



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PO Box 47600, Olympia, WA 98504-7600 • 360-407-6000

March 6, 2025

Washington State Department of Transportation
South Central Region
ATTN: William Sauriol
2809 Rudkin Rd
Union Gap, WA 98903

Re: Administrative Order No. 23517 to temporarily fill/impact 0.001 acre of wetland, which is a water of the state, to construct I-90/EB Weigh Station in Kittitas County, Washington

Dear William Sauriol:

The Department of Ecology (Ecology) received your Joint Aquatic Resources Permit Application (JARPA) on February 19, 2025, requesting authorization for proposed work in a wetland, which is a water 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 Caroline Corcoran at 425-457-3378 or caroline.corcoran@ecy.wa.gov. The enclosed Order may be appealed by following the procedures described in the Order.

Sincerely,

Brenden McFarland, Section Manager
Environmental Review and Transportation Section
Shorelands and Environmental Assistance Program

Administrative Order 23517

Aquatics ID No. 145322

March 6, 2025

Page 2 of 2

By certified mail: 91 7199 9991 7036 8715 4829

Sent via email to: William.sauriol@wsdot.wa.gov

e-cc: Mark Norman, WSDOT
Breezy Blodgett, WSDOT
Allison Rice, WSDOT
Caroline Corcoran, Ecology
Erin Hanlon Brown, Ecology
ECYREFEDPERMITS@ECY.WA.GOV

**In The Matter of Issuing an Administrative Order
to Washington State Department of Transportation (WSDOT)
pursuant to RCW 90.48.120 and WAC 173-201A**

Washington State Department of Transportation
South Central Region
ATTN: William Sauriol
2809 Rudkin Rd
Union Gap, WA 98903

Order No.	23517
Site Location	I-90/EB Weigh Station, located within Wetland 2, Cle Elum, Kittitas County, Washington.

This is an Administrative Order requiring WSDOT 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.

On February 19, 2025, Ecology received a request to impact 0.001 acre of wetland, which is a water of the state, to construct I-90/EB Weigh Station in Kittitas County. An existing culvert, at the west end of the project and out-falling to Wetland 2 will be replaced in-kind with minimal disruption to the surrounding area. This will be the only wetland impact for this project. The project is located at Section 31, Township 20, Range 15, Kittitas County, and WRIA 39 Upper Yakima.

This Administrative Order authorizes 0.001 acre of Category II wetland impact at the project location.

For purposes of this Order, the term "Project Proponent" shall mean WSDOT 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 February 19, 2025, 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 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.
6. The Project Proponent is responsible for obtaining all other permits, licenses, and certifications that may be required by federal, state, local or tribal authorities.

B. Timing:

1. This Order expires 5 years from the date of this Order, unless otherwise approved by Ecology.

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 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 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 Chapter 43.21B RCW and Chapter 371-08 WAC.

Address and Location Information

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

Contact information

Please direct all questions about this Order to:

Caroline Corcoran
Department of Ecology
(425) 457-3378
Caroline.corcoran@ecy.wa.gov

More information

- **Pollution Control Hearings Board Website**
[https:// elaho.wa.gov/](https://elaho.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 6th day of March, 2025 at the Department of Ecology, Lacey, Washington.



Brenden McFarland, Section Manager
Environmental Review and Transportation Section
Shorelands and Environmental Assistance Program