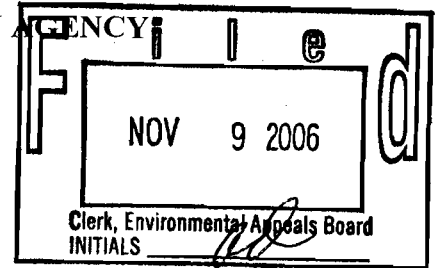


BEFORE THE ENVIRONMENTAL APPEALS BOARD  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C.



\_\_\_\_\_)  
In re: )  
J. Phillip Adams )  
)  
)  
Docket No. CWA-10-2004-0156 )  
\_\_\_\_\_)

CWA Appeal No. 06-(06)

**ORDER GRANTING MOTION FOR EXTENSION OF TIME**  
**TO FILE APPEAL**

By motion filed November 8, 2006, Complainant U.S. EPA Region 10 (“Region”) has requested an extension of time of thirty days in which to file a notice of appeal and appeal brief in the above-captioned proceeding. The Initial Decision in this matter was issued on October 19, 2006. The Region’s notice of appeal and appeal brief are currently due on November 17, 2006, pursuant to the 30-day time period for appealing initial decisions at 40 C.F.R. § 22.30.

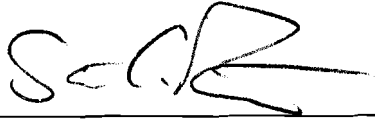
In support of its motion, the Region explains that the instant matter “covers a large number of factual and legal issues” under the Clean Water Act (“CWA”) section 404(f) “farm road exemption” and that the Region has identified “numerous potential issues for appeal.” The Region further notes that the “broad implications of the Presiding Officer’s ruling” will require the Region to consult with several other EPA offices as well as the U.S. Army Corps of Engineers, with which the EPA shares regulatory authority under CWA § 404. Furthermore, the Region represents that granting it an additional thirty days in which to file its appeal is “unlikely \* \* \* [to] prejudice or harm Respondent in any way.”

For good cause shown, the Region's request is hereby granted. The Region has until Monday, December 18, 2006, to file its appeal in the instant matter. The Region's notice of appeal and appeal brief must be received by the EAB on or before this date.

So ordered.

**ENVIRONMENTAL APPEALS BOARD**

Dated: **NOV 9 2006**

By: \_\_\_\_\_

Scott C. Fulton  
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Granting Motion for Extension of Time to File Appeal in the matter of J. Phillip Adams, CWA Appeal No. 06-(06), were sent to the following persons in the manner indicated:

By Pouch Mail and facsimile:

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Assistant Regional Counsel  
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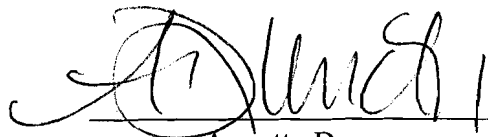
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Date: NOV 13 2006

  
\_\_\_\_\_  
Annette Duncan  
Secretary