

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**State of Washington  
GROWTH MANAGEMENT HEARINGS BOARD  
FOR EASTERN WASHINGTON**

WENAS CITIZENS ASSOCIATION et al.,

Case No. 02-1-0014

Petitioner,

**ORDER ON COMPLIANCE**

v.

YAKIMA COUNTY,

Respondent.

LARSON FRUIT, GUTIERREZ, EMMANS,  
LARSON and OLSON,

Intervenors.

**I. BACKGROUND**

On September 11, 2002, WENAS CITIZENS ASSOCIATION et al., by and through counsel, David Mann, filed a Petition for Review.

On October 4, 2002, the Board received a MOTION TO INTERVENE from Larson Fruit, Gutierrez, Emmans, Larson and Olson, by and through counsel, James Carmody.

On October 9, 2002, the Growth Management Hearings Board (the Board) heard the Motion to Intervene before the prehearing conference. The Motion to Intervene was granted.

On October 9, 2002, the Board held a telephonic Prehearing conference. Judy Wall, Presiding Officer, and Board Members D.E. "Skip" Chilberg and Dennis Dellwo were present. Present for Petitioner was David Mann. Present for Respondent was Terry Austin, Deputy Prosecuting Attorney. Present for Intervenors was James Carmody. The Board issued its Prehearing Order on October 9, 2002.

On February 5, 2003, the Board held the Hearing on the Merits in Yakima. Judy Wall, Presiding Officer, and Board Members D.E. "Skip" Chilberg and Dennis Dellwo were present.

1 Present for Petitioner was David Mann. Present for Respondent was Terry Austin, Deputy  
2 Prosecuting Attorney. Present for Intervenors was James Carmody.

3 On March 21, 2003, the Board issued its Final Decision and Order remanding this  
4 matter back to Yakima County to come into compliance with the Growth Management Act.

5 On October 2, 2003, the Board received a Motion from Yakima County requesting a  
6 finding of compliance with the Growth Management Act.

7 On March 12, 2004, the Board received a letter from Wenas Citizen Association et al.,  
8 saying the Petitioners agree that through the adoption of Ordinance No. 6-2003, Yakima  
9 County is in compliance with the Board's March 21, 2003, Final Decision and Order.

10 **II. ORDER**

11 Upon review of the Declaration of Terry D. Austin in Support of Motion for an Order  
12 Finding Compliance with the Growth Management Act, reviewing the actions of the County  
13 and not hearing any objections from Petitioner, the Board finds Yakima County in  
14 Compliance with its Final Decision and Order issued March 21, 2003, and the Growth  
15 Management Act.

16 **SO ORDERED** this 31<sup>st</sup> day of March 2004.

17 EASTERN WASHINGTON GROWTH MANAGEMENT  
18 HEARINGS BOARD

19 \_\_\_\_\_  
20 Judy Wall, Board Member

21 \_\_\_\_\_  
22 D.E. "Skip" Chilberg, Board Member

23 \_\_\_\_\_  
24 Dennis Dellwo, Board Member