

## Stacy Brown

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**From:** U.S. EPA [usaepa@govdelivery.com]

**Sent:** Thursday, January 24, 2008 4:19 PM

**To:** sbrown@feiinsurance.com

**Subject:** Joint DOJ and EPA News Release (Region 10): Tamarack Resort Pays \$185,000 Penalty to Settle Storm Water Violations

### Tamarack Resort Pays \$185,000 Penalty to Settle Storm Water Violations

Joint News Release

U.S. Environmental Protection Agency  
Region 10  
(509) 376-3748

Department of Justice  
WWW.USDOJ.GOV  
(202) 514-2007  
TDD (202) 514-1888

WASHINGTON—The Tamarack Resort, located approximately 100 miles north of Boise, Idaho, has agreed to pay the United States a \$185,000 penalty to resolve violations of the Clean Water Act arising from storm water violations discovered on the resort's property in 2005 and 2006, the Justice Department and Environmental Protection Agency announced.

Today's agreement also calls for Tamarack to restrict its winter construction schedule this year and upgrade its "Best Management Practices" for future winter construction seasons.

In addition to inspections by the Idaho Department of Environmental Quality, EPA inspected Tamarack three times over the past two years: April 21, 2005; October 13, 2005; and April 20, 2006. Violations of the Construction Storm Water General Permit were noted at all of the inspections. The complaint alleges that numerous storm water violations occurred at the Resort's 800 acre construction site, near the shore of Cascade Lake in Idaho's West Mountains.

"We expect all industries to comply with the Clean Water Act," said Ronald J. Tenpas, Assistant Attorney General for the Justice Department's Environment and Natural Resources Division. "This settlement will ensure that future construction at this site will comply with applicable federal laws."

According to Elin D. Miller, EPA Regional Administrator in Seattle, Washington, this was a case where a developer made a serious mistake and harmed the environment.

"It's critically important that all land developers, like Tamarack Resort, pay close attention to storm water management during construction," said Miller. "If too large a land area is opened up at one time, construction runoff is uncontrollable and nearby streams and lakes can be damaged."

Violations documented at the site included failure to obtain timely coverage under the EPA Storm Water Construction General Permit; discharging concrete truck wash water to a wetland; discharging turbid water to nearby creeks and Cascade lake; failure to maintain "Best Management Practices" properly and failure to update storm water pollution prevention plan (SWPPP).

Under the terms of the agreement, Tamarack Resort has 30 days after entry of the decree to remit the penalty to the U.S. Treasury. The consent decree will be subject to a 30-day public comment period and subsequent judicial approval and is available on the Justice Department Web site at [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html)

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