



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 Seika Robinson (in-training) Austin Jepsy (in-training)	Time In	2:00 PM	Start Date	August 26, 2022		
		Time Out	4:09 PM	End Date	August 26, 2022		
Inspector's Organization	U.S. EPA Region 2						
Organization Requesting Inspection (if different)							
Inspection Type	CWA Section 404 Inspection	Inspection Status	Original				
Site Name	JuSuDa Farm						
Site Address*	172 NY-94						
City*	Warwick	County*	Orange	State*	NY	Zip Code*	10990
Latitude/Longitude*	41.23649, -74.38702		Estimated Size of Site (acres)	12.70			
Is there a home on the site?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No						
Inspector Signature	<i>Stephanie Andreescu</i> Digitally signed by Andreescu, Stephanie Date: 2022.10.21 14:27:35 -04'00'			Date	10/21/22		
Supervisor Signature	MARCO FINOCCHIARO Digitally signed by MARCO FINOCCHIARO Date: 2022.10.24 15:56:09 -04'00'			Date	10/24/22		



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Site Name	JuSuDa Farm	Start Date	August 26, 2022
		End Date	August 26, 2022
Inspection Purpose	Initial site visit		
Opening Conference			
<input checked="" type="checkbox"/> Presentation of Inspector Credentials			
Name and Title (Use N/A if owner/operator not available to join the inspection)			
Credentials were presented to Mr. Michael Siegel (property owner)			
<input checked="" type="checkbox"/> Opening Conference			
Name of person authorizing access if applicable			
I spoke with the property owner over the phone to arrange the inspection.			
Notes from Opening Conference			
Property owner did not participate in the opening conference. EPA, the Town of Warwick, and HDR discussed the history of the property.			
<input type="checkbox"/> Access Issues if Any			
Describe			
N/A			
Inspection Observations and Sample Collection			
Site Owner* (Name, title and contact information)			
Ju Su Da Farm Warwick Inc / Michael Siegel			
Additional Persons Present at Inspection			
Steve Seymour, HDR; Ben Astorino, Town of Warwick; Laura Barca, HDR			
General Site Characteristics (layout of property, etc.)			
<p>The property is a 12.70-acre parcel located off of State Route 94 S. Frontage along Route 94 is comprised of commercial buildings with associated parking lots and a residential structure with a driveway. The remaining areas of the parcel are undeveloped and at a slightly lower elevation. The property was previously the site of a nursery.</p> <p>A watercourse flows east through the center of the property and drains to the northeast. Another watercourse flows north along the eastern boundary of the property. A third, smaller watercourse flows north through the center of the site and meets the easterly flowing watercourse near the center of the property.</p>			
Site Overview (Past inspections, site description, permits, etc.)			
<p>The Town of Warwick has visited the property on numerous occasions. The Town's Building Department has issued Notices of Violations (NOVs) for "excavation and fill being done on the property in excess of 1/4 acre" and "tree cutting/excavating" in violation of Town Ordinance Chapter 150 - Tree, Topsoil Removal, Excavation.</p> <p>Previous wetland delineations have been conducted at the property, including one in April 2009 by Douglas Gaugler of the</p>			



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Site Name	JuSuDa Farm	Start Date	August 26, 2022
		End Date	August 26, 2022
NYSDEC and one in October 2021 by Peter Torgersen. A site visit with HDR, the Town of Warwick's environmental consultant, in 2022 found that Mr. Torgersen's delineation undermapped wetlands at the property and he has since revised his delineation. EPA's Wetland Protection Section had not visited the site prior to this inspection.			
Scope of Inspection (Areas inspected or not inspected)			
EPA inspected areas near the center of the property where trees had been cleared and/or grubbed and where grading activities had occurred.			
Environmental Conditions (e.g., wind, rain, smoke, dust, temperature, snow)			
80's, partly cloudy, below-normal precipitation			



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Site Name	JuSuDa Farm	Start Date	August 26, 2022
		End Date	August 26, 2022
Field Work Conducted			
<p>Data recorded during the inspection included GPS data, photographs, handwritten notes, and two soil samples.</p> <p>EPA started the inspection at a parking area behind the commercial buildings along Route 94 and walked north towards the center of the property. EPA observed a watercourse/stream that flowed east through the middle of the property. Surface water was present in the channel. A smaller watercourse draining north towards this main channel had been piped near its confluence with the main channel.</p> <p>Much of the property had been cleared of the trees visible in past aerial imagery. The property appeared to be grubbed though EPA did observe one stump that had not been removed. EPA took a soil sample near the center of the property and found it to be an emergent wetland. A second soil sample taken east of the first soil sample location was also found to be in an emergent wetland (See attached maps of GPS locations). Gravel was found in both soil samples.</p> <p>EPA observed that fresh fill material consisting of dirt and rock had been placed north of the eastern parking lots to expand the area at the higher elevation. Hydrophytic (wetland) vegetation was observed adjacent to the toe of slope.</p>			
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			
Allochthonous fill material had been potentially discharged into a wetland area north of the eastern parking area. Additionally, grubbing and grading activity appears to have occurred in wetland areas on the property.			
Attachments*			
<input checked="" type="checkbox"/> Maps and Sketches <input checked="" type="checkbox"/> Photographs (including location) and Photo Log <input type="checkbox"/> Other			



