



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

June 27, 2025

Williams Pipeline LLC
ATTN: Toby Schwalbe
650 S. Main Street, Suite 300
Salt Lake City, UT 84101

Re: Administrative Order No. 23718 to permanently fill/impact 180 square feet of wetlands, which are waters of the state, to construct North Seattle Lateral Anomaly Dig 1750 in Snohomish County, Washington

Dear Toby Schwalbe:

The Department of Ecology (Ecology) received your Joint Aquatic Resources Permit Application (JARPA) on 5/1/2025 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 Erin Everton at (564) 250-5556 and Erin.Everton@ecy.wa.gov. The enclosed Order may be appealed by following the procedures described in the Order.

Sincerely,

Brenden McFarland on behalf of
Loree' Randall, Section Manager
Aquatic Permitting and Protection Section
Shorelands and Environmental Assistance Program

Williams Pipeline LLC (Toby Schwalbe)

Administrative Order No. 23718

June 27, 2025

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Enclosure (1)

By certified mail: 91 7199 9991 7036 9386 8727

Sent via email to: Toby.Schwalbe@williams.com

E-cc: Ryan Cochoit, U.S. Army Corps of Engineers

Sean Curran, Snohomish County

Ryan Kahlo, Facet

Kerry Carroll, Ecology

Erin Everton, Ecology

Sierra Blakely, Ecology

ECYREFEDPERMITS@ECY.WA.GOV

In The Matter of Issuing an Administrative Order
to Williams Pipeline LLC (Toby Schwalbe)
pursuant to RCW 90.48.120 and WAC 173-201A

Williams Pipeline LLC
Attn: Toby Schwalbe
650 S. Main Street, Suite 300
Salt Lake City, UT 84101

Order No.	23718
Site Location	North Seattle Lateral Anomaly Dig 1750, located within unnamed tributary to Evans Creek, Maltby, Snohomish County, Washington.

This is an Administrative Order requiring Williams Pipeline LLC (Toby Schwalbe) 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 5/1/2025 Ecology received a request to impact 180 square feet of wetlands, which are waters of the state, to construct North Seattle Lateral Anomaly Dig 1750 in Snohomish County. The project is located at 18720 Fales Road, Maltby, Section 17, Township 27N, Range 6E, Snohomish County, and WRIA 7 Snohomish.

This Administrative Order authorizes 180 square feet of temporary Category III wetland impacts at the project location which will be replanted according to the approved Restoration Plan.

For purposes of this Order, the term "Project Proponent" shall mean Williams Pipeline LLC (Toby Schwalbe) 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 request (JARPA and attachments) received by Ecology on 5/1/2025 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 and cc to Erin.Everton@ecy.wa.gov. Any submittals shall reference Order No. 23718.
3. The Project Proponent 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 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.
7. To transfer this Order to a new owner or operator the Project Proponent shall:
 - a. Complete a Request for Transfer of Order with a specific transfer date of the Order's obligations, coverage, and liability and submit it to Ecology per condition A.2. Link to form: <https://apps.ecology.wa.gov/publications/SummaryPages/ECY070695.html>;
 - b. Provide a copy of this Order to the new owner or operator; and
 - c. The transfer is not considered valid until the Project Proponent receives written notification from Ecology that the transfer has been approved.
8. 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. 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.
2. If U.S. Army Corps of Engineers (Corps) determines the proposed project requires a Federal permit, the Project Proponent shall inform Ecology immediately in order to receive the appropriate authorization.

C. Project Construction Conditions:

1. Within the project limits all environmentally sensitive areas including, but not limited to, Wetland A shall be clearly marked prior to commencing construction activities and the marking maintained until all work is completed.
2. The Project Proponent shall ensure that no excavated site material or construction debris is deposited or stockpiled within Wetland A at any time.
3. The Project Proponent shall conduct water quality monitoring as described in the approved Water Quality Monitoring and Protection Plan dated 5/23/2025.
4. The Project Proponent shall implement the approved Restoration Plan - Williams north Seattle Anomaly Dig #1750 dated 3/7/2025 following excavation activities.

D. Timing

1. Work below the ordinary high water line must only occur between August 1 and August 31.
2. This Order expires 1 year 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://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

Contact information

Please direct all questions about this Order to:

Erin Everton
Department of Ecology
(564) 250-5556
Erin.Everton@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 27th day of June 2025 at the Department of Ecology, Lacey, Washington.



Brenden McFarland on behalf of
Loree' Randall, Section Manager
Aquatic Permitting and Protection Section
Shorelands and Environmental Assistance Program