

**From:** Nelson, Emily (ATG) [<mailto:EmilyN1@ATG.WA.GOV>]  
**Sent:** Wednesday, August 08, 2018 8:29 AM  
**To:** Steve Bang; Rothwell, Rebecca (ECY)  
**Cc:** [levo.brian@epa.gov](mailto:levo.brian@epa.gov); Lund, Perry (ECY); Sarah Fox; Robert Maul; 'Shawn R. MacPherson'; Thomas Kelly; [JohnM@etcEnvironmental.net](mailto:JohnM@etcEnvironmental.net)  
**Subject:** Lacamas Shores wetlands

Mr. Bang,

Ecology fully understands the issues you have raised. My client has already conducted a site visit with the Corps, the City, and members of the Lacamas Shores HOA. Ecology will not be making another visit. My client has concluded 1) the area you have identified are associated wetlands of Lacamas Lake, and not a stormwater treatment system; 2) the wetlands are not causing a violation of the federal Clean Water Act; and 3) Ecology will not likely approve an application to cut down trees in the wetlands given that it would be inconsistent with the Shoreline Management Act and the City of Camas's Shoreline Master Program.

As I stated before, Ecology's position is clearly articulated in Ms. Rothwell's detailed letter dated February 22, 2018. At this point, from my client's perspective, there is nothing further to discuss regarding this matter.

Sincerely,

Emily

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**From:** Steve Bang <[stevendbang@comcast.net](mailto:stevendbang@comcast.net)>  
**Sent:** Thursday, August 02, 2018 5:17 PM  
**To:** Nelson, Emily (ATG) <[EmilyN1@ATG.WA.GOV](mailto:EmilyN1@ATG.WA.GOV)>; Rothwell, Rebecca (ECY) <[rebs461@ECY.WA.GOV](mailto:rebs461@ECY.WA.GOV)>  
**Cc:** [levo.brian@epa.gov](mailto:levo.brian@epa.gov); Lund, Perry (ECY) <[plun461@ECY.WA.GOV](mailto:plun461@ECY.WA.GOV)>; 'Sarah Fox' <[SFox@cityofcamas.us](mailto:SFox@cityofcamas.us)>;

'Robert Maul' <[RMaul@cityofcamas.us](mailto:RMaul@cityofcamas.us)>; 'Shawn R. MacPherson' <[macphersonlaw@comcast.net](mailto:macphersonlaw@comcast.net)>; Thomas Kelly <[tomkellyevi@aol.com](mailto:tomkellyevi@aol.com)>; [JohnM@etcEnvironmental.net](mailto:JohnM@etcEnvironmental.net)  
**Subject:** RE: Lacamas Shores bio-filter

Dear Emily,

This is simply way too important to get wrong. There is too much at stake – like violating the Clean Water Act and polluting Lacamas Lake. We all know email is not the best medium for real communication. May I suggest we hold a meeting in Camas where we can walk the site and then meet to fully discuss the property until it is fully understood by all parties.

Please expedite this request as every day pollutes the Lake further.

Thanks  
Steve

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**From:** Nelson, Emily (ATG) [<mailto:EmilyN1@ATG.WA.GOV>]  
**Sent:** Thursday, August 2, 2018 12:21 PM  
**To:** Rothwell, Rebecca (ECY); Steve Bang  
**Cc:** [levo.brian@epa.gov](mailto:levo.brian@epa.gov); Lund, Perry (ECY); Sarah Fox; Robert Maul; Shawn R. MacPherson  
**Subject:** RE: Lacamas Shores wetland

Mr. Bang,

Thank you for your patience while Ecology completed its research. My client has reviewed the file for this matter, as well as historical aerial images, and has determined that Ms. Rothwell's original response to the City of Camas by letter dated February 22, 2018 remains Ecology's position. I have attached that letter here for your reference.

Ecology found no evidence indicating that the wetlands on parcel #84339000 have been graded or otherwise altered for the purpose of creating a stormwater treatment system. Accordingly, they are associated wetlands of Lacamas Lake, and therefore fall under the City and Ecology's jurisdiction to regulate pursuant to the state Shoreline Management Act, RCW 90.58, and the City of Camas's Shoreline Master Program.

