



STATE OF WASHINGTON  
**DEPARTMENT OF ECOLOGY**

Southwest Region Office

PO Box 47775, Olympia, WA 98504-7775 • 360-407-6300

February 6, 2024

Pacific Harbors Council, BSA  
ATTN: Mark Crawford  
4802 S. 19<sup>th</sup> St  
Tacoma, WA 98405

Re: Administrative Order No. 22436 to permanently fill/impact wetlands, which are waters of the state, to construct the Camp Thunderbird BSA Camp Upgrade in Thurston County, Washington

Dear Mark Crawford:

The Department of Ecology (Ecology) received your Joint Aquatic Resources Permit Application (JARPA) on October 24, 2023 requesting authorization for proposed work in wetlands, which are waters of the state. 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. **You must familiarize yourself with and abide by the conditions in the Order, including all notification requirements.** If you have any questions, please contact Lizzie Carp at (564)-200-4184 or [lizzie.carp@ecy.wa.gov](mailto:lizzie.carp@ecy.wa.gov). The enclosed Order may be appealed by following the procedures described in the Order.

Sincerely,

Maria Sandercock, Section Manager  
Southwest Region Office  
Shorelands and Environmental Assistance Program

Enclosure

Administrative Order 22436  
Aquatics ID No. 140339, Corps Ref. No. NWS-2020-1020  
February 6, 2024  
Page 2 of 2

By certified mail: [9589 0710 5270 0589 5646 55]

Sent via e-mail to: mark.n.crawford@gmail.com

E-cc: Bob Wubbena, Applicant's Representative  
Joshua Taylor, U.S. Army Corps of Engineers  
Scott McCormick, Thurston County  
Sheila Spaulding, Department of Ecology  
Lizzie Carp, Department of Ecology  
ECYREFEDPERMITS@ECY.WA.GOV

**In The Matter of Issuing an Administrative Order  
to Pacific Harbors Council BSA  
pursuant to RCW 90.48.120 and WAC 173-201A**

Pacific Harbors Council BSA  
Attn: Mark Crawford  
4802 S. 19th St  
Tacoma, WA 98405

<b>Order No.</b>	22436
<b>Corps Reference No.</b>	NWS-2020-1020
<b>Site Location</b>	Camp Thunderbird BSA Camp Upgrade 2022, Summit Lake, Thurston County, Washington

This is an Administrative Order requiring Pacific Harbors Council BSA 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(2) 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.

The U.S. Army Corps of Engineers (Corps) issued a letter, dated August 31, 2023, concluding that no action by the Corps is required to relocate the Camp Thunderbird swim area as depicted on drawings dated August 2022. On October 23, 2023, Ecology received a request to impact waters of the state to construct the Camp Thunderbird BSA Upgrade in Thurston County. The project is located at 11740 Summit Lake Road, Olympia, WA, 98501, Section 13, Township 18N, Range 4W, Thurston County, WRIA 14.

For purposes of this Order, the term "Project Proponent" shall mean Pacific Harbors Council BSA and its agents, assigns, and contractors.

In view of the foregoing and in accordance with RCW 90.48.120(2):

IT IS ORDERED that the Project Proponent shall comply with the following:

**A. General Conditions:**

1. The Project Proponent shall construct and operate the project in a manner consistent with the project description contained in the Camp Thunderbird Upgrades Detailed Mitigation Plan, Revised, prepared by Confluence Environmental Company, and dated January 2023, or as otherwise approved by Ecology.

2. For purposes of this Order, all submittals required by its conditions shall be sent to [fednotification@ecy.wa.gov](mailto:fednotification@ecy.wa.gov) and cc to [lizzie.carp@ecy.wa.gov](mailto:lizzie.carp@ecy.wa.gov). Any submittals shall reference Order No. 22436.
3. The Project Proponent shall provide access to the project site and mitigation site upon request by Ecology.
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 forepersons, 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.
6. The Project Proponent shall ensure that all appropriate project engineers and contractors at the project site have read and understand relevant conditions of this Order and all permits, approvals, and documents referenced in this Order.

