



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PO Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300

April 11, 2006

REGISTERED MAIL
RB 253 008 426 US

Tim Aldinger and Associates, Inc.
6140 SW Macadam Avenue
Portland, Oregon 97239

Dear Mr. Aldinger:

RE: **Order No. 3235:** Administrative Order for placement of fill in 0.16 acres of isolated wetlands to develop a 54.87 acre site into a 253-lot residential subdivision comprised of 180 single-family homes and 73 multi-family town-homes at approximately 3718 Pioneer Street within the City of Ridgefield, Clark County, Washington

The request for an administrative order for proposed work in isolated wetlands in the City of Ridgefield, Clark County, has been reviewed. The State of Washington has determined that the proposed work, as conditioned by the enclosed Order, will comply with applicable provisions of Chapter 90.48 RCW and other appropriate requirements of State law.

This approval is subject to the conditions contained in the enclosed Order. If you have any questions, please contact Lori Ochoa at (360) 407-6926. The enclosed Order may be appealed by following the procedures described in the Order.

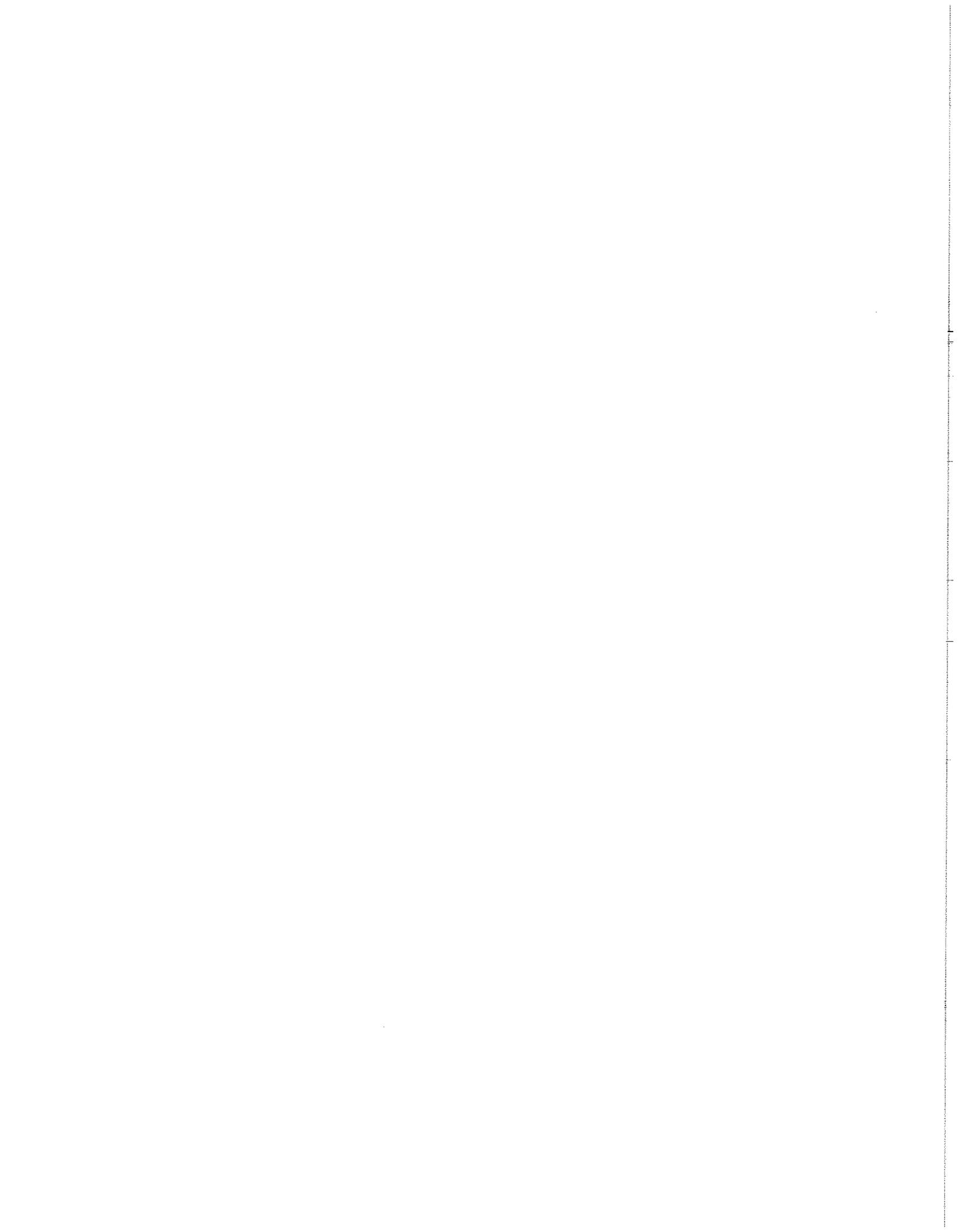
Sincerely,

Perry J Lund
Unit Supervisor
Shorelands and Environmental Assistance Program

PJL:LO:dn

cc: Ron Klump, U.S. Army Corps of Engineers
Nicolle Sicilia, Hopper Dennis Jellison, Inc.
Jaimee Cornwell, Ecological Land Services





