



STATE OF WASHINGTON  
**DEPARTMENT OF ECOLOGY**

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

October 2, 2024

Green Mountain Land, LLC  
c/o Metropolitan Land Group, LLC  
Attn: John O'Neil  
732 NW 19<sup>th</sup> Avenue  
Portland, OR 97209-1302

Re: Termination of Administrative Order No. 16050

Dear John O'Neil,

For the reasons stated below, the Department of Ecology (Ecology) hereby terminates Administrative Order No. 16050, pursuant to RCW 90.48.120.

### **Project Background**

Order No. 16050 was issued to Green Mountain Land, LLC on September 27, 2018, to authorize impacts to 0.03 acres of isolated wetlands to construct the Green Mountain Planned Residential Development (PRD) Phase 3 located on parcel #171727000, east of NE Ingle Road and south of NE 48<sup>th</sup> Circle, in the City of Camas.

On April 15, 2024, Ecology sent an email inquiring about the status of the Green Mountain PRD Phase 3 project. Lacey Hoffman from Ecological Land Services provided a new contact, John O'Neil from the Metropolitan Land Group, LLC. John O'Neil stated that the property was transferred to the City of Camas in 2 phases in 2020 and 2021.

In an email dated, April 17, 2024, City of Camas staff, Trang K. Lam, confirmed that the City of Camas did acquire the phase 3 property with the intent to keep it as open space for passive recreational use. Trang also stated that they plan to start a parks master planning process later this year and they will request authorizations from the agencies for future trails development to implement the future master plan at that time. As such the nature of what will eventually be developed on the land has changed since the time that Ecology's Order was issued.

Ecology is terminating Order No. 16050 because the property has changed ownership and the project did not proceed as originally approved. Any new project proposal will need to be reviewed by all appropriate entities prior to any ground-breaking activities.

## Your right to appeal

You have a right to appeal this action to the Pollution Control Hearings Board (PCHB) within 30 days of the date of receipt. The appeal process is governed by Chapter 43.21B RCW and Chapter 371-08 WAC. "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 letter:

- File your notice of appeal and a copy of this letter with the PCHB (see filing options 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 letter on the Department of Ecology mail, in person, or by email (see addresses below).

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

## Filing an appeal

### Filing with the PCHB

For the most current information regarding filing with the PCHB, visit: <https://eluh0.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)

If you have questions, please contact Meghan Tait at 360-210-2783 or [meghan.tait@ecy.wa.gov](mailto:meghan.tait@ecy.wa.gov).



Termination of Administrative Order No. 16050

October 2, 2024

Page 2 of 2

Sincerely,



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

Enclosures: Administrative Order No. 16050

By Certified Mail: 9489 0090 0027 6085 7510 00

Sent via e-mail: [john@metlandgroup.com](mailto:john@metlandgroup.com)

E-cc: Elin Michel-Midelfort, Metropolitan Land Group, LLC  
Trang K. Lam, City of Camas  
Lacey Hoffman, Ecological Land Services  
Meghan Tait, Ecology  
Dana Mock, Ecology  
[Ecyrefedpermits@ecy.wa.gov](mailto:Ecyrefedpermits@ecy.wa.gov)





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711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341

September 27, 2018

Green Mountain Land, LLC  
Attn: John Schmidt  
17933 NW Evergreen Parkway, Suite 300  
Beaverton, OR 97006

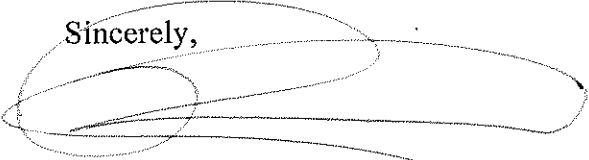
Re: Administrative Order No. 16050 to permanently fill 0.03 acre of Isolated Wetlands to Construct the Green Mountain PRD Phase 3 in Clark County, Washington

Dear Mr. Schmidt:

The Department of Ecology (Ecology) received your Joint Aquatic Resources Permit Application on February 18, 2018, requesting an Administrative Order for proposed work in isolated wetlands. 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. If you have any questions, please contact Rebecca Rothwell at (360) 407-7273. The enclosed Order may be appealed by following the procedures described in the Order.

Sincerely,



Perry J Lund, Section Manager  
Shorelands and Environmental Assistance Program  
Southwest Regional Office

Enclosure

By Certified Mail 9489 0090 0027 6019 1529 27

e-cc: Jim Carsner, U.S. Army Corps of Engineers  
Lacey Hoffman, Ecological Land Services  
Rebecca Rothwell, Ecology  
ECY RE FED PERMITS



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

IN THE MATTER OF THE REQUEST BY )  
GREEN MOUNTAIN LAND, LLC ) ORDER #16050  
FOR AN ADMINISTRATIVE ORDER TO ) Corps #NWS-2017-832  
CONDUCT WORK IN ISOLATED WETLANDS )

TO: Green Mountain Land, LLC  
Attn: John Schmidt  
17933 NW Evergreen Parkway, Suite 300  
Beaverton, OR 97006

This is an Administrative Order requiring Green Mountain Land, 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.

