



United States Department of the Interior

FISH AND WILDLIFE SERVICE
3817 Luker Road
Cortland, New York 13045



April 19, 2022

Mr. Gary Lake
Town of Wallkill
Planning Board Chairperson
99 Tower Drive
Middletown, NY 10941

Dear Mr. Lake:

This responds to the U.S. Fish and Wildlife Service's (Service) receipt of the Town of Wallkill Planning Board's Lead Agency notification for the proposed RDM Group Fini Drive commercial development. The proposed project is located between 24-44 Fini Drive in the Town of Wallkill, Orange County, New York. The proposed project includes the construction of an approximately 101,000 square foot warehouse/distribution facility with office space and associated infrastructure. Thank you for including the Service as an interested agency. We have no comments on your lead agency request.

We understand that permitting from the U.S. Army Corps of Engineers (Corps) may be involved with the project. As you may be aware, federal agencies, such as the Corps, have responsibilities under section 7 of the Endangered Species Act (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*) to consult with the Service regarding projects that may affect federally listed species or designated critical habitat, and confer with the Service regarding projects that are likely to jeopardize federally proposed species and/or adversely modify critical habitat. *Therefore, please make sure to forward any correspondence regarding this project to the Corps.*

We offer the following comments pursuant to the ESA. The project is within documented summer home ranges of maternity colonies of the federally listed Indiana bat (*Myotis sodalis*; Endangered). The project sponsor should consider this species during their environmental review. We recommend the project sponsor coordinate directly with our office to assess the potential for impacts to this species, to determine if any impacts identified can be avoided, and determine what conservation measures may be appropriate. If impacts cannot be avoided, we can assist the project sponsor with any needed permitting or ESA authorization.

We also encourage the project sponsor to use our New York Field Office Checklist for Project Review Submittals and to follow our 7-step process for submitting the project for review. The checklist can be found here: [Project submittal checklist | U.S. Fish & Wildlife Service \(fws.gov\)](#) and the 7-step process can be accessed here: [New York Project Reviews | U.S. Fish & Wildlife Service \(fws.gov\)](#)

Any additional information regarding the proposed project and its potential to impact listed species should be coordinated with both this office and with the New York State Department of Environmental Conservation, New Paltz Office.

Thank you for your time. We look forward to receiving additional project information to assist with our review. If you need assistance, please contact Ms. Noelle Rayman-Metcalf at noelle_rayman@fws.gov. Future correspondence with us on this project should reference project file 2022-0031198.

Sincerely,

David A. Stilwell
Field Supervisor

*Additional information referred to above may be found on our website at: [New York Project Reviews | U.S. Fish & Wildlife Service \(fws.gov\)](#)

cc: NYSDEC, New Paltz, NY (Attn: Env. Permits, Wildlife)
NYSDEC, Albany, NY (Attn: C. Herzog)