

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

STEPHEN F. LUDWIG,

Petitioner,

v.

SAN JUAN COUNTY,

Respondent.

**CASE NO.  
03-2-0021**

**ORDER  
DISMISSING  
PETITION**

On December 11, 2003, the Western Washington Growth Management Hearings Board (the **Board**) received a Petition for Review from Petitioner Stephen F. Ludwig. The Respondent is San Juan County. This matter was assigned case number 03-2-0021. The Petition for Review challenges the County's adoption of a report entitled: *The Lopez Village Water Supply Report and Recommendations and Part 1 of the Abbreviated Water System Plan*; the Determination of Nonsignificance (DNS) issued for this report, and San Juan County Resolution 83—2003.

On January 9, 2003, the Board held a telephonic prehearing conference. Petitioner Stephen F. Ludwig, Deputy San Juan Prosecutor Alan Marriner, and Board Members Holly Gadbow and Margery Hite participated.

At the prehearing conference the Board discussed with the Petitioner and the County whether the matter raised in the petition was within the Board's jurisdiction pursuant to RCW 36.70A.280 (1). The County explained that it had made a mistake in including direction in the DNS that the DNS could be appealed the Western Washington Growth Management Hearings Board at this time. All parties agreed that the issues raised in the Petition for Review are not yet ripe for review by the Board. The County further agreed that the Petitioner would have an opportunity to raise the issues that were listed in the petition again, when the County adopts an amendment to its comprehensive plan or development regulations that used this report as a basis for making final decisions on those amendments. After the discussion, the Petitioner agreed to withdraw the petition with the understanding based on the County's statement that he could raise these issues again at the appropriate time.

Therefore, the petition in Case No. 03-2-0021 is dismissed without prejudice to Petitioner's ability to raise these issues in an otherwise timely challenge to a subsequent comprehensive plan amendment or development regulation to which these issues are relevant.

So Ordered on this 14th day of January 2004.

**WESTERN WASHINGTON GROWTH MANAGEMENT HEARINGS BOARD**

---

Holly Gadbow  
Board Member

---

Nan Henriksen  
Board Member

---

Margery Hite  
Board Member