Ecology received the Green Mountain Land, LLC's Joint Aquatic Resources Permit Application (JARPA) on February 18, 2018, requesting an Administrative Order to impact 0.03 acre of isolated wetlands to construct Green Mountain Planned Residential Development (PRD) Phase 3 in Clark County. The site is located on parcel # 171727000, east of NE Ingle Road and south of NE 48th Circle, in the City of Camas, SE ¼ S17 T2N R3E WM, WRIA 28 Salmon/Washougal.

This Administrative Order authorizes 0.03 acre of Category III isolated wetland impacts at the project location. Mitigation for this proposal will consist of 0.03 credit at the Terrace Wetland Mitigation Bank, and all other actions as proposed in the *Bank Use Plan for Green Mountain PRD Phase 3* dated September 25, 2017.

For purposes of this Order, the term "Applicant" shall mean Green Mountain Land, LLC and its agents, assigns, and contractors.

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

IT IS ORDERED that the Applicant shall comply with the following:

**A. General Conditions:**

1. The Applicant shall construct and operate the project in a manner consistent with the project description contained in the JARPA received by Ecology on February 28, 2018, or as otherwise approved by Ecology.
2. For purposes of this Order, all submittals required by its conditions shall be sent to Ecology's Southwest Regional Office, Attn: Rebecca Rothwell, SEA Program, PO

Box 47775, Olympia, WA 98504-7775. Any submittals shall reference Order No. 16050.

3. The Applicant shall provide access to the project 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 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.
6. The Applicant 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 Applicant shall provide written notification (FAX, e-mail or mail) to Ecology per Condition A.2 in writing at least three (3) days prior to the start of construction at the project site. This notification shall include the Applicant's name, project name, project location, the number of this Order, contact name, and contact's phone number.

**C. Wetland Compensatory Mitigation Conditions:**

1. The Applicant shall mitigate wetland impacts as described in the *Bank Use Plan for Green Mountain PRD Phase 3* (hereafter called the "Bank Use Plan") prepared by Ecological Land Services, and dated September 25, 2017, or as modified by this Order or revised and approved by Ecology.
2. Prior to impacting wetlands, the Applicant shall submit to Ecology documentation from the bank sponsor verifying the purchase of 0.03 wetland mitigation bank credits (credits) from the Terrace Wetland Mitigation Bank. This documentation must include the Order number, Order issuance date, impact acreage, the amount of credits required by the Order, and date of credit purchase.
3. The Applicant shall notify Ecology of any changes to the amount of wetland impact, or revisions to the Bank Use Plan.
4. The Applicant shall complete the purchase of credits before the impacts to wetlands occur, or Ecology may require additional compensation to account for temporal loss of wetland functions.

5. If the credits are not purchased within 13 months of the date of this Order, the Applicant shall inform Ecology, in writing, of the status of Green Mountain PRD Phase 3 and when bank credits will be purchased, along with the reason for the delay and expected date of completion.

The Applicant shall submit an updated written notification every 12 months thereafter until Green Mountain PRD Phase 3 is complete and the required credits are purchased.

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 of this Order. The appeal process is governed by Chapter 43.21B RCW and Chapter 371-08 WAC. "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 appeal and a copy of this Order with the PCHB (see addresses below). Filing means actual receipt by the PCHB during regular business hours.
- Serve a copy of your appeal and this Order on Ecology in paper form by mail or in person. (See addresses below.) E-mail is not accepted.

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

### **ADDRESS AND LOCATION INFORMATION**

<b>Street Addresses</b>	<b>Mailing Addresses</b>
<b>Department of Ecology</b> Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey, WA 98503	<b>Department of Ecology</b> Attn: Appeals Processing Desk PO Box 47608 Olympia, WA 98504-7608
<b>Pollution Control Hearings Board</b> 1111 Israel RD SW, Suite 301 Tumwater, WA 98501	<b>Pollution Control Hearings Board</b> PO Box 40903 Olympia, WA 98504-0903



**CONTACT INFORMATION**

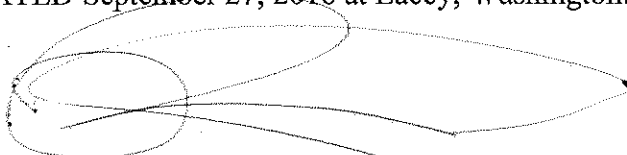
Please direct all questions about this Order to:

Rebecca Rothwell  
Department of Ecology  
PO Box 47600  
Olympia, WA 98503-7600  
360-407-7273  
rebecca.rothwell@ecy.wa.gov

**MORE INFORMATION**

- **Pollution Control Hearings Board Website**  
[www.eho.wa.gov/Boards\\_PCHB.aspx](http://www.eho.wa.gov/Boards_PCHB.aspx)
- **Chapter 43.21B RCW - Environmental and Land Use Hearings Office – Pollution Control Hearings Board**  
<http://apps.leg.wa.gov/RCW/default.aspx?cite=43.21B>
- **Chapter 371-08 WAC – Practice And Procedure**  
<http://apps.leg.wa.gov/WAC/default.aspx?cite=371-08>
- **Chapter 34.05 RCW – Administrative Procedure Act**  
<http://apps.leg.wa.gov/RCW/default.aspx?cite=34.05>
- **Chapter 90.48 RCW – Water Pollution Control**  
<http://apps.leg.wa.gov/RCW/default.aspx?cite=90.48>

DATED September 27, 2018 at Lacey, Washington.



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Perry J Lund, Section Manager  
Shorelands and Environmental Assistance Program  
Southwest Regional Office