

**CENTRAL PUGET SOUND  
GROWTH MANAGEMENT HEARINGS BOARD  
STATE OF WASHINGTON**

EVERETT SHORELINES COALITION, <i>et.</i>	)	
<i>al.</i> ,	)	
Petitioners,	)	
v.	)	<b>CPSGMHB Case No. 02-3-0009c</b>
	)	
CITY OF EVERETT and WASHINGTON	)	<b>(ESC)</b>
STATE DEPARTMENT OF ECOLOGY,	)	
	)	
Respondents.	)	<b>ORDER CLOSING CPSGMHB</b>
and	)	<b>Case No. 02-3-0009c PURSUANT</b>
	)	<b>TO ORDER OF THE COURT OF</b>
PORT OF EVERETT,	)	<b>APPEALS – DIVISION ONE</b>
	)	
Intervenor.	)	
	)	

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**I. BACKGROUND**

On January 9, 2003,<sup>1</sup> the Board issued its “Final Decision and Order” in the above captioned matter.

On February 10, 2002, the Board issued an “Order Granting Tribes’ Motion to Reconsider and Clarify, Order Denying Ecology’s Motion to Reconsider and Notice of Scrivener’s Errors in Final Decision and Order.”

The parties subsequently appealed the Board’s FDO to Superior Court.

On April 10, 2003, the Board granted the City and Port of Everett’s request for a certificate of appealability. *See* 4/10/03 Order Granting Certificate of Appealability.

On April 21, 2003, the Board granted the Department of Ecology’s request for a certificate of appealability. *See* 4/21/03 Second Order Granting Certificate of Appealability.

For the next several years the parties engaged in settlement negotiations.

On January 12, 2006, the Court of Appeals for the State of Washington – Division One, issued an “Order Vacating Board Decision and Dismissing Appeal.” The Board received an electronic copy of the Court’s Order on January 17, 2006.

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<sup>1</sup> On January 13, 2003, the Board issued a “Corrected Final Decision and Order” correcting typos, cross references and citations.  
*02309c ESC (January 26, 2006)*  
**02-3-0009c Order Closing CPSGMHB  
Case No. 02-3-0009c Pursuant to Order  
of the Court of Appeals – Division I**  
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## **II. ORDER**

Pursuant to the Order of the Court of Appeals – Division One – the Board enters the following ORDER:

The matter of *Everett Shorelines Coalition, et al v. City of Everett*, CPSGMHB Case No. 02-3-0009c, is **closed**.

So ORDERED this 26<sup>th</sup> day of January, 2006.

CENTRAL PUGET SOUND GROWTH MANAGEMENT HEARINGS BOARD

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Bruce C. Laing, FAICP  
Board Member

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Edward G. McGuire, AICP  
Board Member

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Margaret A. Pageler  
Board Member