



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
Four Penn Center
1600 John F. Kennedy Boulevard
Philadelphia, Pennsylvania 19103-2852

Report Title: Clean Water Act, Section 404 Inspection Report for Hadensville - Fife Road Site
Inspection Date(s): 03/24/2023
Start Time: 9:00 am **End Time:** 10:30 am
Regulatory Program(s): Inspections authorized pursuant to Clean Water Act, Sections 308 and 404 (33 U.S.C. §§ 1318 and 1344)
Site Name: Boyd Farm, LLC
Site Location: Approximately Hadensville – Fife Road
Sandy Hook, Virginia 23063
Latitude: 37.8009 N **Longitude:** -78.0261 W
County/Parish: Goochland
Site Owner: Boyd Farm, LLC and Frazier T. Boyd, III
Mailing Address: 3009 River Road West
Goochland, Virginia 23063
Unique Project #: 3E23WW037A

Site Contact(s):

Frazier T. Boyd, III, Boyd Farms LLC, Owner
Phone: N/A Email: N/A
Chuck James, Williams Mullen
Phone: 804-420-6529 Email: cjames@williamsmullen.com
Bob Kerr, Wetland Studies and Solutions, Inc.
Phone: 757-389-4111 Email: bkerr@wetlands.com

EPA Inspector:

Katelyn Almeter, Inspector, 3ED31
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EPA Inspector
Signature/Date

Katelyn Almeter, Inspector, 3ED31
1600 John F. Kennedy Boulevard
Philadelphia, PA 19103

Date

Supervisor
Signature/Date

Renee Bryant, Section Chief
SDWA & Wetlands Section

Date

Unique Project #: **3E23WW037A**

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I. Introduction

This was a follow-up inspection by the United States Environmental Protection Agency, Region III (“EPA”) for compliance with Section 404 of the Clean Water Act related to EPA Docket # CWA-03-2020-0088DW. The inspection was conducted to observe the status of compliance with the injunctive relief measures implemented as part of the Corrective Action Plan approved by EPA on June 11, 2020. The Hadensville – Fife Road Site completed the second year of annual monitoring in 2022. The inspection was arranged by EPA with Chuck James, or Williams Mullen, and Bob Kerr, of Wetlands Studies and Solutions, Inc. (“WSSI”).

A. Site Identification

The Site is identified as the property located at approximately Hadensville - Fife Road in Sandy Hook, Virginia (the “Site”). The Site is also identified in **Attachment 1 – Site Map**, a figure previously provided to EPA from WSSI.

B. Weather and Environmental Conditions

The weather conditions during the inspection were approximately 65°F and overcast. No rainfall occurred during the inspection. According to the data available from the National Oceanic & Atmospheric Administration no precipitation was recorded at the Crozier, Virginia station for the seven days preceding the inspection.

C. Inspection Opening Conference

The attendees for the inspection are identified in Table 1 below. A short opening conference was held to discuss the objectives of the site visit, including observing the status of the wetland restoration activities at the Site and the progress towards meeting performance standards. Introductions and presentation of credentials were not conducted at this Site as the attendees were all part of a multi-day field activity related to the Boyd matter.

Table 1 – Inspection Attendees

Name:	Agency/ Organization:
Katelyn Almeter	U.S. Environmental Protection Agency
Pamela Lazos	U.S. Environmental Protection Agency
Bob Kerr	Wetlands Studies and Solutions, Inc.
Chuck James	Williams Mullen

Should the site/facility find it applicable, the U.S. EPA Small Business Resources Information Sheet can be found at <https://www.epa.gov/compliance/small-business-resources-information-sheet>.

II. Site Activity

In 2018 land-clearing, grubbing, and earth-moving activities occurred at wetlands on-site without a Section 404 permit from the U.S. Army Corps of Engineers, resulting in discharges of dredged or fill material into forested wetlands. Following issuance of an Administrative Order on Consent, a Corrective Action Plan was submitted by Mr. Boyd through WSSI for review and ultimately approval by EPA on June 11, 2020. The Corrective Action Plan was implemented at the Site in 2020 and the wetland restoration work is now in post-restoration monitoring. The Site completed the second year of annual monitoring in 2022.

