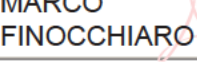




## Clean Water Act Section 404: Site Visit/Case Development

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<br>Austin Jepsky (in-training)                                                                                                                                              | Time In                      | 2:30 PM                                                             | Start Date | July 18, 2023 |
|                                                   |                                                                                                                                                                                                 | Time Out                     | 3:15 PM                                                             | End Date   | July 18, 2023 |
| Inspector's Organization                          | U.S. EPA Region 2                                                                                                                                                                               |                              |                                                                     |            |               |
| Organization Requesting Inspection (if different) |                                                                                                                                                                                                 |                              |                                                                     |            |               |
| Inspection Type                                   | Evaluation                                                                                                                                                                                      | Inspection Status            | Original                                                            |            |               |
| Site Name                                         | M & S Auto Masters & Sales, Inc.                                                                                                                                                                |                              |                                                                     |            |               |
| Site Address*                                     | 11 Niagara Avenue                                                                                                                                                                               |                              |                                                                     |            |               |
| City*                                             | Freeport                                                                                                                                                                                        | County*                      | Nassau                                                              | State*     | NY            |
|                                                   |                                                                                                                                                                                                 |                              |                                                                     | Zip Code*  | 11520         |
| Mailing Address*                                  | 11 Niagara Avenue                                                                                                                                                                               |                              |                                                                     |            |               |
| City*                                             | Freeport                                                                                                                                                                                        | County*                      | Nassau                                                              | State*     | NY            |
|                                                   |                                                                                                                                                                                                 |                              |                                                                     | Zip Code*  | 11520         |
| Latitude*                                         | 40.6521                                                                                                                                                                                         | Longitude*                   | -73.5681                                                            |            |               |
| Estimated Size of Site (acres)                    | 0.72                                                                                                                                                                                            | Is there a home on the site? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |            |               |
| Inspector Signature                               | <br>Digitally signed by<br>STEPHANIE ANDREESCU<br>Date: 2023.09.11 16:53:27<br>-04'00'                       |                              |                                                                     | Date       | 9/11/23       |
| Supervisor Signature                              | <br>MARCO<br>FINOCCHIARO<br>Digitally signed by<br>MARCO FINOCCHIARO<br>Date: 2023.09.12<br>07:42:02 -04'00' |                              |                                                                     | Date       | 9/12/23       |

## Clean Water Act Section 404: Site Visit/Case Development

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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                  |            |               |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|------------|---------------|
| Site Name                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | M & S Auto Masters & Sales, Inc. | Start Date | July 18, 2023 |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                  | End Date   | July 18, 2023 |
| Inspection Purpose                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Initial site visit               |            |               |
| <b>Opening Conference</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                  |            |               |
| <input checked="" type="checkbox"/> Presentation of Inspector Credentials<br>Name and Title (Use N/A if owner/operator not available to join the inspection)<br>Credentials were presented to Mr. Mohamed Sherif of M & S Auto Masters & Sales (operator at 11 Niagara Avenue). The property owner was not represented at the inspection.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                  |            |               |
| <input checked="" type="checkbox"/> Opening Conference<br>Name of person authorizing access if applicable<br>EPA scheduled the inspection with Mr. Sherif.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                  |            |               |
| Notes from Opening Conference<br>Mr. Sherif explained that there were no wetlands on the property and that he did not fill in any wetlands. He believes that the complaint EPA received is a personal attack on him. He stated that he moved into the building approximately 16 months ago.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                  |            |               |
| <input type="checkbox"/> Access Issues if Any<br>Describe<br>N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                  |            |               |
| <b>Inspection Observations and Sample Collection</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                  |            |               |
| Site Owner/Site Operator/Responsible Party (Name, title and contact information)<br>Site owner: not disclosed by management company; Site manager: Prime Realty Properties & Management (U.S. FOIA (b)(6)); Site operator: Mohamed Sherif of M&S Auto Masters & Sales (U.S. FOIA (b)(6), U.S. FOIA (b)(6))                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                  |            |               |
| Additional Persons Present at Inspection<br>EPA spoke with Mr. Sherif at the start of the inspection but he was not present throughout.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                  |            |               |
| General Site Characteristics (layout of property, etc.)<br>9-15 Niagara Avenue is a 0.72-acre parcel bordered by the upper extent of Stadium Park Canal on the east, Niagara Avenue on the south, a commercial property on the west, and commercial properties and Troy Place on the north. Stadium Park Canal connects to Middle Bay and East Bay. The bays open to the Atlantic Ocean between the barrier islands along the South Shore of Long Island.<br>M&S Auto Masters & Sales is one of several tenants operating on the property located at 11 Niagara Avenue. One large building housing the tenants occupies most of the parcel. The business is located at the northern portion of the building. There is a parking lot north of the building and a row of parking spaces to the south along Niagara Avenue. The parcel is completely developed. |                                  |            |               |
| Purpose and Need for Discharge of Dredged and/or Fill Material<br>An area between the eastern boundary of the parcel and the canal had recently been paved to increase parking area for boats and trailers.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                  |            |               |

