



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

1595 Wynkoop Street
DENVER, CO 80202-1129
Phone 800-227-8917
<http://www.epa.gov/region08>

2013 NOV -5 PM 3:21

FILED
EPA REGION VIII
HEARING CLERK

NOV - 5 2013

Ref: 8ENF-W

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Lynn Buttars
127 North Main Street
Clarkston, Utah 84305

Re: Approval of Revised Restoration Plan
Administrative Order on Consent, EPA Docket No. CWA-08-2013-0002

Dear Mr. Buttars:

The U.S. Environmental Protection Agency (EPA) has reviewed the October 2013, revised restoration plan prepared on your behalf addressing impacts to Clarkston Creek located in the SW ¼ of the SE ¼ of Section 15, Township 14 North, Range 2 West, Salt Lake Meridian, Clarkston, Cache County, Utah. The restoration plan was prepared by BIO-WEST Inc. in response to the EPA's October 30, 2013, Administrative Order on Consent (AOC), referenced above. This letter shall serve as confirmation of the EPA's approval of the restoration plan as revised and submitted on October 21, 2013.

The AOC requires your consultation with the U.S. Army Corps of Engineers (Corps) at the address and telephone number below to determine if any work to be performed pursuant to the AOC and the restoration plan requires a permit from the Corps under section 404 of the Clean Water Act.

U.S. Army Corps of Engineers
Bountiful Regulatory Office
533 West 2600, Suite 150
Bountiful, Utah 84010
Telephone: (801) 295-8380

Pursuant to paragraph 9 of Section VI of the AOC, if permits are required from the Corps as part of your restoration plan, they must be obtained and a copy provided to the EPA prior to initiating any work that is to be performed pursuant to the AOC and the restoration plan.

This approval of the revised restoration plan applies only to information that falls within the scope of the U.S. Environmental Protection Agency - Region VIII Section 404 Enforcement: General Guidelines for Removal and Restoration Plans. Extraneous information or information relating to legal defenses that are included in the restoration plan, but that are not required in order to evaluate the plan or are beyond the scope of the restoration activities, will not be considered to be part of the plan that is hereby approved by the EPA.

Thank you for providing the EPA with the revised restoration plan. If you have any questions regarding this letter or the AOC, the most knowledgeable people on my staff are Dick Clark, Technical Enforcement Program, at 303-312-6748, and Wendy Silver, Legal Enforcement Program, at 303-312-6637.

Sincerely,

for Eddie A. Sierra
Andrew M. Gaydosh
Assistant Regional Administrator
Office of Enforcement, Compliance and
Environmental Justice

cc: John Urbanic, U.S. Army Corps of Engineers
Darren Olsen, BIO-WEST
Tina Artemis, Regional Hearings Clerk