

**IOWA DEPARTMENT OF NATURAL RESOURCES
ADMINISTRATIVE ORDER**

<p>IN THE MATTER OF:</p> <p>JOHN WESTRA Primghar, Iowa</p> <p>Facility #64241 O'Brien County</p>	<p>CONSENT AMENDMENT TO ADMINISTRATIVE ORDER NO. 2015-AFO-25</p>
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TO: John Westra
3882 Redwing Avenue
Primghar, Iowa 51245

Eldon McAfee
Brick Gentry, P.C.
6701 Westown Parkway, Suite 100
West Des Moines, Iowa 50266

Administrative Order No. 2015-AFO-25 was issued to John Westra on September 14, 2015, and was appealed. In the interest of settling this appeal, the order is amended as follows:

1. Section V. ORDER, Paragraph 4 is replaced with the following:

Pay fish restitution in the amount of \$63,000.00 and an administrative penalty in the amount of \$7,000.00 in accordance with the following plan.

Mr. Westra shall pay an administrative penalty in the amount of \$7,000.00. \$1,750.00 shall be paid to the Department by June 1, 2016. In lieu of the payment of the remainder of the administrative penalty, Mr. Westra shall:

Conduct a Supplemental Environmental Project (SEP). The SEP shall consist of a payment to the O'Brien County Conservation Board. Mr. Westra shall make a payment of \$5,250.00 to the O'Brien County Conservation Board by June 1, 2016. Once the payment is made, Mr. Westra shall submit a receipt of payment to Kelli Book, attorney for the DNR.

Mr. Westra shall pay fish restitution in the amount of \$63,000.00 in accordance with the following payment plan:

\$2,625.00 due July 1, 2016	\$2,625.00 due July 1, 2017
\$2,625.00 due August 1, 2016	\$2,625.00 due August 1, 2017
\$2,625.00 due September 1, 2016	\$2,625.00 due September 1, 2017
\$2,625.00 due October 1, 2016	\$2,625.00 due October 1, 2017

\$2,625.00 due November 1, 2016	\$2,625.00 due November 1, 2017
\$2,625.00 due December 1, 2016	\$2,625.00 due December 1, 2017
\$2,625.00 due January 1, 2017	\$2,625.00 due January 1, 2018
\$2,625.00 due February 1, 2017	\$2,625.00 due February 1, 2018
\$2,625.00 due March 1, 2017	\$2,625.00 due March 1, 2018
\$2,625.00 due April 1, 2017	\$2,625.00 due April 1, 2018
\$2,625.00 due May 1, 2017	\$2,625.00 due May 1, 2018
\$2,625.00 due June 1, 2017	\$2,625.00 due June 1, 2018

2. Section VI. PENALTY is replaced with the following:

For purposes of settlement of the appeal of Administrative Order No. 2015-AFO-25, the parties have agreed that John Westra shall pay an administrative penalty in the amount of \$7,000.00 and fish restitution in the amount of \$63,000.00 in accordance with the provisions provided in the amended Order Section of this Consent Amendment to the Administrative Order.

3. Section VII. APPEAL RIGHTS is replaced with the following:

This Consent Amendment to Administrative Order No. 2015-AFO-25 is entered into knowingly and with the consent of John Westra. For this reason, John Westra waives his right to appeal this Consent Amendment to Administrative Order No. 2015-AFO-25.

4. In all other respects, Administrative Order No. 2015-AFO-25 remains in full force and effect.

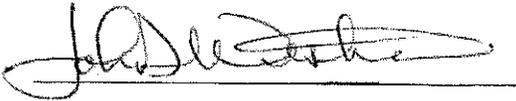
Any questions regarding this Consent Amendment should be directed to:

Kelli Book
 Iowa Department of Natural Resources
 Legal Services Bureau
 7900 Hickman Road, Suite 1
 Windsor Heights, Iowa 50324
 515-725-9572



 Chuck Gipp, DIRECTOR
 Iowa Department of Natural Resources

Dated this 1st day of
June, 2016



Dated this 26 day of

JOHN WESTRA

May, 2016

AFO Facility #64241; Kelli Book; DNR Field Office 3; EPA; VIII.D.1 and VIII.D.3