI)	Classification (I, II, III, IV)	Classification Rationale
Consultant Wetland 1	Unusual Importance Criterion (Urban Area)	II	Located Within a FEMA Designated 100-Year Floodplain

This determination shall remain valid for five years from the date of this letter (through 2/23/2031).

If you would like to document the precise boundary of the wetland relative to your property boundary, it is your responsibility to have the wetland boundary surveyed. If you choose to complete a survey, the wetland boundary survey map should be submitted to me for verification. A copy of this Department's Requirements for Wetland Survey and Mapping is enclosed. Please note that a surveyed wetland boundary that has been verified by this Department will be considered valid for **five** years.

Please note that, for the purpose of your Article 24 application, this Department will not require a surveyed wetland boundary map. Instead, you may submit a sketch of the planned work areas on the enclosed wetland boundary map and indicate distances between the work areas and the wetland boundary using on-the-ground measurements.

A freshwater wetlands permit from DEC is required for any regulated activity (including but not limited to clearing vegetation, filling, draining, and construction) planned or proposed to be undertaken within regulated wetlands or their regulated adjacent areas. Contact the DEC's Division of Environmental Permits Office for information about permit requirements at:

New York State Department of Environmental Conservation  
Division of Environmental Permits  
700 Delaware Avenue  
Buffalo, New York 14209  
Telephone: (716) 851-7165  
[dep.r9@dec.ny.gov](mailto:dep.r9@dec.ny.gov)

Please note, this letter relates only to DEC freshwater wetlands jurisdiction and does not relieve you of the responsibility of obtaining any other DEC permits, or any permits or approvals that may be required from other agencies or municipalities.

Finally, be advised that the U.S. Army Corps of Engineers (Corps) may also have wetland jurisdiction irrespective of the DEC. For more information, you may contact the Corps at:

United States Army Corps of Engineers Regulatory Branch  
478 Main Street  
Buffalo, NY 14202  
Telephone: (716) 879-4330

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If you have any questions or concerns regarding this determination, please contact Mandi Ohar at [Mandi.Ohar@dec.ny.gov](mailto:Mandi.Ohar@dec.ny.gov).

Sincerely,

*Mandi Ohar*

Mandi Ohar  
Fish & Wildlife Ecologist I  
Region 9 – Buffalo

MLO:cj

Encl: LaBella Associates & July 2025 Wetland Delineation Map  
Requirements for Wetland Survey and Mapping

ec: Town of Wheatfield