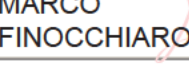




Clean Water Act Section 404: Site Visit/Case Development

For inspections authorized pursuant to Clean Water Act sections 308 and 404 (33 U.S.C. §§ 1318 and 1344)

This report includes only factual information gained by documentation, onsite observations, and/or onsite interviews.

Inspector Name(s)	Stephanie Andreescu Austin Jepsky (in-training)	Time In	1:05 PM	Start Date	May 23, 2023
		Time Out	1:44 PM	End Date	May 23, 2023
Inspector's Organization	U.S. EPA Region 2				
Organization Requesting Inspection (if different)					
Inspection Type	Evaluation	Inspection Status	Original		
Site Name	Eastgate Corporate Park LLC (1 Coates Drive) & Eastgate Offices II LLC (4 Coates Drive)				
Site Address*	1 & 4 Coates Drive				
City*	Goshen	County*	Orange	State*	NY
				Zip Code*	10924
Mailing Address*					
City*		County*		State*	N/A
				Zip Code*	
Latitude*	41.39028	Longitude*	-74.33813		
Estimated Size of Site (acres)	16.18	Is there a home on the site?	☐ Yes ☒ No		
Inspector Signature	 Digitally signed by STEPHANIE ANDREESCU Date: 2023.08.22 09:41:11 -04'00'			Date	8/22/23
Supervisor Signature	 Digitally signed by MARCO FINOCCHIARO Date: 2023.08.22 10:07:09 -04'00'			Date	8/22/23

Clean Water Act Section 404: Site Visit/Case Development

For inspections authorized pursuant to Clean Water Act sections 308 and 404 (33 U.S.C. §§ 1318 and 1344)

Site Name	Eastgate Corporate Park LLC (1 Coates Drive) & Eastgate Offices II LLC	Start Date	May 23, 2023
		End Date	May 23, 2023
Inspection Purpose	Initial site visit		
Opening Conference			
☐ Presentation of Inspector Credentials Name and Title (Use N/A if owner/operator not available to join the inspection) N/A - EPA reached out to Joe Matta, president of Eastgate Corporate Park LLC (1 Coates Drive) & Eastgate Offices II LLC (4 Coates Drive) before arriving at the sites, but was not able to reach him.			
☐ Opening Conference Name of person authorizing access if applicable EPA scheduled the Clean Water Act Section 404 inspection with Mr. Matta.			
Notes from Opening Conference N/A			
☐ Access Issues if Any Describe N/A			
Inspection Observations and Sample Collection			
Site Owner/Site Operator/Responsible Party (Name, title and contact information) Joe Matta, president of Eastgate Corporate Park LLC & Eastgate Offices II LLC, which own 1 and 4 Coates Drive, respectively; U.S. FOIA (b)(6); U.S. FOIA (b)(6)			
Additional Persons Present at Inspection Lauren Fischer and Andie D'Angelo - EPA Office of Regional Counsel; Brian Orzel - U.S. Army Corps of Engineers, NY District			
General Site Characteristics (layout of property, etc.) 1 and 4 Coates Drive (the "Coates Drive Properties") are 13.01- and 3.17-acres, respectively, neighboring parcels separated by Coates Drive. The parcels are bordered by New York State Route 17A to the west; the ramp to/from US Hwy 6 to the north; 5 and 7 Coates Drive and New York State Route 17A properties to the east; and 2 Coates Drive to the south. Access to the Coates Drive Properties off of Route 17A is via Coates Drive. The properties are part of a larger office park complex, which includes parking lots and multiple office buildings. The portions of the properties closest to Route 17A are undeveloped and dominated by emergent wetlands and forest. A stream flows from south to north through the wetlands and under Coates Drive via a culvert under the road. Wetlands and the stream at the 4 Coates Drive property receive flow from across Route 17A via a culvert under the road.			
Purpose and Need for Discharge of Dredged and/or Fill Material Fill material was discharged as a result of stream excavation on the 1 Coates Drive Property. According to Mr. Matta, this was done without his knowledge.			

Clean Water Act Section 404: Site Visit/Case Development

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Site Name	Eastgate Corporate Park LLC (1 Coates Drive) & Eastgate Offices II LLC	Start Date	May 23, 2023
		End Date	May 23, 2023
Site Overview (Past inspections, site description, permits, etc.)			
EPA had not previously inspected the properties. On October 2, 2000, the U.S. Army Corps of Engineers finalized a jurisdictional determination (JD) on 3 parcels which included 1 & 4 Coates Drive (and an additional parcel). The JD found the presence of one large jurisdictional wetland totaling 8.01 acres on the 3 parcels. On June 5, 2021, the Goshen Police, while on patrol, observed heavy machinery operating in wetlands at the intersection of New York State Route 17A and Coates Drive. The machine operator was struggling to get the machine back onto Route 17A from the area in which it was operating. A towing company was dispatched to the location.			
Scope of Inspection (Areas inspected or not inspected)			
EPA inspected the areas around the excavated stream areas on the Coates Drive Properties.			

