



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

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EPA REGION VIII
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Ref: 8ENF-W-NW

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Lynn Buttars
127 North Main Street
Clarkston, Utah 84305

Re: 2019 Monitoring Report–Administrative Order on Consent, EPA Docket No. CWA-08-2013-0002

Dear Mr. Buttars:

The U.S. Environmental Protection Agency (EPA) has reviewed the monitoring reports prepared by your consultants, BIO-WEST, Inc., for the Clarkston Creek Restoration required as part of the Administrative Order on Consent (AOC) referenced above. The most recent report for growing season 2019 (dated December 2019) was received by EPA from BIO-WEST on January 20, 2020. In EPA's letter to you dated July 9, 2019, we stated that EPA would evaluate the success of the restoration and whether the AOC could be closed following receipt of this 2019 monitoring report.

Based on the 2019 monitoring report from BIO-WEST, EPA has some concerns with the success of the project that need to be addressed prior to EPA being able to consider whether the requirements are being met. These are concerns with erosion (page 7 of the report) in two areas which you and BIO-WEST worked to address in November of 2019. This included the addition of soil, gravel/cobble and rock to armor the areas, seeding and the addition of willow live stake plantings. In order to ensure these areas are stabilized and revegetation is successful, monitoring of these areas during the 2020 growing season is necessary. In addition, as BIO-WEST recommends, monitoring for noxious weeds shall continue and weedy species should be controlled. Please provide EPA with the results of the 2020 monitoring of these areas after its completion. At that time, EPA will determine if the restoration is successful and the AOC can be closed.



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I appreciate the efforts you have made to resolve this matter. If you have any technical questions, please contact me at (303) 312-6619.

Sincerely,



Barbara Conklin, Environmental Scientist
NPDES and Wetlands Enforcement Section
Enforcement and Compliance Assurance Division

cc: Jason Gipson, U.S. Army Corps of Engineers (via email)
Scarlett Vallaire, U.S. Army Corps of Engineers (via email)
Darren S. Olsen, BIOTA-WEST, Inc. (via e-mail)