



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

August 15, 2007

REGISTERED MAIL
RB 252 945 196 US

Waldal Homes, Inc.
Mr. Art Waldal
10405 NE 239th Street
Battle Ground, WA 98604

RE: Administrative Order 4933 to impact 1.33 acres of isolated wetlands to build Lone Oaks Phase III, a 126 lot residential development in Battle Ground, Clark County, Washington

Dear Applicant:

The request for an administrative order for proposed work in the isolated wetland in Battle Ground, 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 Sarah M. Lukas at (360) 407-7459. The enclosed Order may be appealed by following the procedures described in the Order.

Sincerely,

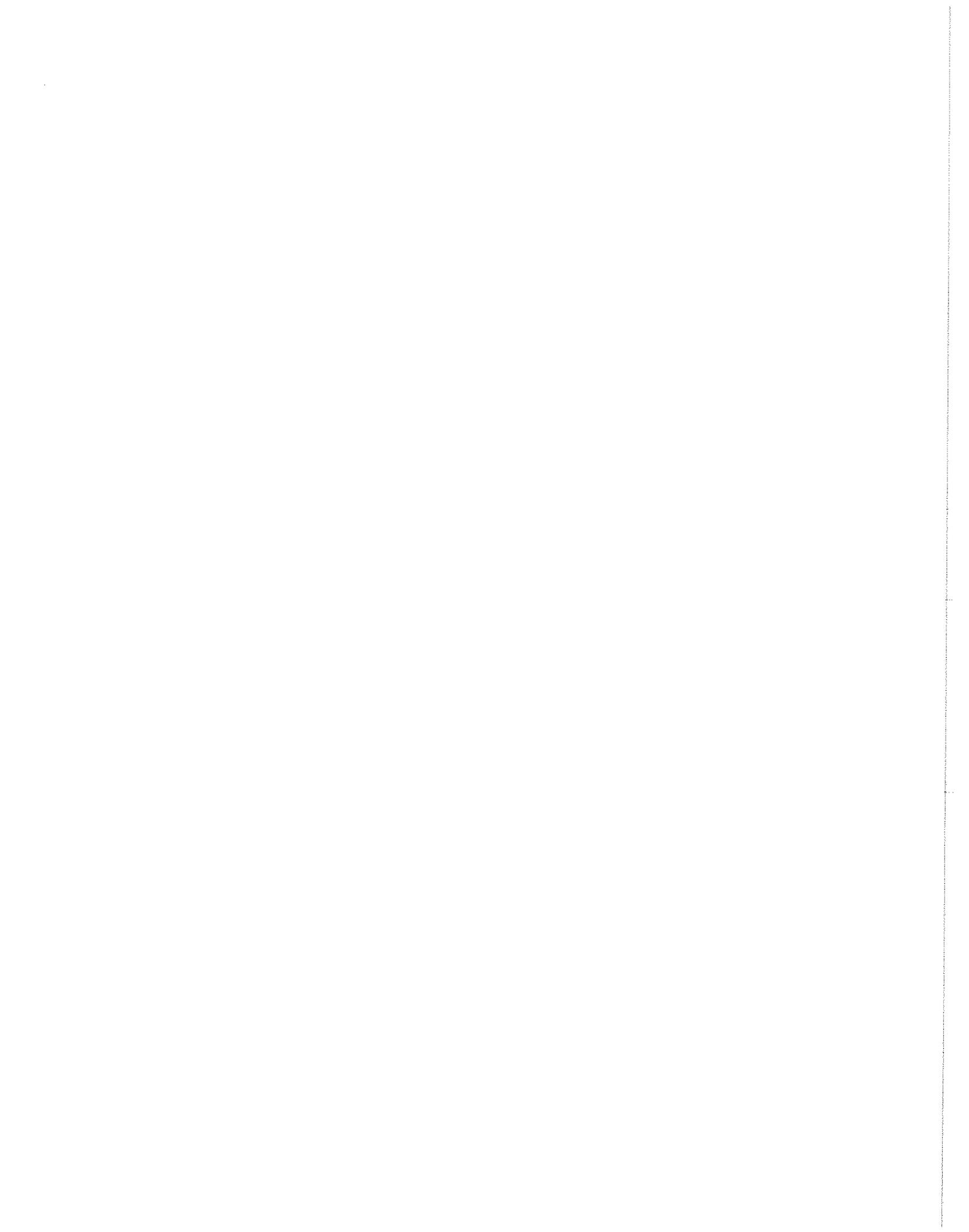
Paula Ehlers, Section Manager
Southwest Regional Office
Shorelands and Environmental Assistance Program

PE:SML:dn
Enclosure

cc: Bill Abadie, U.S. Army Corps of Engineers

e-cc: Penny Keys, Ecology Headquarters
Loree' Randall, Ecology Headquarters
Mark Cline, Ecology SWRO
Deborah Cornett, Ecology SWRO





DEPARTMENT OF ECOLOGY

IN THE MATTER OF THE REQUEST BY)
Waldal Homes, Inc.)
FOR AN ADMINISTRATIVE ORDER TO) ORDER NO. DE 4933
CONDUCT WORK IN AN ISOLATED WETLAND)

To: Mr. Art Waldal
Waldal Homes, Inc.
10405 NE 239th Street
Battle Ground, WA 98604

This is an Administrative Order requiring Waldal Homes, Inc. 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 July 24 2006, Mr. Art Waldal of Waldal Homes, Inc. submitted a request to impact 1.33 acres of an isolated wetland to develop Lone Oaks Phase III: 126 residential lots with utilities, roadways, stormwater facilities, open spaces, and 7.96 acres of wetlands enhancement in Clark County.

For purposes of this Order, the term "Applicant" shall mean Waldal Homes, Inc. and its agents, assigns, and contractors.

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

IT IS ORDERED that Waldal Homes, Inc. shall comply with the following:

1. Waldal Homes, Inc. shall construct and operate the project in a manner consistent with the project description contained in the JARPA dated and signed July 18, 2006, or as otherwise approved by Ecology.
2. Project mitigation shall be constructed and maintained as described in *Preliminary Wetland Mitigation Plan Lone Oaks Estates Phase III, Battle Ground, WA* dated July 9, 2007.
3. Waldal Homes, Inc. shall provide access to the project site and all mitigation sites 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 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.

This Order may be appealed. Your appeal must be filed with the Pollution Control Hearings Board, P.O. Box 40903, Olympia, Washington 98504-0903, within thirty (30) days of your receipt of this Order. At the same time, your appeal must also be served on the Department of Ecology, c/o The Enforcement Officer, P.O. Box 47775, Olympia, Washington, 98504-7775; and, on the Department of Ecology, SEA Program, Attn: Sarah M. Lukas, P.O. Box 47775, Olympia, Washington, 98504-7775. 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 Chapter 43.21B RCW.

DATED August 15, 2007, at Olympia, Washington.



Paula Ehlers, Section Manager
Shorelands and Environmental Assistance Program
Southwest Regional Office