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Site Name	JuSuDa Farm	Start Date	August 26, 2022
		End Date	August 26, 2022
Additional Notes			

2021 Imagery



NY's ITS GIS Program Office

SS1 Soil Sample



SS2 Soil Sample



500 Feet

250

125

0



Ju Su Da Farm Property
172 NY-94, Warwick, Orange County, NY

● EPA 8/26/2022 GPS Point

□ Site / Parcel Boundary

CWA 404 Inspection
Ju Su Da Farm Property
172 NY-94, Warwick
Orange County, NY

August 26, 2022



Date: 8/26/2022
Time: 2:31 PM
Photographer: SSA
Photo ID: 1 – P8260407

Description:
(1/4) Panorama of property
taken from center of field



Date: 8/26/2022
Time: 2:31 PM
Photographer: SSA
Photo ID: 2 – P8260408

Description:
(2/4) Panorama of property
taken from center of field



Date: 8/26/2022
Time: 2:31 PM
Photographer: SSA
Photo ID: 3 – P8260409

Description:
(3/4) Panorama of property
taken from center of field



Date: 8/26/2022
Time: 2:32 PM
Photographer: SSA
Photo ID: 4 – P8260410

Description:
(4/4) Panorama of property
taken from center of field



Date: 8/26/2022
Time: 2:32 PM
Photographer: SSA
Photo ID: 5 – P8260411

Description:
Stream / watercourse with
surface water



Date: 8/26/2022
Time: 2:32 PM
Photographer: SSA
Photo ID: 6 – P8260412

Description:
Stream / watercourse with
surface water



Date: 8/26/2022
Time: 2:33 PM
Photographer: SSA
Photo ID: 7 – P8260413

Description:
Area near stream / watercourse



Date: 8/26/2022
Time: 2:33 PM
Photographer: SSA
Photo ID: 8 – P8260414

Description:
Area near stream / watercourse



Date: 8/26/2022
Time: 2:34 PM
Photographer: SSA
Photo ID: 9 – P8260415

Description:
Ground near stream /
watercourse



Date: 8/26/2022
Time: 2:34 PM
Photographer: SSA
Photo ID: 10 – P8260416

Description:

Area near pipe/culvert



Date: 8/26/2022
Time: 2:34 PM
Photographer: SSA
Photo ID: 11 – P8260417

Description:

Area of purple loosestrife where pipe/culvert connects to stream / watercourse.