III. Observations

The inspection walkthrough began at Area 1, located in the central portion of the Site on the western side (See **Attachment 1 – Site Map**). Area 1 was observed from the east at the edge of the field (see **Attachment 2 – Photographic Log**; DSCN4580). The EPA inspector and Mr. Kerr walked from the east into the wetland area. Locations where silt fence had been removed by cutting it off at ground level were observed (DSCN4581). Intact sediment control sock was observed (DSCN4583 and DSCN4584). Based on visual observations, vegetative coverage of the herbaceous stratum appeared to be near 100%. A diverse herbaceous vegetative community was observed including *Juncus effusus*, *Scirpus cyperinus*, and *Andropogon virginicus*. Living, planted woody stems were observed within the wetland area (DSCN4582). No estimate of percentage of surviving woody stems was made by the EPA inspector but many of the woody stems either had buds or were beginning to leaf-out. *Salix nigra* and *Sambucus nigra* were observed. Areas of surface saturation and the groundwater monitoring well were observed in the wetland area (DSCN4583 and DSCN4585).

The inspection walkthrough moved to Area 2, located to the north on the eastern side of the Site (DSCN4587). Areas of saturation to the ground surface were observed within the wetland area. Locations where the sediment control sock had been removed and the mulch dispersed were observed (DSCN4588). Vegetative coverage and diversity were consistent with Area 1 (DSCN4589). However, *Typha* sp. was also present (DSCN4593). Crayfish burrows were observed in the wetland area (DSCN4591 and DSCN4592). Using a pit that was still open from previous monitoring events the water table was measured and found to be present at approximately 11 inches (DSCN4594).

The Inspection walkthrough moved to Area 3, located to the north of Area 2 and near the overhead powerline right of way (DSCN4595). Vegetative coverage and diversity were consistent with Area 2, including the presence of *Typha* sp. (DSCN4599). Using a pit that was still open from previous monitoring events the water table was measured and found to be present at approximately 6 inches (DSCN4596).

The inspection walkthrough concluded back at the access road between Area 2 and Area 3.

IV. Records Review

A review of site/facility records was not a component of the inspection; therefore, EPA is not expecting to access business records, including confidential business information (“CBI”). If the site/facility owner wants to make a CBI claim on information or photographs collected by the inspector during the inspection, they can submit the claim to EPA. After the site/facility notifies EPA of the CBI, EPA representatives would mark the CBI as such, and it will be handled as CBI according to EPA’s procedures.

V. Closing Conference

A. Overview

The observations relayed by the EPA Inspector to the inspection attendees to at the closing conference are outlined below.

B. Observations Relayed to Site Representative

- The wetland areas appeared to be functioning as expected. The coverage and diversity of the vegetation observed was satisfactory and appeared to be well-established.
- A few of the sediment control socks in Area 1 appeared to be intact. The EPA Inspector asked for those sediment control socks be cut and the mulch dispersed to naturalize those areas as a voluntary measure.
- A few locations with *Typha* sp. were observed in Area 2 and Area 3. They appeared to be present at a coverage below the corrective action threshold, but invasive species control measures may want to be considered to minimized growth and spread.