Clean Water Act Section 404: Site Visit/Case Development

For inspections authorized pursuant to Clean Water Act sections 308 and 404 (33 U.S.C. §§ 1318 and 1344)

Site Name	Eastgate Corporate Park LLC (1 Coates Drive) & Eastgate Offices II LLC	Start Date	May 23, 2023
		End Date	May 23, 2023
Environmental Conditions (e.g., wind, rain, smoke, dust, temperature, snow)			
temperatures in the low-70's; sunny			
Field Work Conducted			
The purpose of the inspection was to document whether there was a discharge of dredged/fill material into wetlands without proper authorization from the Corps. Data recorded during the inspection included photographs and handwritten notes. EPA began the inspection by observing an excavated stream area measuring approximately 10 x 20 feet on the 4 Coates Drive property. EPA also observed approximately 46 feet of excavated stream on the property between the culvert under New York State Route 17A and the culvert under Coates Drive. Channel width ranged from one to eight feet. EPA then observed approximately 130 to 150 feet of excavated stream on the 1 Coates Drive property. Channel width ranged from 3-7 feet. EPA observed sidecasted material into areas surrounding the stream that were previously mapped wetland areas. Banks were disturbed and had been cut by machinery. EPA observed wetland vegetation adjacent to the stream, which included wintercress, jewelweed, cattail, reed canary grass, and water speedwell. Common nettle was present on hummocks in the mapped wetlands.			
Closing Conference			
Documents Received and/or Requested During the Inspection			
N/A			
Compliance Assistance Provided (If any)			
N/A			
Observations Relayed to Site Owner/Operator			
N/A			
Actions Taken by Owner/Operator During the Inspection (If any)			
N/A			
Potential Issues of Concern Including Regulatory Citations			
EPA observed indicators of stream excavation and sidecasting within a wetland at the 1 Coates Drive property.			
Attachments*			
☐ Maps and Sketches ☒ Photographs (including location) and Photo Log ☐ Other (SSIP, Wetlands Delineation Forms, etc.)			



Clean Water Act Section 404: Site Visit/Case Development

For inspections authorized pursuant to Clean Water Act sections 308 and 404 (33 U.S.C. §§ 1318 and 1344)

Site Name	Eastgate Corporate Park LLC (1 Coates Drive) & Eastgate Offices II LLC	Start Date	May 23, 2023
		End Date	May 23, 2023
Additional Notes			

EPA CWA 404 Inspection Photolog
Eastgate Coates Drive Properties
1 & 4 Coates Drive
Goshen, NY

May 23, 2023



Date: 5/23/2023
Time: 1:13 PM
Photographer: S. Andreescu
Photo ID: 1 – P5230096

Description:

(1/4) Potential wetland area on
4 Coates Drive property



Date: 5/23/2023
Time: 1:13 PM
Photographer: S. Andreescu
Photo ID: 2 – P5230097

Description:

(2/4) Potential wetland area on
4 Coates Drive property



Date: 5/23/2023
Time: 1:13 PM
Photographer: S. Andreescu
Photo ID: 3 – P5230098

Description:

