

Army Corps and Department of Transportation settle Highway 18 wetland fill

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SEATTLE--The Army Corps of Engineers and the Washington State Department of Transportation have agreed on a permit violation resolution, including mitigation and fines, for unauthorized wetland fill associated with Highway 18 construction.

The Department of Transportation performed unauthorized filling and clearing at eight wetland locations associated with widening Highway 18 between Maple Valley and the Issaquah-Hobart Road State. The Corps of Engineers issued a stop work order April 19, 2004, and requested information about the violations. WSDOT supplied the Corps with a detailed analysis of how the violations occurred and recommendations on how to prevent permit violations from occurring in the future.

On July 19 the agencies signed a settlement agreement to resolve the violations. The agreement requires that WSDOT:

- Restore the impacted wetlands
- Perform a project to offset and compensate (mitigate) for the temporal loss of the impacted wetlands
- Pay a civil penalty to the United States in the amount of \$50,000
- Implement all recommendations described in the WSDOT SR 18 Compliance Investigation report dated May 20, 2004
- Ensure that the new Project Engineer remains with the project until completion
- Hire an independent (non-WSDOT employee) environmental inspector who shall remain on the project until the project is complete and shall have increased authority at the job site to direct and stop work in accordance with the contract specifications
- Submit status reports every six months to the Corps detailing the implementation of each recommendation contained in the SR 18 Compliance Investigation report for a period of three years from the date of the Agreement.

"Many public and private partnerships to enhance the economy and quality of life for Washington residents involve wetlands," said Col. Debra Lewis, Seattle District Engineer. "The Corps and WSDOT recognize this unfortunate situation also allows us to heighten regional awareness that protecting the environment around us is everyone's responsibility and in everyone's interest."

The Department of Ecology has also issued a \$121,000 penalty to The Department of Transportation and its contractor, Atkinson Construction, for illegally filling and damaging wetlands and for other permit violations, including an Ecology order breached by WSDOT and the contractor to halt work in wetlands areas. For more information about Ecology actions, please contact Larry Altose at (425) 649-7009.

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