



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	2:36 PM	Start Date	May 19, 2022
		Time Out	2:54 PM	End Date	May 19, 2022
Inspector's Organization	U.S. EPA Region 2				
Organization Requesting Inspection (if different)					
Inspection Type	Follow-up CWA Section 404 Inspection	Inspection Status	Original		
Site Name	Joseph Yuknevich Property				
Site Address*	2253 NY Route 300				
City*	Shawangunk	County*	Ulster	State*	NY
				Zip Code*	12589
Latitude/Longitude*	41.5950, -74.1314	Estimated Size of Site (acres)	5.2		
Is there a home on the site? ☒ Yes ☐ No					
Inspector Signature	Digitally signed by Andreescu, Stephanie Date: 2022.07.18 14:21:45 -04'00'			Date	7/18/22
Supervisor Signature	MARCO FINOCCHIARO Digitally signed by MARCO FINOCCHIARO Date: 2022.07.18 14:32:46 -04'00'			Date	7/18/22

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Site Name	Joseph Yuknevich Property	Start Date	May 19, 2022
		End Date	May 19, 2022
Inspection Purpose	Follow-up site visit		
Opening Conference			
☒ Presentation of Inspector Credentials Name and Title (Use N/A if owner/operator not available to join the inspection) Mr. Joseph Yuknevich, Property Owner			
☒ Opening Conference Name of person authorizing access if applicable Joseph Yuknevich, the property's owner, authorized access. The inspection was pre-arranged between EPA and Mr. Yuknevich.			
Notes from Opening Conference During the opening conference, EPA explained that it had received a citizen complaint about continued filling of wetlands on the property. EPA also informed Mr. Yuknevich that it wanted to take a look at the wetland mitigation and stream restoration work that had been done on the property.			
☐ Access Issues if Any Describe N/A			
Inspection Observations and Sample Collection			
Site Owner* (Name, title and contact information) Joseph Yuknevich, 2253 NY Route 300, Shawangunk, NY; U.S. FOIA (b)(6)			
Additional Persons Present at Inspection N/A			
General Site Characteristics (layout of property, etc.) The property is a 5.2 acre flag lot consisting of an access road/driveway, a one-family residence with accessory structures, a pond, and a parking area with an outbuilding/garage used for business purposes. There is an emergent sedge meadow wetland with some trees located near the center of the parcel, adjacent to the pond. A stream flows onto the parcel from the south, under the access road/driveway, through the property, then continues north off the property.			
Site Overview (Past inspections, site description, permits, etc.) The Site is partially residential and partially undeveloped with wetland areas. The property was purchased in November 2015 as an undeveloped lot with an access road/driveway. Wetland fill associated with construction of the driveway occurred under previous ownership and was authorized under a Nationwide 29 permit. The site was delineated in 2010 and 2012. The delineation showed an "obvious forest wetland" located near the center of the parcel with a "mapped connection to Wallkill River". EPA initially inspected the property on August 5, 2020 and observed potential violations of Section 404 of the Clean Water Act. During EPA's August 2020 inspection, EPA observed areas with wetland vegetation and hydrology around the center of the parcel, adjacent to the constructed pond. EPA also observed multiple drainage paths through the wetland. A stream had been re-routed from			

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its original path through the wetland to an excavated pond. On the opposite/eastern edge of the pond was a graveled area that sloped upward towards formal landscaping, a patio/pool area, and the residence. Some of the residential features overlapped with the delineated location of wetlands. An Administrative Order-on-Consent was finalized on December 3, 2020 and a wetland mitigation plan was approved by EPA on April 20, 2021. EPA conducted a follow-up inspection to view the completed restoration and mitigation work on October 27, 2021. During the inspection, Mr. Yuknevich showed EPA how he had restored flow to the original channel but allowed for some flow to enter the pond during periods of high flow. Mr. Yuknevich showed EPA the trees and shrubs that he had planted in Wetland Mitigation Areas #1 and #2 and pointed out areas that had been seeded.			
Scope of Inspection (Areas inspected or not inspected) The inspection was focused on an area on the western portion of the property where dumping of earthen material had occurred per the citizen complaint received by EPA. EPA also briefly viewed the stream restoration area and Wetland Mitigation Areas #1 and #2 as proposed in the Yuknevich Wetland Mitigation Area Monitoring and Maintenance Protocol approved by EPA on April 20, 2021.			
Environmental Conditions (e.g., wind, rain, smoke, dust, temperature, snow) Overcast, upper 50s. Precipitation in the morning and prior evening.			

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Field Work Conducted			
Data recorded during the inspection included photographs and handwritten notes. EPA observed that fill material, mostly consisting of dirt and rock, had recently been deposited on the property in an area dominated by upland vegetation including beech, oak, and hickory. Fill did not appear to be encroaching on wetlands. EPA briefly observed the wetland mitigation areas and stream restoration area. EPA observed herbaceous cover to be generally sparse and discussed its concerns regarding elevation and use of landscaping mulch with Mr. Yuknevich. EPA observed that some volunteer rushes did appear to be coming up in the wetland mitigation areas.			
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			
EPA informed Mr. Yuknevich that it did not appear that fill material had been placed into wetlands on the western portion of the property.			
Actions Taken by Owner/Operator During the Inspection (If any)			
N/A			
Potential Issues of Concern Including Regulatory Citations			
EPA did not have any potential issues of concern regarding the recently deposited fill material.			
Attachments*			
☐ Maps and Sketches ☒ Photographs (including location) and Photo Log ☐ Other			
Additional Notes			
EPA is still awaiting the submission of a monitoring report from Mr. Yuknevich's consultant for the stream restoration and wetland mitigation areas.			

