



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

Northwest Regional Office • 3190 160th Avenue SE • Bellevue, Washington 98008-5452 • (425) 649-7000

March 5, 2008

**REGISTERED MAIL**  
**RB 670 357 541 US**

George and Aundrea Walters  
8343 NE 175<sup>th</sup> Street  
Kenmore, WA 98027

Dear Mr. and Mrs. Walters:

RE: **Administrative Order #5463 for placement of fill in 0.004 acre of isolated wetlands** to enable the construction of a turnaround and drainage facilities for a five-lot plat located at 8343 NE 175th Street in the City of Kenmore, in King County, Washington (U.S. Army Corps of Engineers [Corps] Reference #200700216).

On June 8, 2007, George and Aundrea Walters submitted a Joint Aquatic Resources Permit Application (JARPA) to the Department of Ecology (Ecology) to request an administrative order for proposed work in isolated wetlands. 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. The Order does not authorize placement of fill in wetlands determined to be regulated by the Corps.

This approval is subject to the conditions contained in the enclosed Order. If you have any questions, please contact Richard Robohm at (425) 649-4447 or (425) 649-7000. The enclosed Order may be appealed by following the procedures described in the Order.

Sincerely,

Geoff Tallent  
Section Manager  
Northwest Regional Office  
Shorelands and Environmental Assistance Program

GT:cja

Enclosure

cc: Scott Rozenbaum, Rozewood Environmental Services, Inc.  
e-cc: Rebekah Padgett, Ecology  
Loree' Randall, Ecology  
Richard Robohm, Ecology



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

IN THE MATTER OF THE REQUEST BY )  
GEORGE AND AUNDREA WALTERS )  
FOR AN ADMINISTRATIVE ORDER TO ) ORDER #5463  
CONDUCT WORK IN ISOLATED WETLANDS )

TO: George and Aundrea Walters  
8343 NE 175<sup>th</sup> Street  
Kenmore, WA 98027

This is an Administrative Order requiring George and Aundrea Walters to comply with Chapter 90.48 RCW and the rules and regulations of the Department of Ecology (Ecology) by taking certain actions that 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 June 8, 2007, George and Aundrea Walters submitted a request to Ecology to fill 0.004 acre of isolated wetlands to enable the construction of a turnaround and drainage facilities for a five-lot plat located at 8343 NE 175<sup>th</sup> Street, Kenmore, in King County, Washington (NE ¼ of SE ¼, S 12, T 26N, R 4E W.M.).

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

IT IS ORDERED that George and Aundrea Walters shall comply with the following:

1. All construction activity on the project site shall be performed in accordance with all applicable best management practices described in Chapter 4 of *Volume II: Construction Stormwater Pollution Prevention* in the *Stormwater Management Manual for Western Washington*, dated February 2005 (Washington State Department of Ecology, Publication No. 05-10-30), except as modified in this Order.
2. George and Aundrea Walters shall provide access to the project site upon request by Ecology.
3. This Order does not exempt and is provisional upon compliance with other statutes and codes administered by federal, state, and local agencies.
4. 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.
5. 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.

You have a right to appeal this Order. To appeal this you must:

- File your appeal with the Pollution Control Hearings Board within 30 days of the “date of receipt” of this document. Filing means actual receipt by the Board during regular office hours.
- Serve your appeal on the Department of Ecology within 30 days of the “date of receipt” of this document. Service may be accomplished by any of the procedures identified in WAC 371-08-305(10). “Date of receipt” is defined at RCW 43.21B.001(2).

Be sure to do the following:

- Include a copy of this document that you are appealing with your Notice of Appeal.
- Serve and file your appeal in paper form; electronic copies are not accepted.

### **1. To file your appeal with the Pollution Control Hearings Board**

Mail appeal to:

The Pollution Control Hearings Board  
PO Box 40903  
Olympia, WA 98504-0903

OR

Deliver your appeal in person to:

The Pollution Control Hearings Board  
4224 – 6th Ave SE Rowe Six, Bldg 2  
Lacey, WA 98503

### **2. To serve your appeal on the Department of Ecology**

Mail appeal to:

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

OR

Deliver your appeal in person to:

The Department of Ecology  
Appeals Coordinator  
300 Desmond Dr SE  
Lacey, WA 98503

**3. And send a copy of your appeal to:**

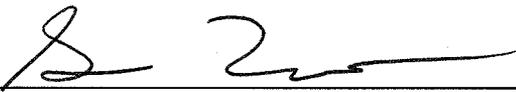
Department of Ecology  
Northwest Regional Office  
Attn: Richard Robohm  
3190 160<sup>th</sup> Avenue SE  
Bellevue, WA 98008

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

To find laws and agency rules visit the Washington State Legislature Website:  
<http://www1.leg.wa.gov/CodeReviser>

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 March 5, 2008 at Bellevue, Washington.

  
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Geoff Tallent, Section Manager  
Shorelands and Environmental Assistance Program  
Department of Ecology  
State of Washington