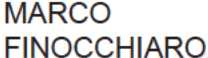




Clean Water Act Section 404: Site Visit/Case Development

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	3:28 PM	Start Date	May 19, 2022
		Time Out	4:59 PM	End Date	May 19, 2022
Inspector's Organization	US EPA Region 2, Water Division, Water Management Branch, Wetlands Protection Section				
Organization Requesting Inspection (if different)					
Inspection Type	Evaluation	Inspection Status	Original		
Site Name	Neal Oehme Property				
Site Address*	139 Mill Street				
City*	Wallkill	County*	Orange	State*	NY
				Zip Code*	12589
Mailing Address*	139 Mill Street				
City*	Wallkill	County*	Orange	State*	NY
				Zip Code*	12589
Latitude*	41.58505	Longitude*	-74.07507		
Estimated Size of Site (acres)	2.0	Is there a home on the site?	☒ Yes ☐ No		
Inspector Signature	 Digitally signed by Andreescu, Stephanie Date: 2022.07.07 13:39:03 -04'00'			Date	7/7/22
Supervisor Signature	 Digitally signed by MARCO FINOCCHIARO Date: 2022.07.07 13:49:11 -04'00'			Date	7/7/22

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	Neal Oehme Property	Start Date	May 19, 2022
		End Date	May 19, 2022
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) Ms. Stephanie Andreescu, Wetlands Inspector, presented credentials to Mr. Neal Oehme, property owner			
☒ Opening Conference Name of person authorizing access if applicable Mr. Oehme authorized access of property during scheduling of the inspection and was present during the inspection.			
Notes from Opening Conference EPA explained the purpose of the site visit. EPA asked Mr. Oehme when he purchased the property and what work has been done on the property since then. Mr. Oehme explained that the property was purchased in May 2016 and in May 2020, he extended the fenced yard and culverted drainage under the yard. He also more recently took down some dead trees and did some clearing of vegetation beyond his fenced yard.			
☐ Access Issues if Any Describe N/A			
Inspection Observations and Sample Collection			
Site Owner/Site Operator/Responsible Party (Name, title and contact information) Mr. Neal Oehme, property owner U.S. FOIA (b)(6), U.S. FOIA (b)(6)			
Additional Persons Present at Inspection N/A			
General Site Characteristics (layout of property, etc.) The property is comprised of a 2.0-acre "L"-shaped residential parcel. A house with a front yard, driveway, and fenced backyard are located on ~1 acre adjacent to Mill Street. The rest of the property is undeveloped and forested.			
Purpose and Need for Discharge of Dredged and/or Fill Material There has been earthwork on the property associated with expansion of a maintained, fenced-in backyard and clearing of vegetation and snags.			
Site Overview (Past inspections, site description, permits, etc.) There are no known Corps wetland permits for activities at the Site. Prior to EPA's CWA Section 404 Inspection, EPA had not inspected the property. There are no State-jurisdictional aquatic resources on the property.			



Clean Water Act Section 404: Site Visit/Case Development

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Site Name	Neal Oehme Property	Start Date	May 19, 2022
		End Date	May 19, 2022
Scope of Inspection (Areas inspected or not inspected)			
EPA inspected the perimeter of the developed portion of the property adjacent to Mill Street.			

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	Neal Oehme Property	Start Date	May 19, 2022
		End Date	May 19, 2022
Environmental Conditions (e.g., wind, rain, smoke, dust, temperature, snow)			
Temperatures were ~55 degrees and overcast; precipitation in the morning and the evening prior			
Field Work Conducted			
During the inspection, EPA collected photographs and handwritten notes. Observations were recorded with the understanding that it had recently rained. EPA started the inspection at the residence's western side yard. EPA observed a north-flowing watercourse and small, associated wetland (presumed). The area was depressed and dominated by skunk cabbage and jewelweed, which are both plants adapted to wet conditions. Mr. Oehme explained that he had removed snags from this area. Woody debris and a pile of cut logs were adjacent to and within the presumed wetland. Dirt and rock had been placed or pushed into the depressed area. A small west-flowing watercourse had been piped into a 10" plastic culvert under the residence's fenced backyard. The pipe discharged to the north-flowing watercourse. EPA walked north along the fenced yard and observed a small area north of the backyard that had been cleared of trees and shrubs. Stumps remained and herbaceous vegetation had regrown. EPA then proceeded east through the cleared area and then south along the outside of the eastern perimeter of the fenced yard. EPA observed a small watercourse that flowed north and then entered the plastic culvert/pipe described above. Because of overgrown vegetation and a lack of access to the start of the watercourse, EPA then walked back around the fenced backyard and residence to the front yard. East of the driveway, EPA observed a hillside seep from a neighboring property that appeared to feed the watercourse.			
Closing Conference			
Documents Received and/or Requested During the Inspection			
N/A			
Compliance Assistance Provided (If any)			
EPA told the property owner that he should reach out to the U.S. Army Corps of Engineers if he had any future plans to fill wetlands and/or streams.			
Observations Relayed to Site Owner/Operator			
EPA relayed to Mr. Oehme that woody debris was being stored in areas that were likely wetlands. It also appeared that dirt and rock had also been pushed into this presumed wetland area.			
Actions Taken by Owner/Operator During the Inspection (If any)			
Mr. Oehme stated that he would voluntarily remove the woody debris and dirt from the likely wetlands and restore this area to pre-disturbance grade.			
Potential Issues of Concern Including Regulatory Citations			
Woody debris, dirt, and rock had been potentially discharged to an area that was likely wetlands.			

