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BEFORE THE GROWTH MANAGEMENT HEARINGS BOARD
CENTRAL PUGET SOUND REGION
STATE OF WASHINGTON

CITY OF SHORELINE, TOWN of
WOODWAY, and SAVE RICHMOND
BEACH, et al,

Petitioners,

vs.

SNOHOMISH COUNTY,

Respondent,

and

BSRE Point Wells, LP,

Intervenor.

Coordinated Case Nos.

09-3-0013c and 10-3-0011c

(Shoreline III and Shoreline IV)

SNOHOMISH COUNTY'S
RESPONSE TO INTERVENOR
BSRE POINT WELLS, LP'S
MOTION TO SUPPLEMENT
THE RECORD

I. INTRODUCTION

Respondent Snohomish County has no objection to the vast majority of the proposed exhibits in Intervenor BSRE Point Wells LP's ("BSRE") Motion to Supplement the Record. Most of the proposed exhibits (300-303, 307, 308, 311, 313) provide background information that would be of substantial assistance to the Board. One item (305) was inadvertently omitted from the County's index and should be added. Others (306, 309, 310 and 312) are duplicative of documents that are already in the record; the County has no particular objection, but their addition to the record would be superfluous. Three items (314, 315 and 316)

1 should be admitted because the Board could take official notice of them. The
2 County takes no position on proposed Exhibits 304 and 317.

3 However, the County requests that the Board clarify which record (i.e.,
4 *Shoreline III* or *Shoreline IV*) the admitted exhibits are part of. Proposed Exhibits
5 300 through 311 should be part of the *Shoreline III* index, if admitted. The County
6 submits that because Exhibits 312 through 317 are dated after the County's actions
7 in adopting the ordinances challenged in the *Shoreline III* case that they must be
8 part of the *Shoreline IV* index, if admitted by the Board.
9

10 **II. BACKGROUND AND STATEMENT OF FACTS**

11 The County incorporates by reference Section II of its Response to
12 Petitioners' Motion to Supplement the Record and for Site Visit.

13 **III. LEGAL AUTHORITY**

14 The County incorporates by reference Section IV.A of its Response to
15 Petitioners' Motion to Supplement the Record and for Site Visit.
16

17 **IV. DISCUSSION OF EXHIBITS**

18 Exhibits 300-303: These exhibits provide background information that would
19 be of substantial assistance to the Board. The County has no objection to them.
20 BSRE's Proposed Exhibit 302 is the same as Proposed Exhibit 271 in Petitioners'
21 Motion to Supplement the Record. BSRE's Proposed Exhibit 303 contains the
22 Metro route maps for routes 304, 347 and 348, not just 304 and 348 as stated in
23 the motion. It contains the same information as Proposed Exhibit 273 in
24 Petitioners' Motion to Supplement the Record.
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Exhibit 304: The County takes no position on this exhibit.

Exhibit 305: This document should have been included in the County's index but was apparently omitted. The County has no objection to adding it.

Exhibit 306: This is already in the *Shoreline III* index as Index #121.

Exhibit 307: The County has no objection to this proposed exhibit because it is the letter that generated one of the documents that is already in the *Shoreline III* index as Index #167 (see Exhibit 310 below).

Exhibit 308: The County has no objection to this proposed exhibit because it is the letter that generated the other document that is already in the *Shoreline III* index as Index #167 (see Exhibit 310 below).

Exhibit 309: This is already in the *Shoreline III* index as Index #165.

Exhibit 310: This is already in the *Shoreline III* index as Index #167.

Exhibit 311: The County has no objection to this as it provides background information that would be of substantial assistance to the Board.

Exhibit 312: This is already in the *Shoreline IV* index as Index #166.

Exhibit 313: The County has no objection to this as it provides background information that would be of substantial assistance to the Board.

Exhibits 314-316: The County has no objection to these official plans and codes from the City of Shoreline and Town of Woodway. These documents are the subject of official notice by the Board under WAC 242-02-660(4).

Exhibit 317: The County takes no position on this proposed exhibit.

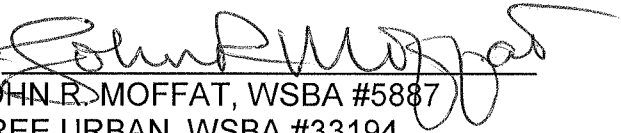
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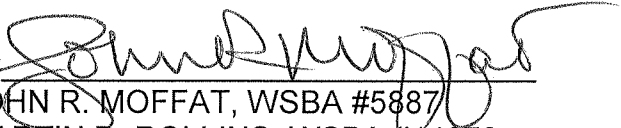
V. CONCLUSION

The County requests that the Board take action on BSRE's Motion as reflected in the County's comments above.

DATED this 3rd day of January 2011.

MARK K. ROE
Snohomish County Prosecuting Attorney

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