Section 401 and State Regulated Wetlands Program **Wetlands and Stormwater Section** **Office of Water Quality** **Indiana Department of Environmental Management**	# Inspection Report
Date Distributed: September 29, 2020	**Purpose:** Document potential unauthorized impacts to regulated waters.
Certified Mail Number:	**Authority:** *This inspection was conducted pursuant to Indiana Code (IC) 13-14-2-2 and is consistent with the requirements of IC 13-14-5.*

Responsible Party and Location Information	
Landowner: Shelton Properties Fremont Indiana LLC	**Site Name:** Shelton Properties Wetland Clearing
IDEM Identification Number: Not Applicable	**County:** Steuben
Incident No: RM 93437	**Date of Site Visit:** September 24, 2020
Project Location/Address *(Use for sites without ID Number)*: The site is located at approximately 41.74765 latitude, -84.99901 longitude.	**Contact Information** *(Use for sites without ID Number)* Shelton Properties Fremont Indiana LLC P.O. Box 249 Eagleville, MO 64442

Inspected				
☐ **Stream/River(s)**	☒ **Wetland(s)**	☒ **Open Water**	☐ **Mitigation**	☐ **Other:**

Observations/Comments *(Description of activities, impacts, violations, corrective action, dates)***:**

(1) IDEM inspected the site in response to a complaint that wetlands at the project location were being cleared. The site possesses a National Wetlands Inventory polygon, and field evidence of hydrophytic vegetation, hydric soils, and wetland hydrology were present during the inspection.

(2) The IDEM inspector observed that mechanical clearing of vegetation appears to have occurred at the site. Cleared material has also been stockpiled in various locations at the site. A pond also exists at the site, and a channel extending from the pond was being dredged during the inspection.

(3) The activities observed at the site involve a discharge of fill material that is regulated by IDEM. The authority of IDEM to regulate the discharge of fill material into wetlands and other waters of the State is granted by Indiana Code (IC) 13-13-5 The discharge of fill material into a water of the State without authorization violates 327 IAC 2-1-6, which is a rule of the Water Pollution Control Board, and thus also violates Indiana Code 13-30-2-1(1) and 13-18-4-5.

(4) In response to this inspection report, please contact IDEM by October 13, 2020 to discuss plans for the site, work that has already occurred, and options for resolving this incident.

Inspection Distribution and Contact Information

Questions/Inquiries Concerning this Report Should be Directed to the Inspector at:

Wes Hauser
IDEM Wetlands Project Manager
100 North Senate Avenue
Indianapolis, Indiana 46204

Phone: 317-233-4606
Toll Free: 1-800-451-6027

E-Mail: whauser@idem.IN.gov

Others Present at Site:

Copies Provided to:

☒ **U.S. Army Corps of Engineers:** Aaron Damrill (electronic)

☐ **IDEM Stormwater Program for assessment of compliance with 327 IAC 15-5:**

☐ **DNR:**

☐ **Agent:**

☐ **Other:**