VI. List of Attachments

Attachment 1: Site Map

Attachment 2: Photographic Log

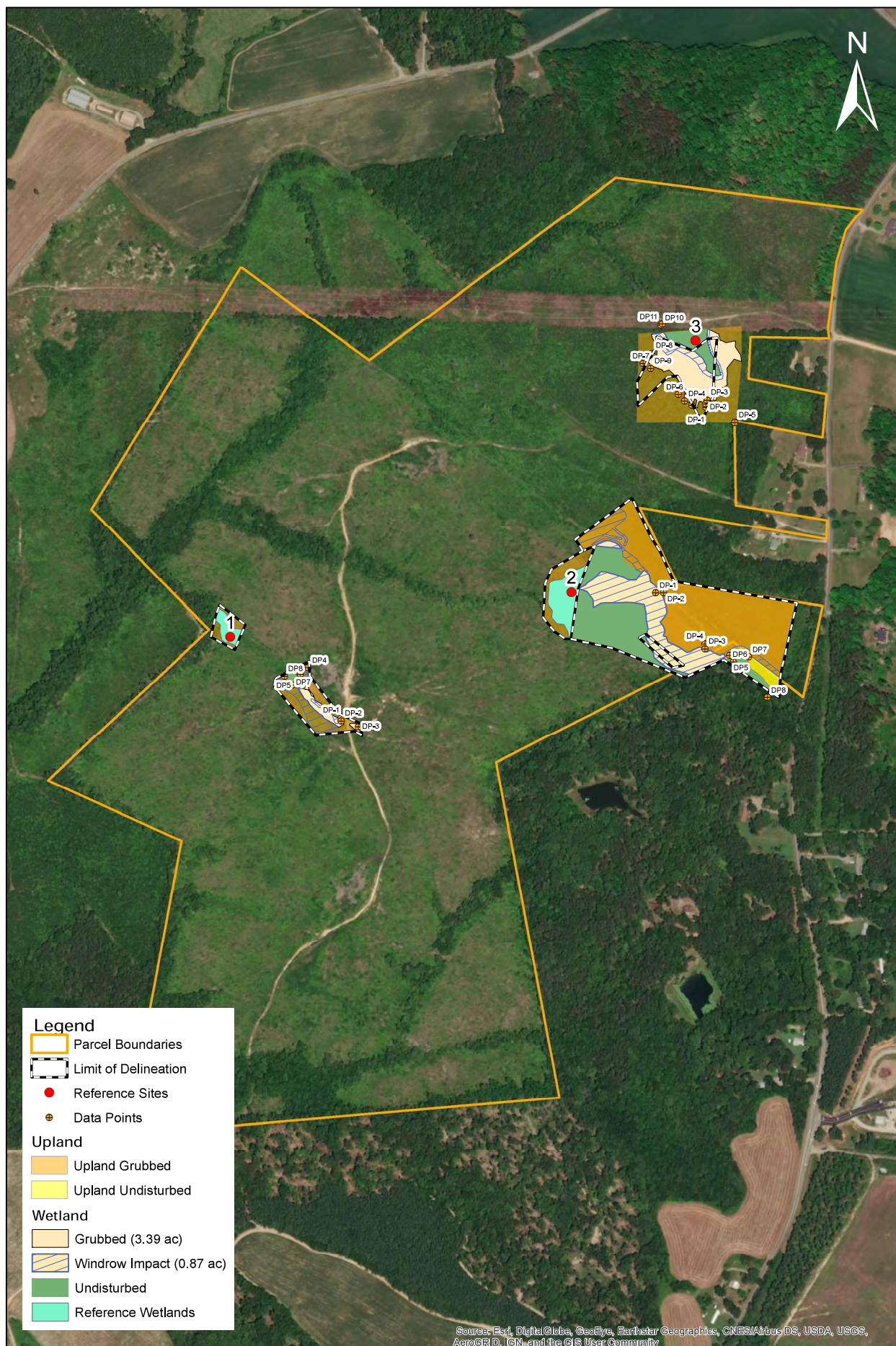
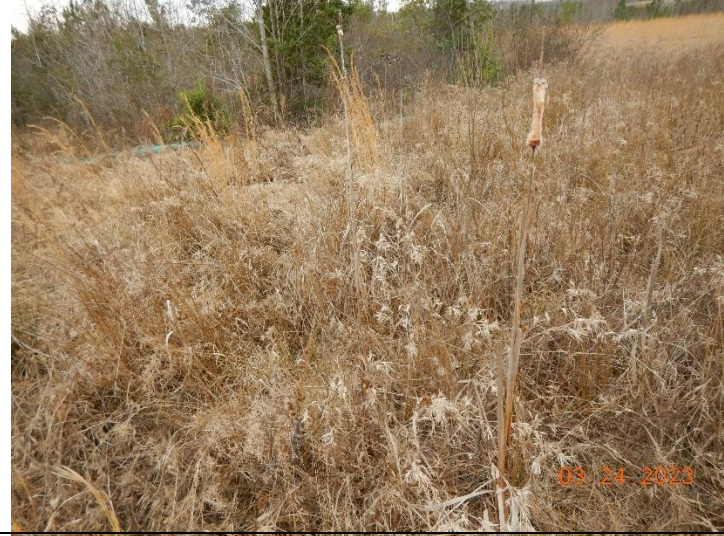


