



STATE OF WASHINGTON  
**DEPARTMENT OF ECOLOGY**

Northwest Region Office  
PO Box 330316, Shoreline, WA 98133-9716 • 206-594-0000

July 26, 2024

City of Kent  
Recreation and Community Services Department  
Attn: Terry Jungman  
220 Fourth Avenue South  
Kent, WA 98032

Re: Administrative Order No. **22975** to impact 0.05 acres of wetlands, which are waters of the state, to construct the East Hill Community Park in King County, Washington

Dear Terry Jungman:

The Department of Ecology (Ecology) received your Joint Aquatic Resources Permit Application (JARPA) on May 23, 2024 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 Leah Beckett at (425) 324-5590 or [Leah.Beckett@ecy.wa.gov](mailto:Leah.Beckett@ecy.wa.gov). The enclosed Order may be appealed by following the procedures described in the Order.

Sincerely,

Joe Burcar, Section Manager  
Northwest Region  
Shorelands and Environmental Assistance Program

WQC Order No. 22975, Corps No. NWS-2023-910

Aquatics ID No. 143892

July 26, 2024

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Enclosure

By certified mail: 9171 9690 0935 0233 1417 82

Sent via email to: [tjungman@kentwa.gov](mailto:tjungman@kentwa.gov)

e-cc: Alexandra Hammond, U.S. Army Corps of Engineers

Leah Beckett, Ecology

[ECYREFEDPERMITS@ECY.WA.GOV](mailto:ECYREFEDPERMITS@ECY.WA.GOV)

In The Matter of Issuing an Administrative Order  
to the City of Kent  
pursuant to RCW 90.48.120 and WAC 173-201A

City of Kent  
Recreation and Community Services Department  
Attn: Terry Jungman  
220 Fourth Avenue South  
Kent, WA 98032

<b>Order No.</b>	22975
<b>Corps Reference No.</b>	NWS-2023-910
<b>Site Location</b>	East Hill North Community Park, located within Wetland A/B, Kent, King County, Washington.

This is an Administrative Order requiring the City of Kent 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 May 22, 2024, concluding that no action by the Corps is required for proposed work for the East Hill North Community Park. On May 23, 2024, Ecology received a request to impact 0.05 acres of wetlands, which are waters of the state, to construct a boardwalk within the East Hill North Community Park in King County. The project is located at 13525 Southeast 216<sup>th</sup> Street, Kent, WA 98042, Section 10 SW 1/4, Township 22N, Range 5E, WRIA 9 Duwamish-Green.

For purposes of this Order, the term “Project Proponent” shall mean the City of Kent 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 JARPA received by Ecology on May 23, 2024 or as otherwise approved by Ecology.
2. The Project Proponent shall provide access to the project site upon request by Ecology.

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 forepersons, and state and local government inspectors.
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.
5. The Project Proponent is responsible for obtaining all other permits, licenses, and certifications that may be required by federal, state, local or tribal authorities.

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://eluh.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:

Leah Beckett  
Department of Ecology  
(425) 324-5590  
[Leah.Beckett@ecy.wa.gov](mailto:Leah.Beckett@ecy.wa.gov)

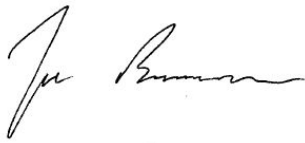
## More information

- **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**  
<http://app.leg.wa.gov/RCW/default.aspx?cite=43.21B>
- **Chapter 371-08 WAC – Practice And Procedure**  
<http://app.leg.wa.gov/WAC/default.aspx?cite=371-08>
- **Chapter 34.05 RCW – Administrative Procedure Act**  
<http://app.leg.wa.gov/RCW/default.aspx?cite=34.05>

- **Chapter 90.48 RCW – Water Pollution Control**  
<http://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**  
<http://apps.leg.wa.gov/WAC/default.aspx?cite=173-201A>

## Signature

Dated this 26 day of July, 2024 at the Department of Ecology, Shoreline, Washington.



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Joe Burcar, Section Manager  
Northwest Region  
Shorelands and Environmental Assistance Program