Ju Su Da Farm Property, 172 NY-94, Warwick, Orange County, NY



Date: 8/26/2022
Time: 2:34 PM
Photographer: SSA
Photo ID: 12 – P8260418

Description:
Area around pipe/culvert



Date: 8/26/2022
Time: 2:34 PM
Photographer: SSA
Photo ID: 13 – P8260419

Description:
Area around pipe/culvert



Date: 8/26/2022
Time: 2:36 PM
Photographer: SSA
Photo ID: 14 – P8260420

Description:
Pipe/Culvert



Date: 8/26/2022
Time: 2:36 PM
Photographer: SSA
Photo ID: 15 – P8260421

Description:
Pipe/Culvert



Date: 8/26/2022
Time: 2:37 PM
Photographer: SSA
Photo ID: 16 – P8260422

Description:
Test auger



Date: 8/26/2022
Time: 2:38 PM
Photographer: SSA
Photo ID: 17 – P8260423

Description:
Tree trunk from nursery



Date: 8/26/2022
Time: 2:40 PM
Photographer: SSA
Photo ID: 18 – P8260424

Description:
French drain area



Date: 8/26/2022
Time: 2:40 PM
Photographer: SSA
Photo ID: 19 – P8260425

Description:
French drain area



Date: 8/26/2022
Time: 2:41 PM
Photographer: SSA
Photo ID: 20 – P8260426

Description:
SS1 Soil Sample area



Date: 8/26/2022
Time: 2:46 PM
Photographer: SSA
Photo ID: 21 – P8260427

Description:
SS1 Soil Sample area



Date: 8/26/2022
Time: 2:46 PM
Photographer: SSA
Photo ID: 22 – P8260428

Description:
SS1 Soil Sample area



Date: 8/26/2022
Time: 2:46 PM
Photographer: SSA
Photo ID: 23 – P8260429

Description:
SS1 Soil Sample area



Date: 8/26/2022
Time: 2:46 PM
Photographer: SSA
Photo ID: 24 – P8260430

Description:
SS1 Soil Sample area



Date: 8/26/2022
Time: 2:50 PM
Photographer: SSA
Photo ID: 25 – P8260431

Description:
SS1 Soil Sample Profile



Date: 8/26/2022
Time: 2:50 PM
Photographer: SSA
Photo ID: 26 – P8260432

Description:
SS1 Soil Sample Profile



Date: 8/26/2022
Time: 2:50 PM
Photographer: SSA
Photo ID: 27 – P8260433

Description:
SS1 Soil Sample Profile



Date: 8/26/2022
Time: 2:50 PM
Photographer: SSA
Photo ID: 28 – P8260434

Description:
SS1 Soil Sample Profile



Date: 8/26/2022
Time: 2:51 PM
Photographer: SSA
Photo ID: 29 – P8260435

Description:
SS1 Soil Sample Profile



Date: 8/26/2022
Time: 2:51 PM
Photographer: SSA
Photo ID: 30 – P8260436

Description:
SS1 Soil Sample Profile



Date: 8/26/2022
Time: 2:51 PM
Photographer: SSA
Photo ID: 31 – P8260437

Description:
SS1 Soil Sample Profile



Date: 8/26/2022
Time: 3:10 PM
Photographer: SSA
Photo ID: 32 – P8260438

Description:
SS1 Soil Sample



Date: 8/26/2022
Time: 3:21 PM
Photographer: SSA
Photo ID: 33 – P8260439

Description:

Stream/watercourse with surface water near edge of property



Date: 8/26/2022
Time: 3:21 PM
Photographer: SSA
Photo ID: 34 – P8260440

Description:

Stream/watercourse with surface water near edge of property



Date: 8/26/2022
Time: 3:21 PM
Photographer: SSA
Photo ID: 35 – P8260441

Description:
Stream/watercourse with
surface water near edge of
property



Date: 8/26/2022
Time: 3:23 PM
Photographer: SSA
Photo ID: 36 – P8260442

Description:
Stream/watercourse with
surface water near edge of
property



Date: 8/26/2022
Time: 3:26 PM
Photographer: SSA
Photo ID: 37 – P8260443

Description:
SS2 Soil Sample area



Date: 8/26/2022
Time: 3:34 PM
Photographer: SSA
Photo ID: 38 – P8260444

Description:
SS2 Soil Sample profile



Date: 8/26/2022
Time: 3:34 PM
Photographer: SSA
Photo ID: 39 – P8260445

Description:
SS2 Soil Sample profile



Date: 8/26/2022
Time: 3:34 PM
Photographer: SSA
Photo ID: 40 – P8260446

Description:
SS2 Soil Sample profile



Date: 8/26/2022
Time: 3:38 PM
Photographer: SSA
Photo ID: 41 – P8260447

Description:
SS2 Soil Sample



Date: 8/26/2022
Time: 3:39 PM
Photographer: SSA
Photo ID: 42 – P8260448

Description:
SS2 Soil Sample area



Date: 8/26/2022
Time: 3:39 PM
Photographer: SSA
Photo ID: 43 – P8260449

Description:
SS2 Soil Sample area



Date: 8/26/2022
Time: 3:39 PM
Photographer: SSA
Photo ID: 44 – P8260450

Description:
SS2 Soil Sample area



Date: 8/26/2022
Time: 3:39 PM
Photographer: SSA
Photo ID: 45 – P8260451

Description:
SS2 Soil Sample area and pit



Date: 8/26/2022
Time: 3:39 PM
Photographer: SSA
Photo ID: 46 – P8260452

Description:
SS2 Soil Sample area



Date: 8/26/2022
Time: 3:49 PM
Photographer: SSA
Photo ID: 47 – P8260453

Description:
SS2 Soil Sample pit



Date: 8/26/2022
Time: 3:49 PM
Photographer: SSA
Photo ID: 48 – P8260454

Description:
SS2 Soil Sample pit



Date: 8/26/2022
Time: 3:52 PM
Photographer: SSA
Photo ID: 49 – P8260455

Description:

(1/9) Panorama of area
between fill pile and vegetation



Date: 8/26/2022
Time: 3:52 PM
Photographer: SSA
Photo ID: 50 – P8260456

Description:
(2/9) Panorama of area
between fill pile and vegetation



Date: 8/26/2022
Time: 3:52 PM
Photographer: SSA
Photo ID: 51 – P8260457

Description:

(3/9) Panorama of area
between fill pile and vegetation



Date: 8/26/2022
Time: 3:52 PM
Photographer: SSA
Photo ID: 52 – P8260458

Description:
(4/9) Panorama of area
between fill pile and vegetation



Date: 8/26/2022
Time: 3:52 PM
Photographer: SSA
Photo ID: 53 – P8260459

Description:

(5/9) Panorama of area between fill pile and vegetation



Date: 8/26/2022
Time: 3:52 PM
Photographer: SSA
Photo ID: 54 – P8260460

Description:

(6/9) Panorama of area
between fill pile and vegetation



Date: 8/26/2022
Time: 3:52 PM
Photographer: SSA
Photo ID: 55 – P8260461

Description:

(7/9) Panorama of area
between fill pile and vegetation



Date: 8/26/2022
Time: 3:53 PM
Photographer: SSA
Photo ID: 56 – P8260462

Description:
(8/9) Panorama of area
between fill pile and vegetation



Date: 8/26/2022
Time: 3:53 PM
Photographer: SSA
Photo ID: 57 – P8260463

Description:
(9/9) Panorama of area
between fill pile and vegetation