DEPARTMENT OF ECOLOGY

IN THE MATTER OF THE REQUEST BY)
Tim Aldinger and Associates)
FOR AN ADMINISTRATIVE ORDER TO) ORDER NO. 3235
CONDUCT WORK IN AN ISOLATED WETLAND)

To: Tim Aldinger and Associates
6140 SW Macadam Avenue
Portland, Oregon 97239

This is an Administrative Order requiring Tim Aldinger and Associates to comply with Chapter 90.48 RCW and the rules and regulations of the Department of Ecology (Ecology) by taking certain actions which are described below. RCW 90.48.120(1) authorizes Ecology to issue Administrative Orders requiring compliance whenever it determines that a person has violated or creates a substantial potential to violate any provision of Chapter 90.48 RCW.

On December 5, 2005, Tim Aldinger and Associates submitted a request to impact three small isolated wetlands with a total area of 0.16 acres to develop a 54.87 acre site into a 253-lot residential subdivision known as Green Gables. The subdivision will be comprised of 180 single-family homes and 73 multi-family town-homes and include the construction of public and private roads to provide access to the residential lots, and development of on-site stormwater treatment and detention facilities. The project will be located at approximately 3718 Pioneer Street within the City of Ridgefield, Clark County.

For purposes of this Order, the term "Applicant" shall mean Mr. Tim Aldinger and Associates and its agents, assignees, and contractors.

In view of the foregoing and in accordance with RCW 90.48.120(1):

IT IS ORDERED that Tim Aldinger and Associates shall comply with the following:

1. Work authorized by this Order is limited to the work described in the Joint Aquatic Resource Permit Application (JARPA) received by the Department of Ecology (Ecology) on December 5, 2005. The Applicant will be out of compliance with this Order and must reapply with and updated application if the information contained in the JARPA is voided by subsequent changes to the project not authorized by this Order.
2. The Applicant shall construct and operate the project in a manner consistent with the project description contained in the JARPA received by Ecology on December 5, 2005, and in the Wetland and Buffer Mitigation Plan for Green Gables, City of Ridgefield, Washington, dated October 20, 2005, or as otherwise approved by Ecology.
3. Project mitigation shall be constructed and maintained as described in the Joint Aquatic Resource Permit Application (JARPA) received by Ecology on December 5, 2005, and in the Wetland and Buffer Mitigation Plan for Green Gables, City of Ridgefield, Washington, dated October 20, 2005, or as otherwise approved by Ecology.
4. Compensatory mitigation construction and installation shall occur prior to or concurrently with, project impacts to wetlands.

- 5 The Applicant shall provide access to the project site and all mitigation sites upon request by Ecology personnel for site inspections, monitoring, necessary data collection, and/or to ensure that conditions of this Order are being met.
- 6 This Order does not exempt and is provisional upon compliance with other statutes and codes administered by federal, state, and local agencies.
7. Copies of this Order shall be kept on the job site and readily available for reference by Ecology personnel, the construction superintendent, construction managers and foremen, and state and local government inspectors.
8. Nothing in this Order waives Ecology's authority to issue additional orders if Ecology determines further actions are necessary to implement the water quality laws of the state. Further, Ecology retains continuing jurisdiction to make modifications hereto through supplemental order, if additional impacts due to project construction or operation are identified (*e.g.*, violations of water quality standards, downstream erosion, etc.), or if additional conditions are necessary to further protect the public interest.

Failure to comply with this Order may result in the issuance of civil penalties or other actions, whether administrative or judicial, to enforce the terms of this Order.

Appeal Process:

You have the right to appeal this Order to the Pollution Control Hearings Board. Pursuant to chapter 43 21B RCW, your appeal must be filed with the Pollution Control Hearings Board, and served on the Department of Ecology, within thirty (30) days of the date of your receipt of this document.

To appeal this Order, your notice of appeal must contain a copy of the Ecology Order you are appealing.

Your appeal must be filed with:

The Pollution Control Hearings Board
4224 - 6th Avenue SE, Rowe Six, Bldg. 2
P.O. Box 40903
Lacey, Washington 98504-0903

Your appeal must also be served on:

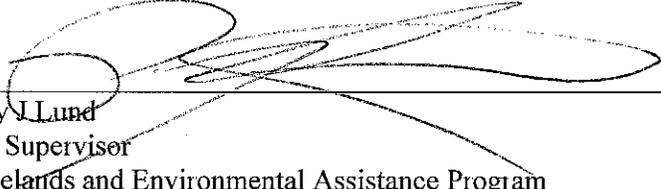
The Department of Ecology
Appeals Coordinator
P.O. Box 47608
Olympia, Washington 98504-7608

In addition, please send a copy of your appeal to:

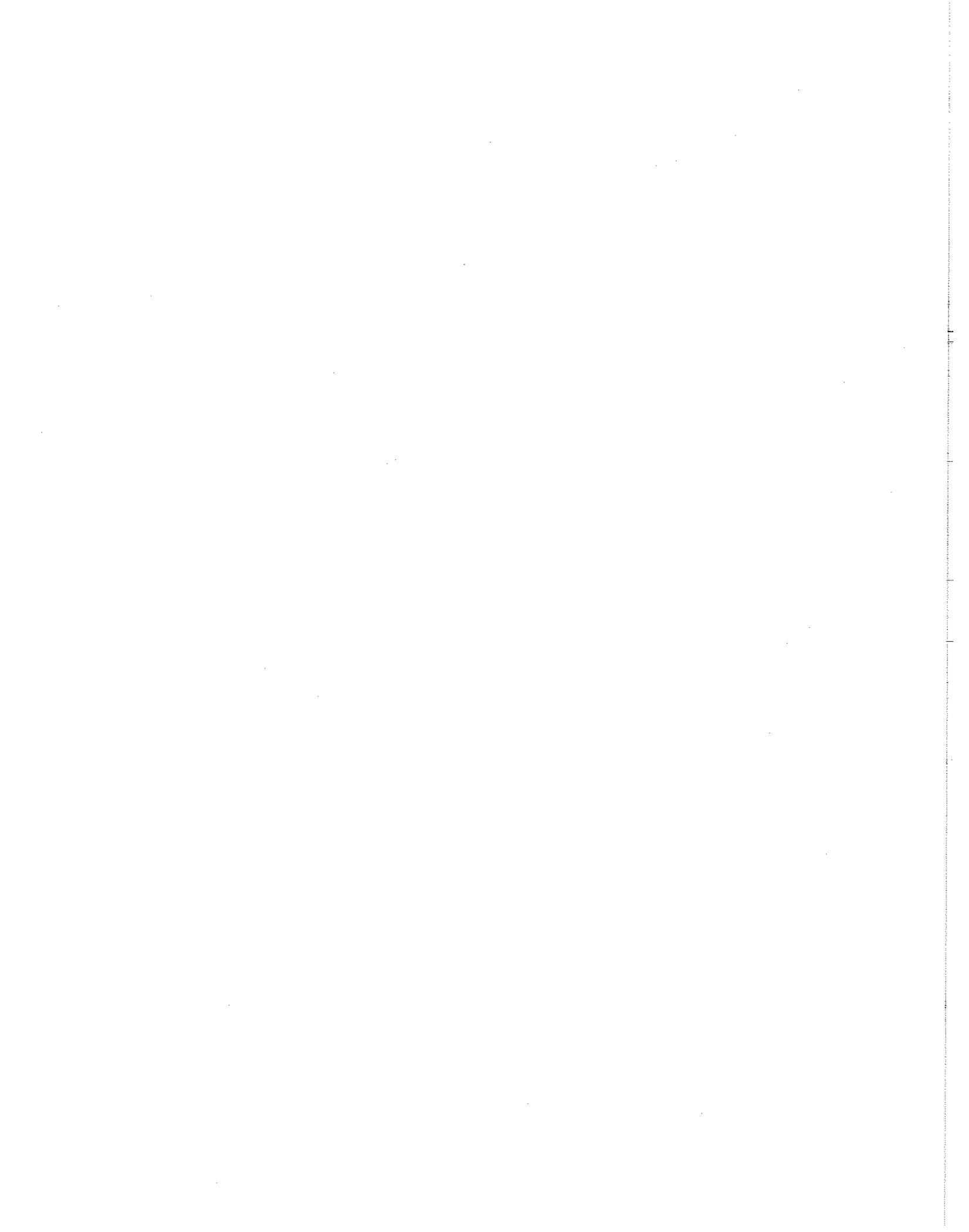
Loree' Randall
Department of Ecology
P O. Box 47600
Olympia, Washington 98504-7600

Your appeal alone will not stay the effectiveness of this Order. Stay requests must be submitted in accordance with RCW 43.21B 320. These procedures are consistent with Ch. 43.21B RCW.

DATED this 12 day of APRIL, 2006, at Olympia, Washington



Perry J. Lund
Unit Supervisor
Shorelands and Environmental Assistance Program





STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PO Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300

April 11, 2006

Tim Aldinger & Associates, Inc.
6140 SW Macadam Avenue
Portland, Oregon 97239

Dear Mr. Aldinger:

**RE: U.S. Army Corps of Engineers Reference #200501397
Nationwide Permit #39, Residential, Commercial, and Institutional
Developments, Construction of Green Gables Subdivision within Corps
Jurisdictional Wetlands, Clark County, Washington**

This letter is to confirm that the above-referenced project will not require an individual water quality certification from the Department of Ecology. Your project does not meet our criteria for requiring an individual certification under Nationwide Permit #39 for the on site wetlands within the Corps' jurisdiction.

Please note that this letter does not exempt the applicant from compliance with other requirements of federal, state, and local agencies.

Please contact me if you have any questions regarding this letter at (360) 407-6926 or e-mail loch461@ecy.wa.gov.

Sincerely,

Lori Ochoa
Federal Permit Coordinator
Shorelands and Environmental Assistance Program

LO: dn

cc: Ron Klump, U.S. Army Corps of Engineers
Nicolle Sicilia, Hopper Dennis Jellison, Inc.
Jaimee Cornwell, Ecological Land Services