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	Neal Oehme Property	Start Date	May 19, 2022
		End Date	May 19, 2022
Attachments*			
☐ Maps and Sketches ☒ Photographs (including location) and Photo Log ☐ Other (SSIP, Wetlands Delineation Forms, etc.)			
Photolog			
Additional Notes			
EPA met with a neighboring landowner prior to the inspection. This landowner expressed concern that earth-moving activities on Mr. Oehme's property has caused flooding on their property.			

CWA 404 Inspection
Neal Oehme Property
139 Mill Street, Wallkill, NY

October 5, 2021



Date: 5/19/2022
Time: 4:02 PM
Photographer: SSA
Photo ID: 1 – P5190347

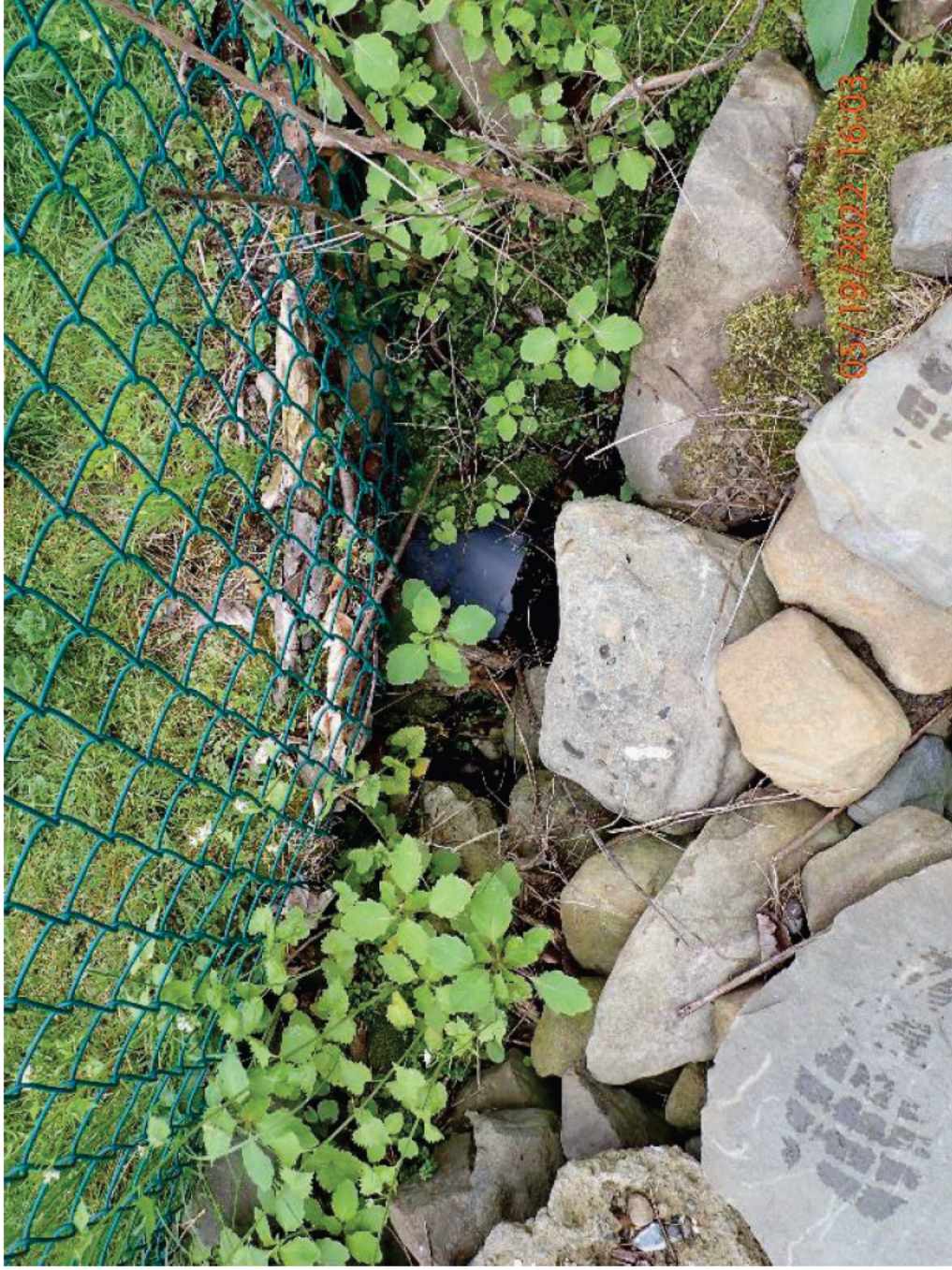
Description:

Watercourse that runs along eastern edge of property between fenced backyard and property boundary



Date: 5/19/2022
Time: 4:02 PM
Photographer: SSA
Photo ID: 2 – P5190348

Description:
Watercourse that runs along
eastern edge of property
between fenced backyard and
property boundary



Date: 5/19/2022
Time: 4:03 PM
Photographer: SSA
Photo ID: 3 – P5190349

Description:

Upstream end of plastic pipe (~10" diameter). The pipe routes a watercourse under the fenced backyard



Date: 5/19/2022
Time: 4:08 PM
Photographer: SSA
Photo ID: 4 – P5190350

Description:
Path of pipe under fenced
backyard



Date: 5/19/2022
Time: 4:12 PM
Photographer: SSA
Photo ID: 5 – P5190351

Description:

Watercourse that runs along eastern edge of property between fenced backyard and property boundary



Date: 5/19/2022
Time: 4:14 PM
Photographer: SSA
Photo ID: 6 – P5190352

Description:

Watercourse that runs along eastern edge of property between fenced backyard and property boundary



Date: 5/19/2022
Time: 4:15 PM
Photographer: SSA
Photo ID: 7 – P5190353

Description:

Cleared area behind (north of)
backyard



Date: 5/19/2022
Time: 4:15 PM
Photographer: SSA
Photo ID: 8 – P5190354

Description:
Cleared area behind (north of)
backyard



Date: 5/19/2022
Time: 4:15 PM
Photographer: SSA
Photo ID: 9 – P5190355

Description:
Cleared area behind (north of)
backyard



Date: 5/19/2022
Time: 4:20 PM
Photographer: SSA
Photo ID: 10 – P5190356

Description:

Woody debris and storage of logs on property in and adjacent to presumed wetland



Date: 5/19/2022
Time: 4:20 PM
Photographer: SSA
Photo ID: 11 – P5190357

Description:

Woody debris, dirt, and rock placed/pushed into presumed wetland
Vegetation dominated by skunk cabbage and jewelweed



Date: 5/19/2022
Time: 4:20 PM
Photographer: SSA
Photo ID: 12 – P5190358

Description:

Dirt and rock placed/pushed
into presumed wetland

Vegetation dominated by skunk
cabbage and jewelweed



Date: 5/19/2022
Time: 4:21 PM
Photographer: SSA
Photo ID: 13 – P5190359

Description:

Dirt and rock placed/pushed
into presumed wetland
Vegetation dominated by skunk
cabbage and jewelweed



Date: 5/19/2022
Time: 4:22 PM
Photographer: SSA
Photo ID: 14 – P5190360

Description:

Logs, dirt, and rock in presumed wetland area



Date: 5/19/2022
Time: 4:30 PM
Photographer: SSA
Photo ID: 15 – P5190361

Description:
Presumed wetland area



Date: 5/19/2022
Time: 4:46 PM
Photographer: SSA
Photo ID: 16 – P5190362

Description:

Watercourse that flows north
along eastern edge of property



Date: 5/19/2022
Time: 4:51 PM
Photographer: SSA
Photo ID: 17 – P5190363

Description:

Water seeping from hillside



Date: 5/19/2022
Time: 4:53 PM
Photographer: SSA
Photo ID: 18 – P5190364

Description:
Hillside seep area