

State of Washington

**GROWTH MANAGEMENT HEARINGS BOARD  
FOR EASTERN WASHINGTON**

**CONFEDERATED TRIBES AND BANDS )  
OF THE YAKAMA INDIAN NATION, )**

)  
Petitioner ) **Case No. 94-1-0021**

)  
v. ) **COMPLIANCE HEARING ORDER**  
) **AND FINDING OF COMPLIANCE**

)  
**YAKIMA COUNTY, )**

)  
Respondent )  
\_\_\_\_\_ )

On March 10, 1995, the Eastern Washington Growth Management Hearings Board (the Board) in its Final Decision and Order remanded Ordinance No. 3-1994, the Yakima County Critical Areas Ordinance, to the County for further consideration and revision to bring it into compliance with the Growth Management Act (the Act) and the principles of its opinion by August 10, 1995.

On July 25, 1995, the Board of Yakima County Commissioners adopted Ordinance No. 8-1995, modifying Ordinance No. 3-1994.

On September 6, 1995, the Board held a compliance hearing in its office. Present were Board members Tom A. Williams, Presiding Officer, Judy Wall and D. E. "Skip" Chilberg; Barbara Hill, the Board's Administrative Assistant; John W. Ogan, attorney for Petitioner Confederated Tribes And Bands of the Yakama Indian Nation; Terry Austin and Michael G. McCarthy, attorneys for Respondent Yakima County, as well as Steve Erickson and John McDonagh from the Yakima County planning department, and Scott Nicolai with the Yakama Nation.

Steve Erickson and John McDonagh presented copies of the County's Ordinance No. 8-1995 to the Board and outlined modifications made to address deficiencies in the original ordinance.

John Ogan said Petitioner Confederated Tribes And Bands of the Yakama Indian Nation favored a finding of compliance and commended the County for its collaborative process in development of the new ordinance. The County in its turn complimented Petitioner for its participation in the public process that developed the new Ordinance.

After reviewing Yakima County Ordinance No. 8-1995, the Board finds that the County has fulfilled the requirements of the Growth Management Act for its critical areas ordinance and is in compliance with the Act.

The Board commends the parties for their respective efforts. There was a palpable sense of cooperation and respect between the parties not always evident in this type of case that the Board found refreshing. In part because of this, the resulting ordinance can stand on its own.

So Ordered this 25th day of September, 1995.

EASTERN WASHINGTON

GROWTHMANAGEMENT HEARINGS BOARD

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Tom Williams, Presiding Officer

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Judy Wall, Board Member

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D. E. "Skip: Chilberg, Board Member