

State of Washington
GROWTH MANAGEMENT HEARINGS BOARD
FOR EASTERN WASHINGTON

CASCADE COLUMBIA ALLIANCE,)	
)	
Petitioner)	Case No. 98-1-0007
)	
vs.)	FINAL DECISION
)	AND ORDER
)	
KITTITAS COUNTY,)	
)	
Respondent)	

I. PROCEDURAL HISTORY

On November 23, 1998, Cascade Columbia Alliance, by and through its counsel, Claire M. Gilchrist, of Bricklin & Gendler, filed a Petition for Review.

On December 31, 1998, the Board entered its prehearing order granting intervenor status to Olympic Pipe Line Company, establishing the legal issues and a motion and briefing schedule.

On March 1, 1999, the Board issued an order denying motion to dismiss Petitioner's issues 4, 5, and 6.

On April 2, 1999, the Board held the Hearing on the Merits at the Kittitas County Courthouse in Ellensburg, Washington. All parties were present or represented. Present for the Board were Skip Chilberg, Presiding Officer, and board members Judy Wall and Dennis Dellwo.

II. FINDINGS OF FACT

1. Kittitas County adopted Ordinance No. 98-21 on November 23, 1998.
2. Kittitas County agrees there is a procedural defect in the SEPA documentation process, specifically the failure to attach a properly prepared addendum to the main SEPA environmental

checklist. Respondent County brief, P1.

Parties have stipulated to the following and it is hereby **ORDERED**

1. Kittitas County failed to complete the environmental checklist before it issued its Determination of Nonsignificance under the State Environmental Policy Act for Ordinance No. 98-21 and therefore was out of compliance with RCW 43.21C; and
2. The amendment to the Utilities Ordinance contained in Ordinance No. 98-21 is hereby remanded to Kittitas County with directions to undertake appropriate SEPA review for Ordinance No. 98-21 by August 30, 1999.

This is a final order for purposes of appeal.

Pursuant to WAC 242-02-832, a motion for reconsideration may be filed within ten days of service of this final decision and order.

SO ORDERED this 28th day of May, 1999.

EASTERN WASHINGTON
GROWTH MANAGEMENT HEARINGS

BOARD

D. E. "Skip" Chilberg, Presiding Officer

Judy Wall, Board Member

Dennis A. Dellwo, Board Member