## 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                                                                                                 | M & S Auto Masters & Sales, Inc. | Start Date | July 18, 2023 |
|                                                                                                           |                                  | End Date   | July 18, 2023 |
| Site Overview (Past inspections, site description, permits, etc.)                                         |                                  |            |               |
| EPA's Wetland Protection Section had not previously inspected the property.                               |                                  |            |               |
| Scope of Inspection (Areas inspected or not inspected)                                                    |                                  |            |               |
| EPA inspected areas on the eastern edge of the parcel adjacent to the upper extent of Stadium Park Canal. |                                  |            |               |

## 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                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | M & S Auto Masters & Sales, Inc. | Start Date | July 18, 2023 |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                  | End Date   | July 18, 2023 |
| Environmental Conditions (e.g., wind, rain, smoke, dust, temperature, snow)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                  |            |               |
| Temperatures in the low to mid 70s; heavy precipitation in the hour prior to the inspection; light precipitation during the inspection                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                  |            |               |
| Field Work Conducted                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                  |            |               |
| <p>The purpose of the inspection was to document whether there had been a discharge of dredged/fill material into waters of the United States without proper Corps authorization.</p> <p>Data recorded during the inspection included GPS data; handwritten notes of observations; and photographs.</p> <p>EPA observed a recently paved parking lot extension measuring approximately 0.05 acre near the canal. Boats and trailers were parked on the extension. Vegetation near this area was a mix of wetland and non-wetland vegetation and included common reed (<i>Phragmites australis</i>), tree of heaven (<i>Ailanthus altissima</i>), Virginia creeper (<i>Parthenocissus quinquefolia</i>), poison ivy (<i>Toxicodendron radicans</i>), Oriental bittersweet (<i>Celastrus orbiculatus</i>), and multiflora rose (<i>Rosa multiflora</i>). EPA also observed that the elevation on the western side of the canal was approximately 5.5 feet higher than the water surface in the canal and approximately three feet higher than the scrub-shrub marsh located on the eastern side of the canal. The area adjacent to the newly paved area did not appear to be wetland.</p> |                                  |            |               |
| Closing Conference                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                  |            |               |
| Documents Received and/or Requested During the Inspection                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                  |            |               |
| EPA requested contact information for the owner/manager of the property. Mr. Sherif said that he would email the information.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                  |            |               |
| 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                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                  |            |               |
| N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                  |            |               |
| Attachments*                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                  |            |               |
| <input checked="" type="checkbox"/> Maps and Sketches<br><input checked="" type="checkbox"/> Photographs (including location) and Photo Log<br><input type="checkbox"/> Other (SSIP, Wetlands Delineation Forms, etc.)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                  |            |               |
| Attachments: Map of GPS data; Photograph Log                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                  |            |               |





## Clean Water Act Section 404: Site Visit/Case Development

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|                  |                                  |            |               |
|------------------|----------------------------------|------------|---------------|
| Site Name        | M & S Auto Masters & Sales, Inc. | Start Date | July 18, 2023 |
|                  |                                  | End Date   | July 18, 2023 |
| Additional Notes |                                  |            |               |
|                  |                                  |            |               |