You are correct that under to the terms of the 1988 permits, the Lacamas Shores Homeowners Association is responsible for maintaining its stormwater treatment system. However, any such maintenance must comply with the terms of the permits, as well as the SMA and SMP. As Ms. Rothwell stated in her letter, Ecology would not likely approve a conditional use permit allowing removal of trees in the wetlands as it would be inconsistent with the vegetation management and wetland criteria in the Camas SMP.

Sincerely,

**Emily C. Nelson**  
**Assistant Attorney General**  
**Ecology Division**  
**(360) 586-4607**

**[Emily.Nelson@atg.wa.gov](mailto:Emily.Nelson@atg.wa.gov)**

**Confidential Communication**

*Note: This communication is intended only for the addressee shown above. It may contain information that is privileged, confidential, or otherwise protected from disclosure. If you have received this communication in error, please delete it and notify me immediately.*

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**From:** Rothwell, Rebecca (ECY)  
**Sent:** Wednesday, June 06, 2018 10:33 AM  
**To:** Steve Bang <[stevendbang@comcast.net](mailto:stevendbang@comcast.net)>  
**Cc:** [levo.brian@epa.gov](mailto:levo.brian@epa.gov); Nelson, Emily (ATG)

<EmilyN1@ATG.WA.GOV>; Lund, Perry (ECY)  
<plun461@ECY.WA.GOV>; Sarah Fox <SFox@cityofcamas.us>;  
Robert Maul <RMaul@cityofcamas.us>; Shawn R. MacPherson  
<macphersonlaw@comcast.net>  
**Subject:** RE: Lacamas Shores wetland

Mr. Bang,

The wetland on parcel #84839000 is under the jurisdiction of the state Shoreline Management Act (RCW 90.58) and the Camas Shoreline Master Program.

## Rebecca Rothwell

Wetlands/Shorelands Specialist  
Shorelands and Environmental Assistance Program

WA Department of Ecology | Southwest Regional Office | (360-407-7273

G 300 Desmond Drive SE, Lacey, WA 98503 | + PO Box 47775 Olympia, WA 98504-7775

*This communication is a public record and may be subject to disclosure per RCW 42.56.*

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**From:** Steve Bang [mailto:[stevendbang@comcast.net](mailto:stevendbang@comcast.net)]  
**Sent:** Monday, June 04, 2018 8:16 AM  
**To:** Rothwell, Rebecca (ECY) <[rebs461@ECY.WA.GOV](mailto:rebs461@ECY.WA.GOV)>  
**Cc:** [levo.brian@epa.gov](mailto:levo.brian@epa.gov)  
**Subject:** FW: Whistleblower program inquiry

Rebecca,

Please send me the criteria your department uses to answer my request. I will also require a list of what has been done against that criteria. Additionally, I will require the statute or RCW or law that gives your department authority or jurisdiction over this private property. Note that I am referring to the bio-filter on our private property, not the actual wetland on the south side of the lake that goes up ~100 feet from the shoreline.

Thanks  
Steve Bang

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**From:** Levo, Brian [<mailto:Levo.Brian@epa.gov>]  
**Sent:** Monday, May 21, 2018 8:55 AM  
**To:** STEVE  
**Subject:** RE: Whistleblower program inquiry

Hi Steve,

I forwarded this matter to the WA Department of Ecology's Environmental Reporting system (ERTS) for review and follow-up back on May 4<sup>th</sup>. I spoke to Rebecca Rothwell (360-407-7273) from Ecology's Shorelands and Environmental Assistance program on May 7<sup>th</sup> and she said that this is an issue that her team was engaged on.

Ms. Rothwell would be an appropriate point of contact for further updates. Let me know if you have any questions.

