



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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November 23, 2015

Washington State Department of Transportation  
William M. Sauriol, Environmental Manager  
2809 Rudkin Road  
Union Gap, WA 98903-1648

Re: Administrative Order No. 13030 to permanently fill/impact 0.08 ac of isolated wetlands to I-90  
Peoh Rd Bridge to Elk Heights Rd Vic WB – Replace and Rehab Concrete project in Kittitas  
County, Washington

Dear Mr. Sauriol:

The Department of Ecology (Ecology) received your Joint Aquatic Resources Permit Application on October 13, 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 Caroline Corcoran at (425) 649-7004. The enclosed Order may be appealed by following the procedures described in the Order.

Sincerely,

Brenden McFarland, Section Manager  
Environmental Review and Transportation Section  
Shorelands and Environmental Assistance Program

Enclosure

cc: Sandra Manning, U.S. Army Corps of Engineers

e-cc: Penny Kelley, Loree' Randall, Ecology  
Geoff Gray, Mark Norman, WSDOT  
ECY RE FED PERMIT

**CERTIFIED MAIL: 7009 0820 0001 9056 0366**



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

IN THE MATTER OF THE REQUEST BY )  
Washington State Department of Transportation )  
FOR AN ADMINISTRATIVE ORDER TO ) ORDER #13030  
CONDUCT WORK IN ISOLATED WETLANDS )

TO: Washington State Department of Transportation  
William M. Sauriol, Environmental Manager  
2809 Rudkin Road  
Union Gap, WA 98903-1648

This is an Administrative Order requiring Washington State Department of Transportation (WSDOT) 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 WSDOT Joint Aquatic Resources Permit Application (JARPA) on October 13, 2015 requesting an Administrative Order to impact 0.08 acres of isolated wetlands to construct I-90 Peoh Rd Bridge to Elk Heights Rd Vic WB – Replace/Rehab Concrete Project in Kittitas County. The site is located at I-90 between MP 86.60 and MP 94.07, Sections 4, 5, 6, 9, 10, 11, 14, 23, 25, and 26 of Township 19N, and Section 31 of Township 20N, Range 16E, E.W.M in WRIA 39.

This Administrative Order authorizes 0.08 acres of Category III isolated wetland impacts at the project location. No mitigation is required.

For purposes of this Order, the term “Applicant” shall mean WSDOT 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:**

- A.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 October 13, 2015 or as otherwise approved by Ecology.
- A.2 The Applicant shall provide access to the project site upon request by Ecology.
- A.3 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.

A.4 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.

**YOUR RIGHT TO APPEAL**

You have a right to appeal this Administrative Order to the Pollution Control Hearings Board (PCHB) within 30 days of the date of receipt of this Administrative 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 this Administrative Order:

- File your appeal and a copy of this Administrative 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 Administrative Order on Ecology in paper form - by mail or in person. (See addresses 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
<p><b>Department of Ecology</b>            Attn: Appeals Processing Desk            300 Desmond Drive SE            Lacey, WA 98503</p>	<p><b>Department of Ecology</b>            Attn: Appeals Processing Desk            PO Box 47608            Olympia, WA 98504-7608</p>
<p><b>Pollution Control Hearings Board</b>            1111 Israel RD SW            STE 301            Tumwater, WA 98501</p>	<p><b>Pollution Control Hearings Board</b>            PO Box 40903            Olympia, WA 98504-0903</p>

DATED 11/23/15 at Olympia, Washington.

Brenden McFarland, Section Manager  
 Environmental Review and Transportation Section  
 Shorelands & Environmental Assistance Program