**Clean Water Act Section 404 Inspection  
July 18, 2023**

M&S Auto Masters & Sales, Inc.  
11 Niagara Avenue, Freeport, NY  
(40.6521, -73.5681)

- 7/18/2023 EPA GPS Point
- 7/18/2023 EPA GPS Line (LOD)
- Parcel Boundary

LOD: Limit of Disturbance





**Clean Water Act Section 404 Inspection  
July 18, 2023**

M&S Auto Masters & Sales, Inc.  
11 Niagara Avenue, Freeport, NY  
(40.6521, -73.5681)

- 7/18/2023 EPA GPS Point
- 7/18/2023 EPA GPS Line (LOD)
- Parcel Boundary

LOD: Limit of Disturbance

EPA CWA 404 Inspection Photolog  
M&S Auto Masters & Sales, Inc.  
Freeport, Nassau County, NY

July 18, 2023





**Date:** 7/18/2023  
**Time:** 2:59 PM  
**Photographer:** S. Andreescu  
**Photo ID:** 1 – P7180138

**Description:**

(1/5) Panorama of paved parking extension (southern limit of disturbance)





**Date:** 7/18/2023  
**Time:** 2:59 PM  
**Photographer:** S. Andreescu  
**Photo ID:** 2 – P7180139

**Description:**

(2/5) Panorama of paved parking extension (southern limit of disturbance)





**Date:** 7/18/2023  
**Time:** 2:59 PM  
**Photographer:** S. Andreescu  
**Photo ID:** 3 – P7180140

**Description:**

(3/5) Panorama of paved parking extension (southern limit of disturbance)





**Date:** 7/18/2023  
**Time:** 2:59 PM  
**Photographer:** S. Andreescu  
**Photo ID:** 4 – P7180141

**Description:**

(4/5) Panorama of paved parking extension (southern limit of disturbance)





**Date:** 7/18/2023  
**Time:** 2:59 PM  
**Photographer:** S. Andreescu  
**Photo ID:** 5 – P7180142

**Description:**

(5/5) Panorama of paved parking extension (southern limit of disturbance)





**Date:** 7/18/2023  
**Time:** 3:14 PM  
**Photographer:** S. Andreescu  
**Photo ID:** 6 – P7180143

**Description:**  
Paved parking extension;  
eastern limit-of-disturbance





**Date:** 7/18/2023  
**Time:** 3:14 PM  
**Photographer:** S. Andreescu  
**Photo ID:** 7 – P7180144  
**Description:**  
Upper extent of Stadium Park canal; scrub-shrub marsh on east side of canal





**Date:** 7/18/2023  
**Time:** 3:15 PM  
**Photographer:** S. Andreescu  
**Photo ID:** 8 – P7180145

**Description:**

Upper extent of Stadium Park canal; scrub-shrub marsh on east side of canal





**Date:** 7/18/2023  
**Time:** 3:15 PM  
**Photographer:** S. Andreescu  
**Photo ID:** 9 – P7180146  
**Description:**  
Upper extent of Stadium Park  
canal; earthen material on west  
side of canal





**Date:** 7/18/2023  
**Time:** 3:15 PM  
**Photographer:** S. Andreescu  
**Photo ID:** 10 – P7180147

**Description:**

earthen material on west side of canal; paved parking extension





**Date:** 7/18/2023  
**Time:** 3:15 PM  
**Photographer:** S. Andreescu  
**Photo ID:** 11 – P7180148  
**Description:**  
Paved parking extension





**Date:** 7/18/2023  
**Time:** 3:15 PM  
**Photographer:** S. Andreescu  
**Photo ID:** 12 – P7180149  
**Description:**  
Paved parking extension





**Date:** 7/18/2023  
**Time:** 3:15 PM  
**Photographer:** S. Andreescu  
**Photo ID:** 13 – P7180150

**Description:**

Paved parking extension; Newly paved area on left half of photo





**Date:** 7/18/2023  
**Time:** 3:16 PM  
**Photographer:** S. Andreescu  
**Photo ID:** 14 – P7180151  
**Description:**  
Vegetation adjacent to newly  
paved area