CWA 404 Inspection
Joseph Yuknevich Residence
2253 NY Route 300
Shawangunk, NY

May 19, 2022



Date: 5/19/2022
Time: 2:43 PM
Photographer: SSA
Photo ID: 1 – P5190337

Description:

(1/5) Panorama of fill material
in forested upland area
Western end of property



Date: 5/19/2022
Time: 2:43 PM
Photographer: SSA
Photo ID: 2 – P5190338

Description:

(2/5) Panorama of fill material
in forested upland area
Western end of property



Date: 5/19/2022
Time: 2:43 PM
Photographer: SSA
Photo ID: 3 – P5190339

Description:

(3/5) Panorama of fill material
in forested upland area
Western end of property



Date: 5/19/2022
Time: 2:44 PM
Photographer: SSA
Photo ID: 4 – P5190340

Description:

(4/5) Panorama of fill material
in forested upland area
Western end of property



Date: 5/19/2022
Time: 2:44 PM
Photographer: SSA
Photo ID: 5 – P5190341

Description:

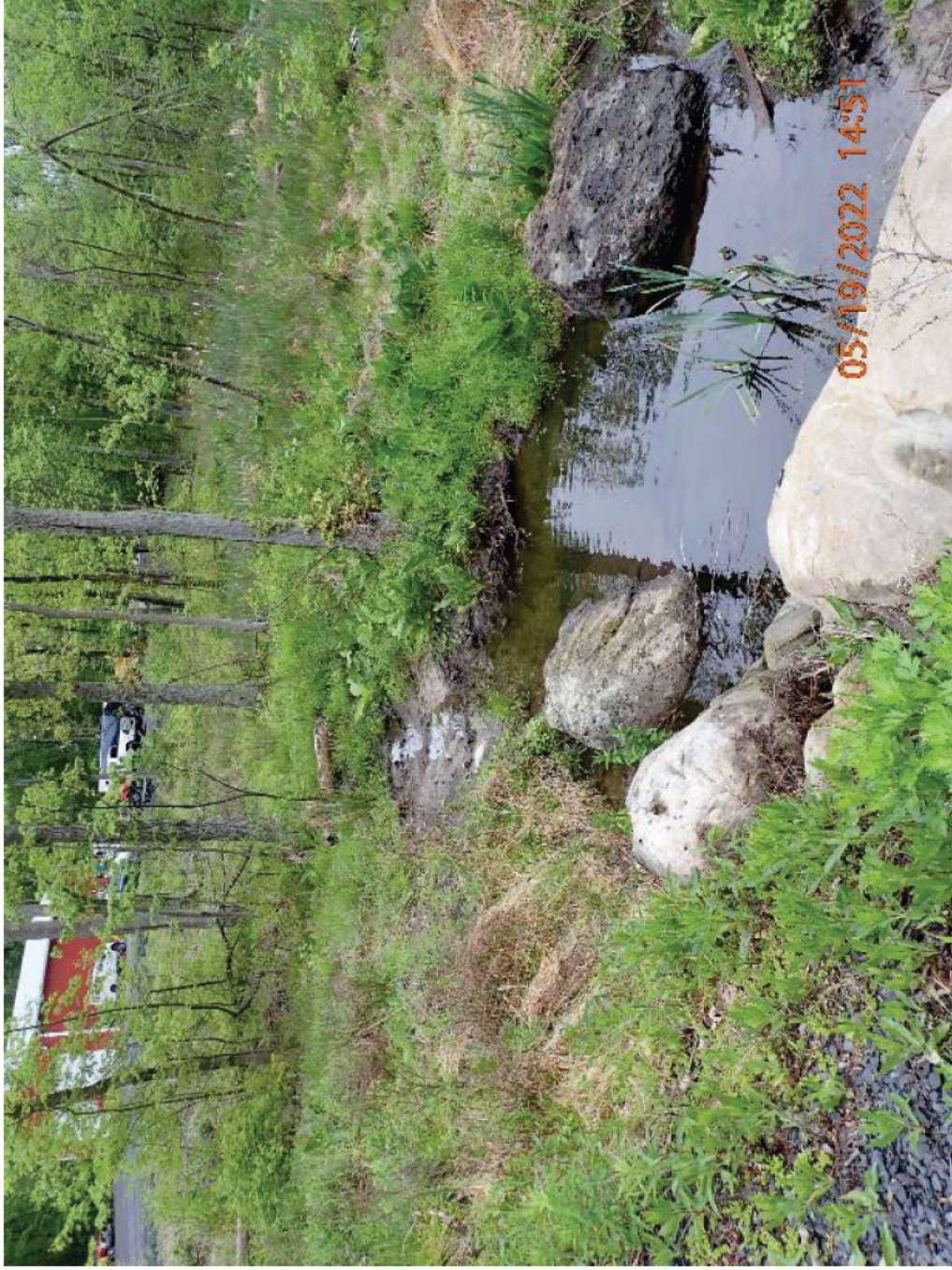
(5/5) Panorama of fill material
in forested upland area