	Photo ID: DSCN4580 Date: March 24, 2023 Photo Taken By: Katelyn Almeter Notes: overview of Area 1; facing west
	Photo ID: DSCN4581 Date: March 24, 2023 Photo Taken By: Katelyn Almeter Notes: silt fence cut at ground level around Area 1
	Photo ID: DSCN4582 Date: March 24, 2023 Photo Taken By: Katelyn Almeter Notes: buds and leaves on woody stems in Area 1

	Photo ID: DSCN4583 Date: March 24, 2023 Photo Taken By: Katelyn Almeter Notes: surface saturation and sediment control sock in Area 1
	Photo ID: DSCN4584 Date: March 24, 2023 Photo Taken By: Katelyn Almeter Notes: sediment control sock in Area 1
	Photo ID: DSCN4585 Date: March 24, 2023 Photo Taken By: Katelyn Almeter Notes: control groundwater monitoring well at Area 1

 A photograph showing a dirt road crossing a field of dry, brown grass and gravel. The date '03.24.2023' is visible in the bottom right corner of the photo.	Photo ID: DSCN4586 Date: March 24, 2023 Photo Taken By: Katelyn Almeter Notes: road crossing to the east of Area 1; looking east
 A wide-angle photograph of a large, flat, open field with dry grass. In the background, there is a line of bare trees under a cloudy sky. The date '03.24.2023' is visible in the bottom right corner of the photo.	Photo ID: DSCN4587 Date: March 24, 2023 Photo Taken By: Katelyn Almeter Notes: overview of Area 2; looking south
 A close-up photograph of a field with dry, brown grass and a path of mulch. The date '03.24.2023' is visible in the bottom right corner of the photo.	Photo ID: DSCN4588 Date: March 24, 2023 Photo Taken By: Katelyn Almeter Notes: mulch from sediment control sock

	Photo ID: DSCN4589 Date: March 24, 2023 Photo Taken By: Katelyn Almeter Notes: overview of Area 2 near a photo monitoring point
	Photo ID: DSCN4590 Date: March 24, 2023 Photo Taken By: Katelyn Almeter Notes: eastern side of Area 2
	Photo ID: DSCN4591 Date: March 24, 2023 Photo Taken By: Katelyn Almeter Notes: crayfish burrow in Area 2

	Photo ID: DSCN4592 Date: March 24, 2023 Photo Taken By: Katelyn Almeter Notes: crayfish burrow in Area 2
	Photo ID: DSCN4593 Date: March 24, 2023 Photo Taken By: Katelyn Almeter Notes: <i>Typha</i> sp. in Area 2
	Photo ID: DSCN4594 Date: March 24, 2023 Photo Taken By: Katelyn Almeter Notes: open pit where water table presence was observed and measured in Area 2

 03.24.2023	Photo ID: DSCN4595 Date: March 24, 2023 Photo Taken By: Katelyn Almeter Notes: overview of area 3; facing northwest
 03.24.2023	Photo ID: DSCN4596 Date: March 24, 2023 Photo Taken By: Katelyn Almeter Notes: open pit where water table presence was observed and measured in Area 3
 03.24.2023	Photo ID: DSCN4597 Date: March 24, 2023 Photo Taken By: Katelyn Almeter Notes: near Area 3; looking west

	Photo ID: DSCN4598 Date: March 24, 2023 Photo Taken By: Katelyn Almeter Notes: vegetation in Area 3
	Photo ID: DSCN4599 Date: March 24, 2023 Photo Taken By: Katelyn Almeter Notes: <i>Typha</i> sp. in Area 3
	Photo ID: DSCN4600 Date: March 24, 2023 Photo Taken By: Katelyn Almeter Notes: overview near edge of Area 3; facing northwest