



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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JAN 23 2012

CERTIFIED MAIL:
RETURN RECEIPT REQUESTED
#7009-3410-0000-2591-9930

Michael Timmons
Timber Development Corp.
Timber Jamestown Properties, L.P.
1060 West State Rd 434, Suite 15
Longwood, FL 32750

Re: Approval – Restoration Plan for the Plaza at
Jamestown Strip Mall, Jamestown, ND

Dear Mr. Timmons:

This letter concerns the Restoration Plan (Plan) required by the U.S. Environmental Protection Agency's (EPA) Administrative Order for Compliance (Order), Docket No. CWA-08-2010-0017, issued to Timber Development Corporation and Timber Jamestown Properties, L.P. (Timber) on June 23, 2010. Pursuant to the Order, and after consultation with the U.S. Army Corps of Engineers (Corps), the EPA is granting approval of the Plan as submitted on January 10, 2012, by Kadrmass, Lee & Jackson, Inc. This Plan approval also includes Exhibits 1 and 2 submitted to EPA on November 21, 2011.

In accordance with paragraphs 32 and 33 of the Order, Timber must obtain all necessary permits to implement the EPA-approved Plan. In order to demonstrate that all necessary permits have been granted, please provide complete copies of all such permits (and any amendments thereto) to the EPA within seven (7) calendar days of their issuance. Construction may proceed upon receipt of written verification from the Corps that the work is authorized under § 404 of the Clean Water Act and submittal to the EPA of copies of all other applicable permits. The EPA-approved Plan is now incorporated into the Order and enforceable in accordance with the terms and conditions, including required deadlines, of the Order and EPA-approved Plan.

The EPA appreciates Timber's efforts to develop a Plan. Please inform my staff immediately if there are any substantive changes in the designs or plans for the project or if you anticipate any problems meeting any condition of the EPA-Approved Plan. If you have any technical questions regarding this matter, the most knowledgeable person on my staff is Kenneth Champagne, § 404 Enforcement Officer, who can be



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reached at 303-312-6608. Any questions from Timber's attorney should be directed to Peggy Livingston, EPA Attorney, at 303-312-6858. The EPA looks forward to completion of the project.

Sincerely,



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

cc: Daniel Cimarosti, U.S. Army Corps of Engineers
David LaGrone, U.S. Army Corps of Engineers
Marshall E. Siegal, Siegal & Golder, Attorneys at Law
Grady Wolf, Kadrmas, Lee & Jackson, Inc.
Reed Schwartzkopf, City of Jamestown

