

**BEFORE THE WESTERN WASHINGTON GROWTH  
MANAGEMENT HEARINGS BOARD**

FREDERICK ELLIS, JR., and WALLACE F. GUDGELL, JR.,	)	
	)	No. 99-2-0007c
Petitioners,	)	
	)	ORDER ON
	)	MOTIONS
	)	
	)	v.
	)	
SAN JUAN COUNTY and WASHINGTON DEPARTMENT OF ECOLOGY	)	
	)	
	)	
Respondents,	)	
	)	
and	)	
	)	
KAREN J. KEY SPECK, et al., FRIENDS OF THE SAN JUANS, and L.E. & C.L. HENDEL, et al.,	)	
	)	
	)	
Intervenors.	)	
	)	

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Mr. Ellis filed a variety of motions on April 1, 1999, and April 5, 1999. Intervenors L.E. & C.L. Hendel, et al., filed a motion to supplement the record on April 5, 1999.

At a motions hearing on April 21, 1999, Petitioner Ellis withdrew all motions dealing with discovery, subpoenas, and supplementation to the record as well as issues 3.1 and 3.2 in petitioner's original petition for review (PFR). Petitioner Ellis also withdrew the dispositive motions filed accompanying issues 3.1 and 3.2. Therefore, except as to issue 3.3 originally set forth in Mr. Ellis' PFR, all issues are dismissed. Intervenors Hendel, et al., stated on the record that they no longer wish to participate in this case. They are therefore voluntarily dismissed.

Issue 3.3 of the PFR was incorrectly stated in the prehearing order dated March 29, 1999. It is restated as follows:

3.3. Did San Juan County fail to comply with the GMA by neglecting to include in its

housing element a statement of mandatory provisions for the preservation, improvement, and development of housing including single family residences and/or fail to comply with the GMA by neglecting to make adequate provisions for existing and projected housing needs of all economic segments of the community as set forth in .070(2)?

Petitioner's dispositive motion on this issue is denied.

It is further ordered that the issue will be consolidated with the current issues in Case #99-2-0010c and Mr. Ellis will become a petitioner in that case.

In all other respects the petition of Mr. Ellis in this Case #99-2-0007c are dismissed. The petition from Wallace F. Gudgell remains for hearing on June 16, 1999.

So ORDERED this 23<sup>rd</sup> day of April, 1999.

WESTERN WASHINGTON GROWTH MANAGEMENT HEARINGS BOARD

William H. Nielsen  
Board Member

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Henriksen

Board Member

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