



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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

May 12, 2015

Affordable Community Environments  
Attn: Ben Sturtz  
4150 SW Moody Avenue  
Portland, OR 97239

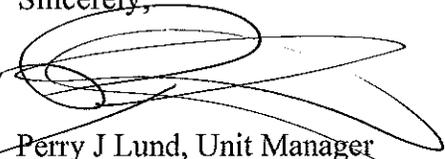
Re: Administrative Order No. 11314 to permanently fill 0.03 acre of isolated wetlands for the Isabella Senior Housing development in Clark County, Washington

Dear Mr. Sturtz:

The Department of Ecology (Ecology) received your Joint Aquatic Resources Permit Application on February 26, 2015, requesting an Administrative Order for proposed work in isolated wetlands. Ecology has determined that the proposed work, as conditioned by the enclosed Order, will comply with applicable provisions of Chapter 90.48 RCW and other applicable requirements of state law.

This approval is subject to the conditions contained in the enclosed Order. If you have any questions, please contact Rebecca Rothwell at 360-407-7273. The enclosed Order may be appealed by following the procedures described in the Order.

Sincerely,



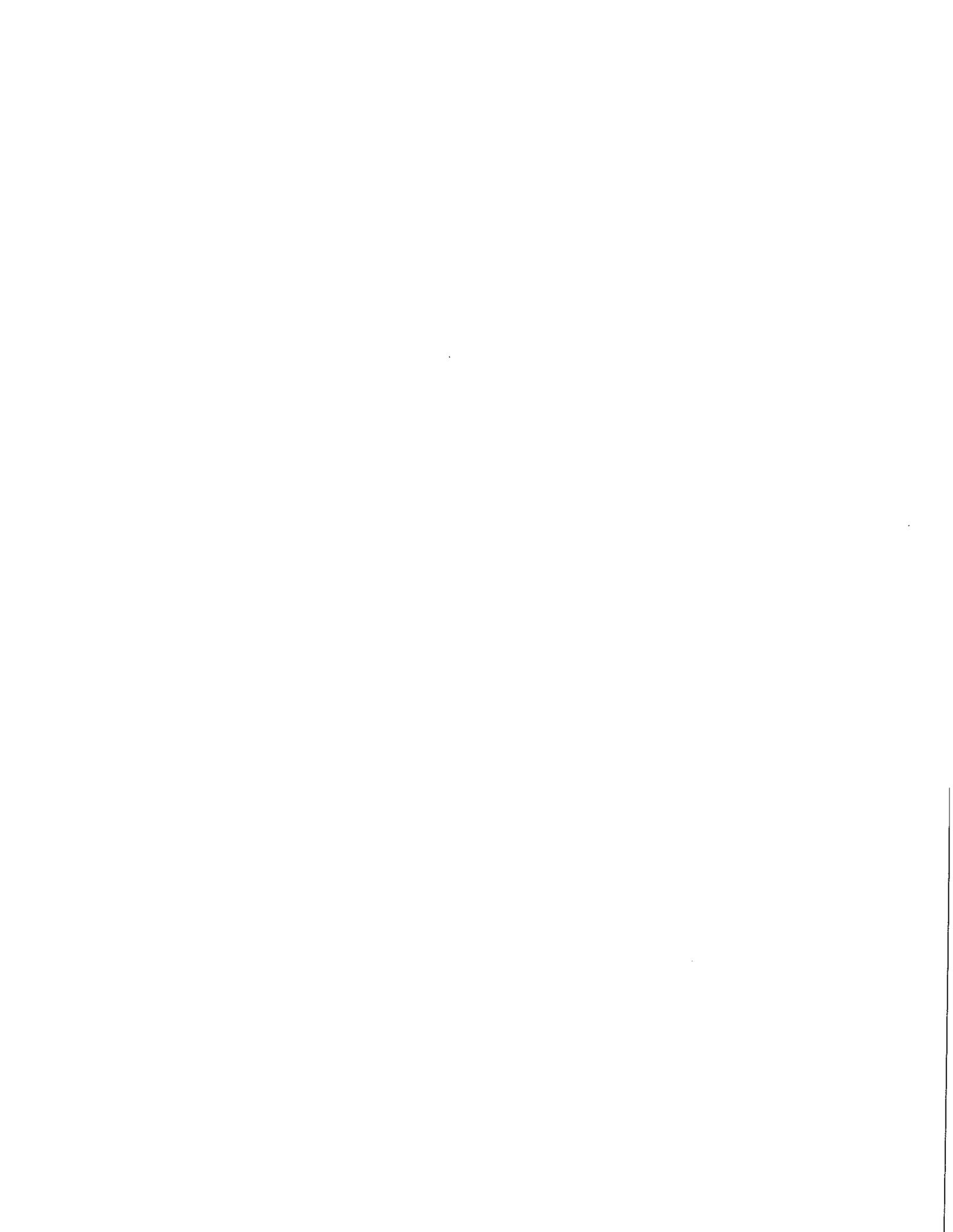
Perry J Lund, Unit Manager  
Shorelands and Environmental Assistance Program  
Southwest Regional Office

Enclosure

By Certified Mail 7012 2920 0000 1182 1987

ecc: Steve Manlow, U.S. Army Corps of Engineers  
Craig Tumer, Pacific Habitat Services, Inc.  
ECY RE FED PERMITS





STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

IN THE MATTER OF THE REQUEST BY )  
AFFORDABLE COMMUNITY ENVIRONMENTS ) Order #11314  
FOR AN ADMINISTRATIVE ORDER TO ) Corps JD #NWS-2015-00154  
CONDUCT WORK IN ISOLATED WETLANDS )

TO: AFFORDABLE COMMUNITY ENVIRONMENTS  
Attn: Ben Sturtz  
4150 SW Moody Avenue  
Portland, OR 97239

This is an Administrative Order requiring Affordable Community Environments 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.

