



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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EPA REGION VIII
HEARING CLERK

MAY 24 2016

Ref: 8ENF-W

CERTIFIED MAIL #7009 3410 0000 2594 8770
RETURN RECEIPT REQUESTED

Dr. Thomas Richards
P.O. Box 820
Bel-Tiburon, California 94920-0820

Re: Approval – Wetland Restoration and Monitoring Plan – Docket No. CWA-08-2015-0011

Dear Dr. Richards:

This letter concerns the Restoration Plan (Plan) required by the U.S. Environmental Protection Agency's Administrative Order on Consent (Order), Docket No. CWA-08-2015-0011, entered into with you on January 12, 2015. Pursuant to the Order, and after consultation with the U.S. Army Corps of Engineers (Corps), the EPA is granting approval of the Plan submitted on April 28, 2016, by Aspect Group II, LLC. As identified in the Plan in Tables 3 and 4, 1.32 acres of wetlands will be restored and 0.1 acre of fill discharged into wetlands will remain in place. To offset the 0.1 acre of wetlands permanently filled and the temporal impacts associated with the unauthorized fill activities, 6.81 acres of land will be protected through a Restriction of Deed filed with the Sheridan County Assessor's Office.

In accordance with paragraphs 41 and 42 of the Order, you 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 section 404 of the Clean Water Act and submittal to the EPA of copies of all 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 your efforts to develop a Plan that adequately addresses the Clean Water Act violations. 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 conditions of the EPA-Approved Plan. If you have any technical questions regarding this matter, the most knowledgeable person on my staff is Kenneth Champagne, Section 404 Enforcement Officer, who can be reached at 303-312-6608. Any legal questions should be directed to Abigail Dean, EPA Attorney, at 303-312-6906. The EPA looks forward to completion of the project.

Thank you for your cooperation in this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Suzanne J. Bohan".

Suzanne J. Bohan
Assistant Regional Administrator
Office of Enforcement, Compliance and
Environmental Justice

cc: Jay Stender, Aspect Group II, LLC.
Paige Wolken, U.S. Army Corps of Engineers
Melissa Haniewicz, EPA, 8TMS-IO