Ocean Shores Developers Ordered to Restore Wetlands

Local News

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Posted on : September 24, 2010 at 5:16 am

Ocean Shores, WA - Ralph Burgess and John Kilcup have been ordered by the Environmental Protection Agency to remove fill material and restore damaged wetlands on their property in Ocean Shores, Washington.

EPA alleges that Burgess and Kilcup violated the Clean Water Act in 2007 when they placed fill material into nearly an acre of dune wetlands at their condominium development site without the required permit from the U.S. Army Corps of Engineers. Contractors for Burgess and Kilcup placed fiberboard plywood and sand over wetland vegetation prior to constructing two driveways at the site.

Wetlands need protection in part because they are essential for water quality, groundwater recharge, and aquatic life, according to Michael Szerlog, EPA’s Aquatic Resources Unit Manager in Seattle.

“Landowners who plan to work in wetlands must obtain the proper permits before they begin,” said EPA’s Szerlog. “Coastal wetlands are fragile ecosystems and unpermitted construction can be very damaging to them.”

Wetlands help maintain water quality characteristics like water temperature, which directly affect fish spawning and rearing. Waters from these dune wetlands drain into the Pacific Ocean.

EPA has ordered Burgess and Kilcup to remove all unauthorized fill material from the dune wetlands by April 2011. The Clean Water Act authorizes civil penalties of up to $37,500 per day of violation and administrative penalties of up to $16,000 per day for each violation up to a maximum administrative penalty of $177,500.

For more information about the Clean Water Act Section 404 wetland regulatory authority, visit:
http://www.epa.gov/owow/wetlands/pdf/reg_authority_pr.pdf

For more information about Wetlands protection work, visit:
http://epa.gov/owow/wetlands
http://www.epa.gov/owow/wetlands/functions.html
http://www.usace.army.mil/