

ENVIRONMENTAL HEARINGS
Pollution Control Hearings Office
Shorelines Hearings Office



Telephone: (360) 664-9160
FAX: (360) 586-2253
Email: eluhho@eluhho.wa.gov
Website: www.eluhho.wa.gov

STATE OF WASHINGTON

ENVIRONMENTAL AND LAND USE HEARINGS OFFICE

Physical Address: 1111 Israel Rd. SW Suite 301, Tumwater, WA 98501

Mailing Address: PO Box 40903, Olympia, WA 98504-0903

January 31, 2023

Sent by Email

Joshua C. Allen Brower
Brower Law PS
1111 Third Avenue, Suite 3000
Seattle, WA 98101
josh@browerlawps.com

Patrick J. Schneider
Foster Garvey PC
1111 Third Avenue, Suite 3000
Seattle, WA 98101-3292
Pat.schneider@foster.com
Nikea.Smedley@foster.com

Patrick Downs
Assistant City Attorney
Seattle City Attorney's Office
701 Fifth Avenue, Suite 2050
Seattle, WA 98104
Patrick.downs@seattle.gov
eric.nygren@seattle.gov

Matthew Cohen
Sean James
Stoel Rives LLP
600 University Street, Suite 3600
Seattle, WA 98101
matthew.cohen@stoel.com
sean.james@stoel.com
michele.brandon@stoel.com

Re: **SHB No. 22-010**
THE COALITION V. THE CITY OF SEATTLE ACTING THROUGH ITS
DEPARTMENT OF TRANSPORTATION AND ITS DEPARTMENT OF
CONSTRUCTION AND INSPECTIONS V. CASCADE BICYCLE CLUB

Dear Parties and Intervenor:

This letter is to notify you that the Shorelines Hearings Board (Board) will be issuing a decision on the parties' cross motions for summary judgment, which will, among other things:

- 1) Grant Coalition's Motion for Summary Judgment;
- 2) Deny Respondents' Motion for Summary Judgment; and
- 3) Invalidate the shoreline substantial development permit.

Therefore, this case will not proceed to hearing. **This letter is provided as a courtesy to the parties. This letter does not constitute the Board's final decision and order on the motions, which will be issued at a later date. Therefore, this letter is not an appealable order pursuant to RCW 43.21B.180 and RCW 34.05.542, and is not subject to a request for reconsideration.**

Thank you for your briefing. If you have any questions, please feel free to contact the staff at the Environmental and Land Use Hearings Office at 360-664-9160.

Sincerely,



Carolina Sun-Widrow, Presiding
Board Chair

CSW/cj/S22-010

CERTIFICATION

On this day, I forwarded a true and accurate copy of the documents to which this certificate is affixed via email only.

I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

DATED January 31, 2023, at Tumwater, WA.

