

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

BEFORE THE HEARING EXAMINER  
FOR KITTITAS COUNTY

In re: the Hearing Examiner proceedings to review Washington State Dep't of Fish & Wildlife conditional use, shoreline substantial development, and shoreline conditional use permit applications for Highway 10 Yakima River boat ramp facility (CU-14-00006 and SD-14-00003)

No. CU-14-00006 and SD-14-00003

**SECOND DECLARATION OF BILL H. WILLIAMSON IN SUPPORT OF GT RANCH'S MOTION FOR CONTINUANCE OF HEARING**

I, the undersigned under the pains and penalties of the laws of perjury, and being over the age of 18 years, declare and state:

1. The week of May 26, 2015, I was out of state in the area of Crater Lake, Oregon, and had no access to email or cell phone. Accordingly, I did not receive notice of the hearing scheduled in this matter until June 1st.

2. On May 15th, I contacted Lindsey Ozbolt—the County's assigned planner for this project—to get an update on the applications or any potential hearing in this matter. A true and correct copy of our email conversation is attached hereto as Exhibit 1. A true and correct copy of an email conversation that took place the day before between Ms. Ozbolt and Chris Gourley of DFW—agreeing on a hearing date of June 11th—is attached hereto as Exhibit 2.

#54

1           3.       I am in all day meetings with clients, consultants, and the City of Redmond on  
2 June 10th and 11th on a master plan & development agreement that has been in process for the  
3 last three years. These technical working meetings will involve about a dozen participants in a  
4 final wrap up meeting that has taken years to get to this point. These meeting were scheduled  
5 weeks ago. But, had I known that the County knew as early as May 15<sup>th</sup> that it wanted to  
6 schedule a hearing for June 11<sup>th</sup>, and was so notified at that time, I would certainly could have  
7 sought a different date for the Redmond meetings, or sought a continuance here much earlier.  
8 However, my client, its consultants, and the City are all now locked into these two meeting days  
9 in Redmond and this cannot be changed at this point.

10           4.       The importance of my participation in the Redmond meetings cannot be  
11 overstated. It is a two-block high-density urban mixed-use project in Redmond's Overlake  
12 Village that adjoins the Microsoft Campus with over 885 dwelling units, hotel/convention  
13 center, a medical office building, plus retail units. The final meetings establish the conditions of  
14 on-site and off-site mitigation, impact fee credits, affordable housing requirements, public  
15 benefits, final minimum and maximum densities, transportation improvements and latecomer's  
16 agreement provisions. This critical meeting tiers/triggers and sets later hearing dates for  
17 scheduling before the City's Design Review Board and the City Council later during the  
18 remainder of the summer. I cannot miss possibly attending these two all-day meetings that I  
19 will chair on behalf of the applicant, not to mention directing preparation and consultant  
20 presentations before and during these two meeting days.

1 Executed this 5th day of June 2015 at Seattle, WA.

2 *Bill H. Williamson*

3 \_\_\_\_\_  
4 Bill H. Williamson

5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23

1 **DECLARATION OF SERVICE**

2 I, Brian D. Amsbary, declare as follows, pursuant to GR 13 and RCW 9A.72.085:

3 On June 5, 2015, I caused the foregoing document to be served on or filed with the below  
4 in the manner indicated:

5 **Robert Hansen & Lindsey Ozbolt**  
6 **Kittitas County Community Dev. Services**  
7 411 North Ruby Street, Suite 2  
8 Ellensburg, WA 99296

- Hand Delivery
- First Class U.S. Mail
- E-mail: [doc.hansen@co.kittitas.wa.us](mailto:doc.hansen@co.kittitas.wa.us),  
[lindsey.ozbolt@co.kittitas.wa.us](mailto:lindsey.ozbolt@co.kittitas.wa.us)
- Other:

8 **Office of the Kittitas County Hearing**  
9 **Examiner**  
10 **Andrew L. Kottkamp, Attorney**  
11 Kottkamp & Yedinak PLLC  
12 PO Box 1667  
13 Wenatchee, WA 98807-1667

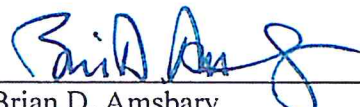
- Hand Delivery
- First Class U.S. Mail
- E-mail: [andy@wenatcheelaw.com](mailto:andy@wenatcheelaw.com)
- Other:

11 **Christina Gourley, applicant**  
12 **Washington State Dep't of Fish & Wildlife**  
13 600 Capitol Way North  
14 Olympia, WA 98502

- Hand Delivery
- First Class U.S. Mail
- E-mail: [Chris.Gourley@dfw.wa.gov](mailto:Chris.Gourley@dfw.wa.gov)
- Other:

14 I declare under penalty of perjury under the laws of the State of Washington that the  
15 foregoing is true and correct.