**B. Notification Requirements:**

1. The Project Proponent shall provide written notification to Ecology in accordance with condition A.2. for the following activities:
  - a. Immediately following a violation of the state water quality standards or when the project is out of compliance with any condition of this Order.

**C. Wetland Mitigation Conditions:**

1. The Project Proponent shall mitigate wetland impacts as described in the Camp Thunderbird Upgrades Detailed Mitigation Plan, Revised, prepared by Confluence Environmental Company, and dated January 2023, or as required by this Order or revised and approved by Ecology.
2. The Project Proponent shall provide a status report on the mitigation construction to Ecology 13 months from the date of permit issuance. Annual status reports on mitigation construction are required until mitigation construction is complete.

3. The Project Proponent shall have a wetland professional at the wetland mitigation site to supervise during construction and planting.
4. Unless otherwise approved by Ecology in writing, the Project Proponent shall begin the compensatory mitigation project before, or concurrent with, impacting wetlands or Ecology may require additional compensation to account for additional temporal loss of wetland functions.
5. The Project Proponent shall submit proof of recorded long-term site protection, as described in sections 7.1.1 and 7.2.3 of the mitigation plan, within 180 days of this Order, unless otherwise approved by Ecology.

#### **D. Timing**

1. This Order is valid until the Project Proponent meets all its requirements and the Project Proponent has received written notification from Ecology to that effect.

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. The appeal process is governed by RCW 43.21B and WAC 371-08. "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 Order:

- File your notice of appeal and a copy of this Order with the PCHB (see filing information below). "Filing" means actual receipt by the PCHB during regular business hours as defined in WAC 371-08-305 and -335. "Notice of appeal" is defined in WAC 371-08-340.
- Serve a copy of your notice of appeal and this Order on the Department of Ecology by mail, in person, or by email (see addresses below).

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

### **Filing an appeal**

#### **Filing with the PCHB**

For the most current information regarding filing with the PCHB, visit:

<https://elaho.wa.gov/> or call: 360-664-9160.

## Service on Ecology

### Street Addresses:

Department of Ecology  
Attn: Appeals Processing Desk  
300 Desmond Drive SE  
Lacey, WA 98503

### Mailing Addresses:

Department of Ecology  
Attn: Appeals Processing Desk  
PO Box 47608  
Olympia, WA 98504-7608

### E-Mail Address:

[ecologyappeals@ecy.wa.gov](mailto:ecologyappeals@ecy.wa.gov)

## Contact information

Please direct all questions about this Order to:

Lizzie Carp  
Department of Ecology  
Southwest Regional Office  
300 Desmond Dr SE, Lacey, WA 98503  
(564)-200-4184  
[lizzie.carp@ecy.wa.gov](mailto:lizzie.carp@ecy.wa.gov)

## More information

- **[Pollution Control Hearings Board Website](https://eluh.wa.gov/)**  
<https://eluh.wa.gov/>
- **[Chapter 43.21B RCW - Environmental and Land Use Hearings Office – Pollution Control Hearings Board](https://app.leg.wa.gov/RCW/default.aspx?cite=43.21B)**  
<https://app.leg.wa.gov/RCW/default.aspx?cite=43.21B>
- **[Chapter 371-08 WAC – Practice And Procedure](https://app.leg.wa.gov/WAC/default.aspx?cite=371-08)**  
<https://app.leg.wa.gov/WAC/default.aspx?cite=371-08>

- **Chapter 34.05 RCW – Administrative Procedure Act**  
<https://app.leg.wa.gov/RCW/default.aspx?cite=34.05>
- **Chapter 90.48 RCW – Water Pollution Control**  
<https://app.leg.wa.gov/RCW/default.aspx?cite=90.48>
- **Chapter 173-201A WAC – Water Quality Standards for Surface Waters of the State of Washington**  
<https://apps.leg.wa.gov/WAC/default.aspx?cite=173-201A>

## Signature

Dated this 6th day of February 2024 at the Department of Ecology, Lacey, Washington.



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Maria Sandercock, Section Manager  
Southwest Regional Office  
Shorelands and Environmental Assistance Program