



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1
5 POST OFFICE SQUARE, SUITE 100
BOSTON, MA 02109-3912

The Date: *Dated as shown on electronic signature(s)*

Subj: Inspection Report
Clean Water Act Section 404
MHI Properties, LLC

From: Raymond Putnam, Inspector
RAYMOND PUTNAM Digitally signed by RAYMOND PUTNAM
Date: 2024.06.17 12:40:31 -04'00'

Thru: Stephanie Tougas

To: File

I. Facility Information

A. *Facility Name:* MHI Properties, LLC

B. *Facility Location:* 123 Austin Street
Suffield, CT 06093

C. *Facility Contacts:* Robert Reed Jr., Manager

D. *ID No(s)* N/A

II. Background Information

A. *Date(s) of inspection:* June 5, 2024

B. *Weather Conditions:* Sunny, 75 degrees F. See APT output.

C. *US EPA Representative(s):*
Ray Putnam

D. *Facility Representative(s):*
Robert Reed Jr. Manager
George Logan, Consultant

III. Type and Purpose of Inspection

Evaluation/Initial Inspection. Wetland delineation review.

IV. Facility Description

The Site is located within the bounds of three parcels identified as 123 Austin Street (MBL 36H-37-1-3), South Street (MBL 28H-37-1-C) and Firestone Drive (37H-37-2) located in Suffield, Connecticut. The parcels of interest are bounded to the north by Austin Street, to the east by Firestone Drive, and to the west by Marketing Drive and State Route 75.

V. Inspection

A. Opening Conference

I met Mr. Reed and Mr. Logan in the parking lot at 123 Austin Street around 8 am. After brief introductions, we proceeded to a conference room. I presented my credentials and explained the purpose of the inspection. I explained that the Army Corps had referred the case to EPA for enforcement and that I was aware of the case history - Mr. Narcissi handled the initial complaint in 2014 of mechanical clearing and filling along Little Brook. Initially, 20,000 sq feet of wetlands were replicated and the identified vernal pools were marked with cedar posts and left to naturally revegetate. MHI was then supposed to have the aquatic resources on site delineated and develop a management plan to protect the resources, such as placing the jurisdictional wetlands in a zoning restriction. The Corps tried unsuccessfully to get MHI to submit a delineation, and Cori Rose took over the case in 2019. Over this time period, a large materials processing area has expanded in the central area of the site. After several more years of unsuccessfully receiving a delineation, the Army Corps referred the case to EPA in July 2023. In total, over 30 acres on the site were mechanically cleared, and an access road was improved and widened, including a culverted crossing of Little Brook.

EPA received a delineation conducted by Mr. Logan on May 14, 2024. I explained to Mr. Reed that I would like to walk the site and review the delineation.

B. Site Tour

We walked out behind 123 Austin Street to the south along the storage road adjacent to Little Brook. I took some photographs of the culvert. The crossing consists of two pipes. Each pipe consists of 3 separate pieces of smooth concrete with water undermining the gap between each piece. The pipes are slightly perched, and water is primarily conveyed through one pipe. I told Mr. Reed that the concrete sections in the culverts had separated and that the crossing likely lacks structural integrity.

We walked to the center of the back fields and climbed to the top of a large stockpile of material to get a vantage point of the site. The central vernal pool areas that had been staked off were clearly visible as areas with larger woody vegetation compared to the surrounding areas. Mr. Reed stated they had not done any work in these fields in the last 2 years except for the expansion of the materials processing area/stockpiles. Prior to that, they had been haying the drivable portions of the fields. I asked if any topsoil had been removed. He stated that topsoil had not been removed from any portion of the fields,

however he was unsure if his father had removed topsoil in the parking area that was part of the original violation.

We walked the entire perimeter of the field north of the improved access road. The cedar posts along the wetlands adjacent to the Little River were visible. Many of Mr. Logan's flags were still present. The vegetation in much of the delineated wetlands appeared to be reestablishing and very little invasive species were observed (mainly purple loosestrife and multiflora rose in the wet areas and mugwort in the transition zones). We discussed the possibility of slight adjustments to some of the flags.

C. Closing Conference

We discussed some possible next steps. I stated that EPA would follow up with an inspection report within 60 days and that we may follow up with questions in the meantime. I told Mr. Reed that the regrowth in the delineated wetlands was a positive development. We discussed their willingness to fence off the delineated wetlands and, in addition to preserving these areas, monitoring and engaging in some management of vegetation. I explained to Mr. Reed that I would bring my observations back to the case team and EPA management and make some recommendations as to appropriate next steps. EPA would then follow up with him. I explained to him that he should not do any further work in the wetland areas without consulting the Corps until he hears from EPA regarding next steps.

Unless otherwise noted, this report describes conditions at the facility/property as observed by EPA inspector(s), and/or through records provided to and/or information reported to EPA inspector(s) by facility representatives and as understood by the inspector(s). This report may not capture all operations or activities ongoing at the time of the inspection. This report does not make final determinations on potential areas of concern. Nothing in this report affects EPA's authorities under federal statutes and regulations to pursue further investigation or action.

Attachments:

-George Logan Delineation

- Inspection Photos

-APT Output