16 Executed this 5th day of June, 2015, at Seattle, Washington.

17   
18 \_\_\_\_\_  
19 Brian D. Amsbary

# Exhibit 1

Second Williamson Declaration  
CU-14-00006 and SD-14-00003

June 5, 2015

## Lindsey Ozbolt

---

**From:** Lindsey Ozbolt  
**Sent:** Friday, May 15, 2015 3:00 PM  
**To:** 'Bill Williamson'  
**Cc:** 'Samuel A. Rodabough'; Brian Amsbary ; 'Gordon Tang'; 'Calvin Tang'  
**Subject:** RE: Status of Decision and/or Hearing - WDFW CUP (CU-14-00006) & Shoreline CUP (SD-14-00003)

Mr. Williamson.

A hearing has not been scheduled as of yet. I am hoping to send out a notice next week or early the following week. Your address was added to the contact mailing list along with others who commented during the comment period which includes Mr. Amsbary.

Regards.

Lindsey Ozbolt  
Planner II  
Community Development Services  
411 North Ruby St., Suite 2  
Ellensburg, WA 98926  
509.962.7637

**From:** Bill Williamson [mailto:williamsonb@msn.com]  
**Sent:** Friday, May 15, 2015 1:17 PM  
**To:** Lindsey Ozbolt  
**Cc:** 'Samuel A. Rodabough'; Brian Amsbary ; 'Gordon Tang'; 'Calvin Tang'  
**Subject:** Status of Decision and/or Hearing - WDFW CUP (CU-14-00006) & Shoreline CUP (SD-14-00003)  
**Importance:** High

Dear Lindsey:

I just left a voice mail requesting information on any pending decision or scheduled hearings before your Department on this pending application submitted by WDFW.

Can you please provide me a quick update?

Also, if not already listed for notice, please include by Office address below on behalf of Gordon and Calvin Tang as parties entitled to notice for any future decision-making and appeal hearings, along with the Law Office of Samuel Rodabough at:

Sam Rodabough, Esq.  
Brian Amsbary, Esq.  
10900 NE 4th Street  
Suite 2300  
Bellevue, WA 98004

Sincerely,

*Bill H. Williamson*

WILLIAMSON LAW OFFICE  
Bill H. Williamson  
COLUMBIA CENTER TOWER  
Suite 5500 - 701 5th Avenue  
P.O. Box 99821  
Seattle, WA 98139-0821  
206.292.0411 phone  
206.292.0313 fax  
206.383.0209 cell  
[williamsonb@msn.com](mailto:williamsonb@msn.com)  
[williamsonbh@comcast.net](mailto:williamsonbh@comcast.net)  
[www.land-useattorney.com](http://www.land-useattorney.com)

*CONFIDENTIALITY NOTICE: The document(s) accompanying this email may contain confidential information. Such information is intended only for the use of the person(s) or entities identified in this transmission. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or use of information is strictly prohibited. If you have received this transmission in error, please immediately notify my office by telephone (collect, if necessary) to arrange for disposition of this information.*

# Exhibit 2

Second Williamson Declaration  
CU-14-00006 and SD-14-00003

June 5, 2015



## Lindsey Ozbolt

---

**From:** Lindsey Ozbolt  
**Sent:** Thursday, May 14, 2015 2:44 PM  
**To:** 'Gourley, Christina L (DFW)'  
**Subject:** RE: Kittitas County SMP

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Chris.

I will work towards that and get the project scheduled for the Hearing Examiner for June 11<sup>th</sup>. Look for a notice of public hearing from me sometime next week.

Thanks.

Lindsey Ozbolt  
Planner II  
Community Development Services  
411 North Ruby St., Suite 2  
Ellensburg, WA 98926  
509.962.7637

**From:** Gourley, Christina L (DFW) [mailto:Christina.Gourley@dfw.wa.gov]  
**Sent:** Thursday, May 14, 2015 2:43 PM  
**To:** Lindsey Ozbolt  
**Subject:** RE: Kittitas County SMP

Thanks Lindsey,

We have decided to just proceed on our current track. If it appears that we will need a formal delineation or report, we will cross that bridge when we get there. If we can try for the June 11<sup>th</sup> date, I think that would be the best case for everyone.

Thank you,

Chris Gourley

**From:** Lindsey Ozbolt [mailto:lindsey.ozbolt@co.kittitas.wa.us]  
**Sent:** Thursday, May 14, 2015 2:39 PM  
**To:** Gourley, Christina L (DFW)  
**Subject:** Kittitas County SMP

Hi Chris,

I wanted to provide you a few links to information that we discussed on the phone today.

Below is what your proposal CU-14-00006 is being evaluated under:

[KC Shoreline Master Program 1975](#)  
[KCC 17A – Critical Areas](#)

I also wanted to provide you a copy of the Draft proposed SMP to Department of Ecology.

Resolution No. 2014-162

The mitigation ratios for wetlands section is located on page number 59 of the draft SMP. (this is not the pdf page number)

Hopefully this information helps.

Regards,

Lindsey Ozbolt  
Planner II  
Community Development Services  
411 North Ruby St., Suite 2  
Ellensburg, WA 98926  
509.962.7637

---

Notice: All email sent to this address will be received by the Killitas County email system and may be subject to public disclosure under Chapter 42.56 RCW and to archiving and review.

message id: 38eb45916c6dcbdac24bh8719d004a14