Western end of property



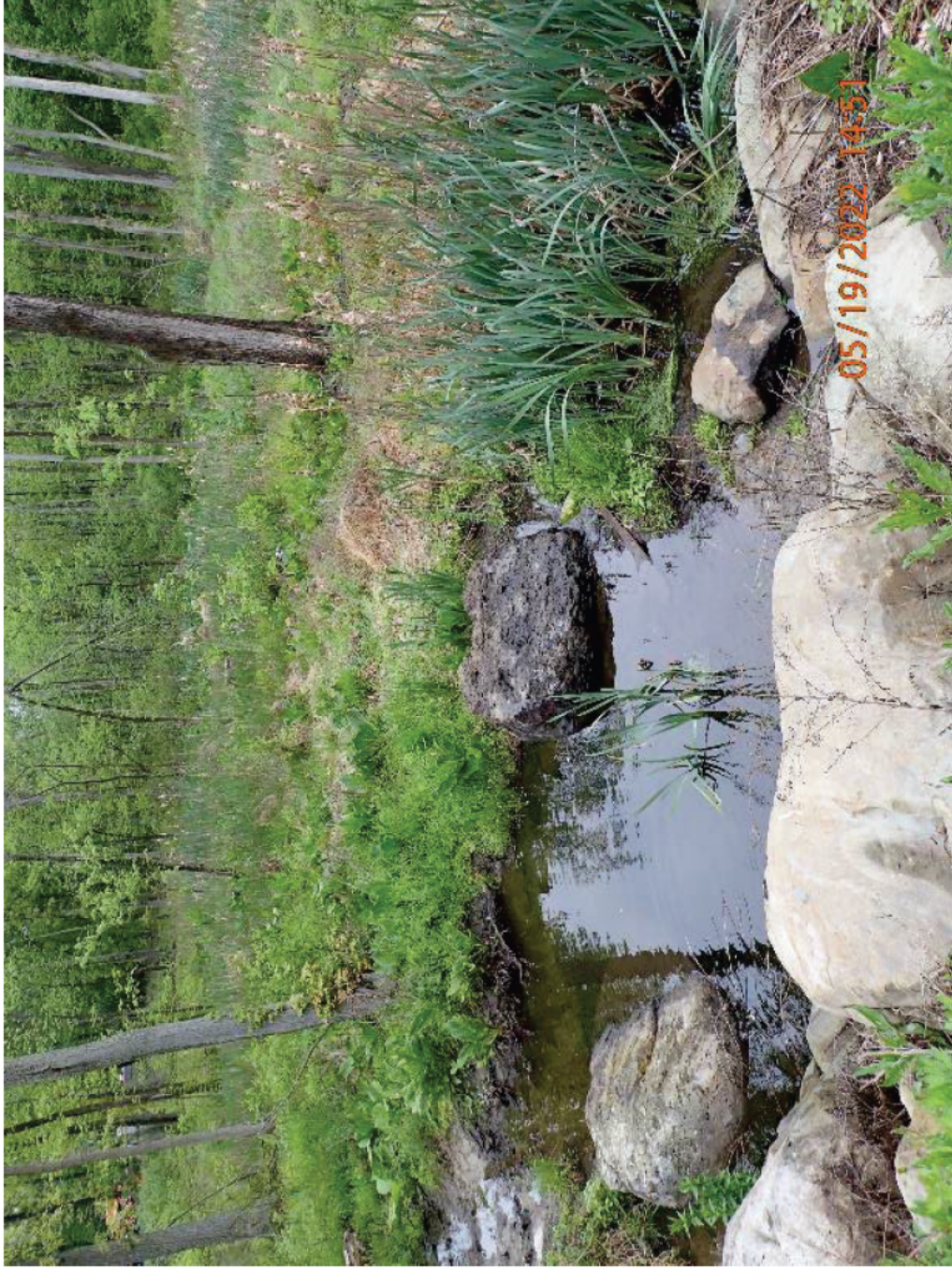
Date: 5/19/2022
Time: 2:48 PM
Photographer: SSA
Photo ID: 6 – P5190342

Description:
Wetland Mitigation Area



Date: 5/19/2022
Time: 2:51 PM
Photographer: SSA
Photo ID: 7 – P5190343

Description:
(1/3) Panorama of stream
restoration area



Date: 5/19/2022
Time: 2:51 PM
Photographer: SSA
Photo ID: 8 – P5190344

Description:
(2/3) Panorama of stream
restoration area



Date: 5/19/2022
Time: 2:51 PM
Photographer: SSA
Photo ID: 9 – P5190345

Description:
(3/3) Panorama of stream
restoration area