



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

July 18, 2006

REGISTERED MAIL

RB 252 973 988 US

Bentridge, LLC
4053 Edith Point Road
Anacortes, WA 98221

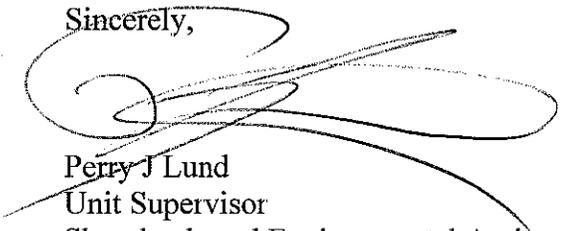
Dear Applicant:

RE: **Order No. 3335:** Administrative Order for placement of fill in a 6,550 square foot (0.15 acre) isolated wetland to construct a high density residential development southeast of Boulevard Road and Log Cabin Road, within the City of Olympia, Thurston County, Washington.

The request for an administrative order for proposed work in isolated wetlands for construction of a residential development in Thurston 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 Karen Rogers at 360-407-7459. 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
Enclosure

cc: Jim Green, U.S. Army Corps of Engineers
Steve Shanewise, The Coot Company



e-cc: Penny Keys, Ecology/HQ
Loree Randall, Ecology/HQ
Lori Ochoa, Ecology/SWRO
Karen Rogers, Ecology/SWRO

DEPARTMENT OF ECOLOGY

IN THE MATTER OF THE REQUEST BY)
Bentridge, LLC)
FOR AN ADMINISTRATIVE ORDER TO) **ORDER NO. 3335**
CONDUCT WORK IN AN ISOLATED WETLAND)

To: Bentridge, LLC
4053 Edith Point Road
Anacortes, WA 98221

This is an Administrative Order requiring Bentridge, LLC 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 March 1, 2006, Bentridge, LLC submitted a request to impact a 6,550 square foot (0.15 acre) Category IV isolated wetland to construct a high density residential development on the 80 acre site. The project will be located SE of Boulevard Road and Log Cabin Road within the City of Olympia Urban Growth Area, in Thurston County.

For purposes of this Order, the term "Applicant" shall mean Bentridge, LLC and its agents, assignees, and contractors.

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

IT IS ORDERED that Bentridge, LLC 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 March 1, 2006. 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 March 1, 2006 or as otherwise approved by Ecology.
- 3 The Applicant shall provide access to the project site upon request by Ecology personnel for site inspections, monitoring, necessary data collection, and/or to ensure that conditions of this Order are being met
- 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 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.

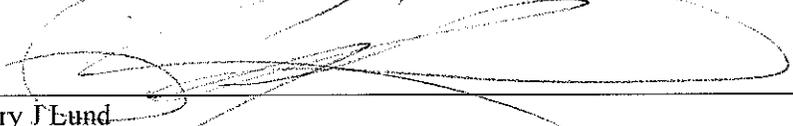
In addition, please send a copy of your appeal to:

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

For additional information. Environmental Hearings Office Website: <http://www.eho.wa.gov>

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 19 day of JULY, 2006, at Olympia, Washington



Perry J. Lund
Unit Supervisor
Shorelands and Environmental Assistance Program 1