Ecology received the Affordable Community Environments Joint Aquatic Resources Permit Application (JARPA) on February 26, 2015, requesting an Administrative Order to fill 0.03 acre of isolated wetland to construct the Isabella Court Senior Housing development in Clark County. The site is located at 3112 Ne 62<sup>nd</sup> Avenue, Vancouver, N ½ Section 19, Township 2N, Range 2E, Clark County, and WRIA 28 Salmon/Washougal.

This Administrative Order authorizes 0.03 acre of Category 4 isolated wetland impacts at the project location. To offset these impacts, the applicant will purchase 0.0255 credit at the Columbia River Wetland Mitigation Bank, as described in further detail below.

For purposes of this Order, the term "Applicant" shall mean Affordable Community Environments and its agents, assigns, and contractors.

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

IT IS ORDERED that the Applicant shall comply with the following:

**A. General Conditions:**

1. The Applicant shall construct and operate the project in a manner consistent with the project description contained in the JARPA received by Ecology on February 26, 2015, or as otherwise approved by Ecology.
2. For purposes of this Order, all submittals required by its conditions shall be sent to Ecology's Southwest Regional Office, Attn: Rebecca Rothwell, SEA Program, PO Box 47775, Olympia, WA 98504-7775. All submittals shall reference Order No. 11314 and Corps JD No. NWS-2015-00154.
3. The Applicant shall provide access to the project site upon request by Ecology.

4. This Order does not exempt and is provisional upon compliance with other statutes and codes administered by federal, state, and local agencies.
5. 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.
6. Nothing in this Order waives Ecology's authority to issue additional orders if Ecology determines that 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.

**B. Wetland Compensatory Mitigation Conditions:**

1. Impacts to aquatic resources shall be mitigated through the use of the Columbia River Wetland Mitigation Bank. Credits to be withdrawn from the bank will be a total of 0.0255 credits in accordance with the Columbia River Wetland Mitigation Bank Instrument. The Sponsor for this bank is:  

Clark County Mitigation Partners, LLC  
P.O. Box 354  
Kirkland, WA 98083
2. Proof of Mitigation Bank Credit Purchase: The Applicant shall submit the following to Ecology per Condition A.2:
  - a. The Applicant shall obtain and submit to Ecology registered documentation from the bank sponsor identifying the purchase of 0.0255 credit for the project.
  - b. This documentation must be submitted to Ecology within 60 days of the issuance of this Order.
  - c. This document must be registered at the Clark County Auditor's office and must include the Administrative Order number, Order issuance date, and the number of credits required by the Order.
3. The Applicant shall notify Ecology (per condition A.2) of any changes to the amount of wetland impacts, revision of the mitigation proposal, and submittal of new information being registered at the Clark County Auditor's office.

This Order shall remain in effect until April 27, 2020.

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.

**YOUR RIGHT TO APPEAL**

You have a right to appeal this Order to the Pollution Control Hearings Board (PCHB) within 30 days of the date of receipt of this Order. The appeal process is governed by Chapter 43.21B RCW and Chapter 371-08 WAC. "Date of receipt" is defined in RCW 43.21B.001(2).

To appeal you must do all of the following within 30 days of the date of receipt of Order:

- File your appeal and a copy of this Order with the PCHB (see addresses below). Filing means actual receipt by the PCHB during regular business hours.
- Serve a copy of your appeal and this Order on Ecology in paper form by mail or in person. (See addresses below.) E-mail is not accepted.
- Serve a copy of your appeal and this Order on the City of Vancouver in paper form by mail or in person. (See address below.) E-mail is not accepted.

You must also comply with other applicable requirements in Chapter 43.21B RCW and Chapter 371-08 WAC.

**ADDRESS AND LOCATION INFORMATION**

Street Addresses	Mailing Addresses
<b>Department of Ecology</b> Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey, WA 98503	<b>Department of Ecology</b> Attn: Appeals Processing Desk PO Box 47608 Olympia, WA 98504-7608
<b>Pollution Control Hearings Board</b> 1111 Israel RD SW, Suite 301 Tumwater, WA 98501	<b>Pollution Control Hearings Board</b> PO Box 40903 Olympia, WA 98504-0903
<b>City of Vancouver</b> Attn: Andrew Reule, Associate Planner 415 W 6th Street Vancouver, WA 98660	<b>City of Vancouver</b> Attn: Andrew Reule, Associate Planner PO Box 1995 Vancouver, WA 98668-1995

DATED May 12, 2015, at Olympia, Washington.

  
Perry J Lund, Unit Manager  
Shorelands & Environmental Assistance Program  
Southwest Regional Office