(3/4) Potential wetland area on
4 Coates Drive property



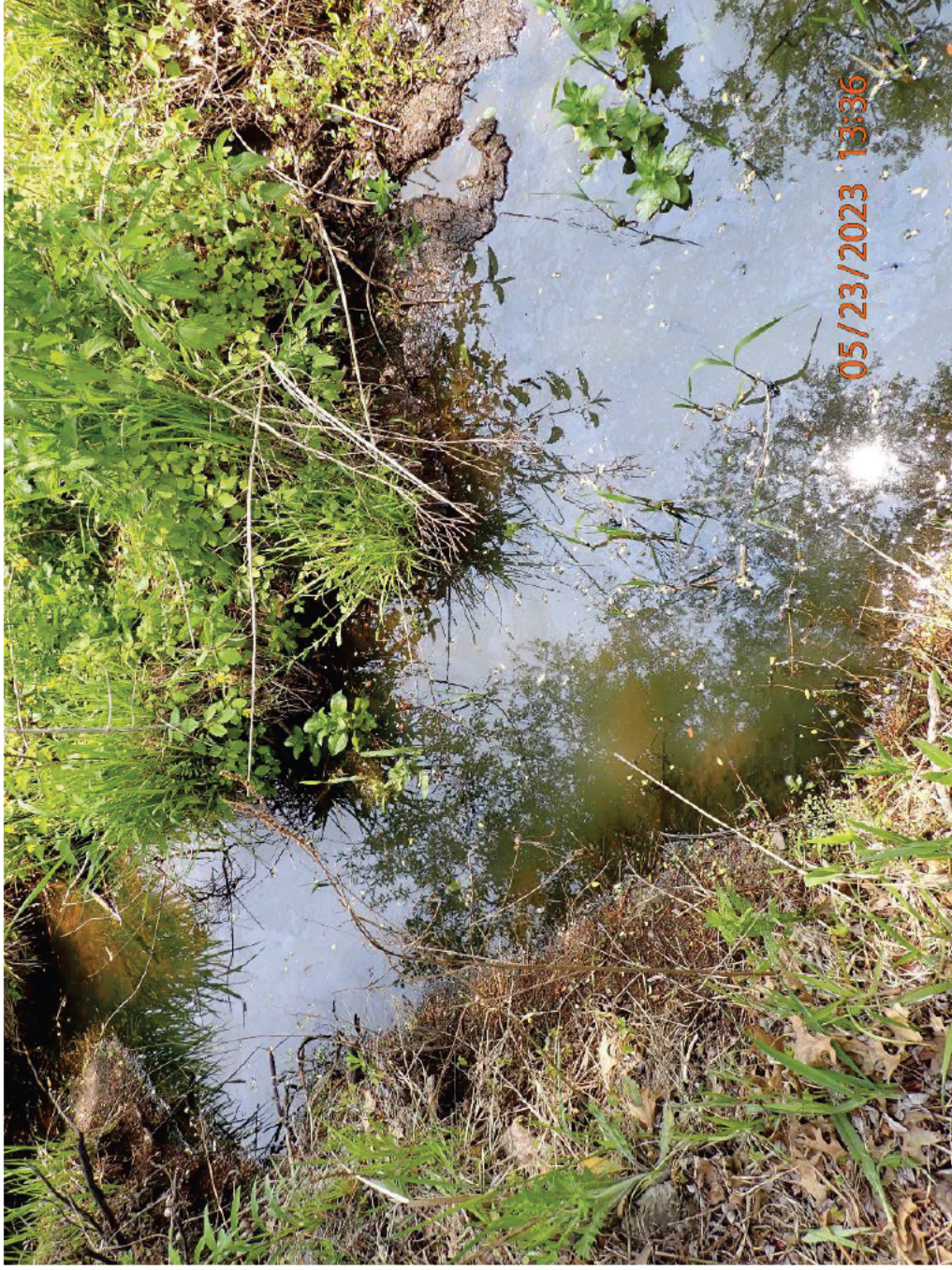
Date: 5/23/2023
Time: 1:13 PM
Photographer: S. Andreescu
Photo ID: 4 – P5230099
Description:
(4/4) Potential wetland area on
4 Coates Drive property



Date: 5/23/2023
Time: 1:36 PM
Photographer: S. Andreescu
Photo ID: 5 – P5230100

Description:

(1/5) Panorama of potential wetland area and stream under Coates Drive



Date: 5/23/2023
Time: 1:36 PM
Photographer: S. Andreescu
Photo ID: 6 – P5230101
Description:
(2/5) Panorama of potential wetland area and stream under Coates Drive



Date: 5/23/2023
Time: 1:36 PM
Photographer: S. Andreescu
Photo ID: 7 – P5230102
Description:
(3/5) Panorama of potential wetland area and stream under Coates Drive



Date: 5/23/2023
Time: 1:36 PM
Photographer: S. Andreescu
Photo ID: 8 – P5230103
Description:
(4/5) Panorama of potential wetland area and stream under Coates Drive



Date: 5/23/2023
Time: 1:36 PM
Photographer: S. Andreescu
Photo ID: 9 – P5230104

Description:

(5/5) Panorama of potential wetland area and stream under Coates Drive



Date: 5/23/2023
Time: 1:40 PM
Photographer: S. Andreescu
Photo ID: 10 – P5230105

Description:

Flowing stream through 1
Coates Drive



Date: 5/23/2023
Time: 1:43 PM
Photographer: S. Andreescu
Photo ID: 11 – P5230106

Description:

Stream with banks cut with
machinery