Thank you,

Brian Levo  
NPDES Enforcement Coordinator  
Water and Wetlands Enforcement Unit  
U.S. Environmental Protection Agency - Region 10  
1200 6th Avenue, Suite 155, MS OCE-101, Seattle, WA 98101  
Phone: (206) 553-1816, Fax: (206) 553-4743

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**From:** STEVE [<mailto:stevendbang@comcast.net>]  
**Sent:** Monday, May 21, 2018 6:58 AM

**To:** Levo, Brian <[Levo.Brian@epa.gov](mailto:Levo.Brian@epa.gov)>  
**Subject:** RE: Whistleblower program inquiry

Brian

Please let me know how I can track the progress of this request or if there is any additional information you need.

Much appreciated.  
Steve

Sent from XFINITY Connect Application

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-----Original Message-----

From: [Levo.Brian@epa.gov](mailto:Levo.Brian@epa.gov)  
To: [stevendbang@comcast.net](mailto:stevendbang@comcast.net)  
Sent: 2018-05-03 12:52:12 PM  
Subject: RE: Whistleblower program inquiry  
Mr. Bang,

As discussed on the phone this morning, please send me the additional information about this issue so that I can route this matter to the WA Dept. of Ecology for their follow-up/response.

Thank you,

Brian Levo  
NPDES Enforcement Coordinator  
Water and Wetlands Enforcement Unit  
U.S. Environmental Protection Agency - Region 10  
1200 6th Avenue, Suite 155, MS OCE-101, Seattle, WA 98101  
Phone: (206) 553-1816, Fax: (206) 553-4743

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**From:** Szerlog, Michael  
**Sent:** Tuesday, May 01, 2018 11:57 AM  
**To:** Kowalski, Edward <[Kowalski.Edward@epa.gov](mailto:Kowalski.Edward@epa.gov)>  
**Subject:** FW: Whistleblower program inquiry

Thanks

**Michael J. Szerlog**, Acting Director  
Regional Administrator's Division (RAD)  
Office of the Regional Administrator  
Environmental Protection Agency  
1200 Sixth Avenue, Suite 155, Mailstop RAD 202  
Seattle, Washington 98101  
(206) 553-0279  
[szerlog.michael@epa.gov](mailto:szerlog.michael@epa.gov)

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**From:** Steve Bang [<mailto:stevendbang@comcast.net>]  
**Sent:** Tuesday, May 01, 2018 10:15 AM  
**To:** Szerlog, Michael <[Szerlog.Michael@epa.gov](mailto:Szerlog.Michael@epa.gov)>  
**Subject:** RE: Whistleblower program inquiry

Michael,

I still have not heard back. Is there someone I should contact directly?

Thanks  
Steve

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**From:** Szerlog, Michael [<mailto:Szerlog.Michael@epa.gov>]  
**Sent:** Monday, April 23, 2018 10:01 AM  
**To:** STEVE BANG  
**Subject:** RE: Whistleblower program inquiry

Steve,

Hi. I received your message and forwarded it to the appropriate staff in the Office of Compliance and Enforcement. You should be hearing from someone either today or later this week.

Thanks

**Michael J. Szerlog**, Acting Director  
Regional Administrator's Division (RAD)  
Office of the Regional Administrator  
Environmental Protection Agency  
1200 Sixth Avenue, Suite 155, Mailstop RAD 202  
Seattle, Washington 98101  
(206) 553-0279  
[szerlog.michael@epa.gov](mailto:szerlog.michael@epa.gov)

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**From:** STEVE BANG [<mailto:stevendbang@comcast.net>]  
**Sent:** Monday, April 23, 2018 7:43 AM  
**To:** Szerlog, Michael <[Szerlog.Michael@epa.gov](mailto:Szerlog.Michael@epa.gov)>  
**Subject:** Whistleblower program inquiry

Michael,

I live in Camas. I have been told by three professionals in the field that we have a situation where untreated storm water is being directly discharged into a wetland and then into a lake and then into the Columbia river. They have told me that this is a violation of the Clean Water Act. The man-made biofilter storm water treatment system has failed due to lack of maintenance which is the cause of the problem. There are a few people in positions of authority who are obstructing and



preventing the maintenance and repair.

May I please ask if you could provide me some assistance to help point me in the right direction for how to proceed? I would like the system repaired so that it complies with the Clean Water Act again.

Any advice is greatly appreciated.

Thanks,

Steve Bang

360-991-5196

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