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Skagit County Auditor

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AFTER RECORDING RETURN TO:  
SKAGIT COUNTY HEARING EXAMINER  
302 SOUTH FIRST STREET  
MOUNT VERNON, WA 98273

DOCUMENT TITLE: ORDER DEFERRING SCHEDULING  
ORDER COMPELLING DISCOVERY  
PL 02 0725 and PL 02 0711

HEARING OFFICER: SKAGIT COUNTY HEARING EXAMINER

APPLICANT: CASCADE AG SERVICES, INC. and CITIZENS FOR ZONING AND  
CODE COMPLIANCE

ASSESSOR PARCEL NO: P112114 and P112115

ABBREVIATED LEGAL DESCRIPTION: The property subject to interpretation is located  
at 13459 Dodge Valley Road, Mount Vernon, WA; a portion of Section 25, Township 33  
North, Range 3 East, W.M., Skagit County, Washington.

BEFORE THE SKAGIT COUNTY HEARING EXAMINER

In the Matter of the Appeals of )  
)  
**CASCADE AG SERVICES, INC.** ) PL 02-0725  
and )  
**CITIZENS FOR ZONING AND** ) PL 02-0711  
**CODE COMPLIANCE** )  
)  
Of an Administrative Interpretation )  
Regarding Permissibility of an )  
Agricultural Storage and Processing Facility )  
In the Rural Reserve Zoning District )  
\_\_\_\_\_) **ORDER DEFERRING**  
**SCHEDULING**  
  
In the Matter of the Application of ) **ORDER COMPELLING**  
) **DISCOVERY**  
**CASCADE AG SERVICES, INC.** )  
)  
For a Special Use Permit to Operate )  
an Agricultural Storage and Processing )  
Facility in the Rural Reserve Zoning District) \_\_\_\_\_)

Pursuant to the Examiner's Order of January 29, 2003, a telephone conference was scheduled for the February 5, 2003, to discuss progress toward completeness of the Special Use Permit Application. Due to the illness of a participant, this conference was continued to February 11, 2003, on which date it was held. Participating with the Examiner were Gerald Steel, Attorney for Citizens for Zoning and Code Compliance; Phil Olbrecht, Attorney for Cascade Ag Services; Linda Kuller, Senior Planner, and John Moffat, Deputy Prosecuting Attorney.

In connection with the conference, motions for discovery were made by both Cascade Ag Services, Inc. and Citizens for Zoning and Code Compliance.

**Scheduling.** As a result of the information presented during the conference, the Examiner concluded that the completion of the application is imminent, and decided to defer further scheduling in this case until the scheduled conference call on March 5, 2003 is held. At that time, a hearing schedule will be established.

If any events occur in the interim that appear likely to substantially delay the processing of the permit application, the Examiner should be promptly informed.



**Discovery.** On the discovery motion of Cascade Ag Services, Inc. it does not appear that entry of an Order is necessary. The Planning and Permit Center will work with Cascade Ag to the end that the latter shall acquire the up-to-date portions of the Skagit County Code that it requires.

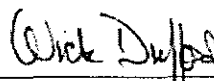
As to the discovery motion of Citizens for Zoning and Code Compliance, argument was heard. The motion related to the identification of property that is in the possession of the farm and used for the cultivation of crops that supply the subject storage and processing operation. The Examiner concluded that the motion should be granted, subject to limitations.

Cascade Ag Services, Inc., shall provide the following to Citizens for Zoning and Code Compliance, under the conditions stated:

- (a) A list of parcel numbers for all property, both contiguous to the storage and processing operation and located elsewhere in Skagit Valley, that is either owned or leased by it in connection with the subject operation.
- (b) A breakdown showing the approximate percentage of each parcel that has been planted to crops used in the subject operation in the last two seasons or is proposed to be used in the subject operation in the season to come.
- (c) For contiguous parcels, copies of any applicable lease documents showing information sufficient to determine the location and the term of each lease. Other information in the leases that Cascade Ag deems damaging its business interests to disclose may be blacked out.
- (d) Except as to the contiguous parcels, the parcel numbers disclosed shall be identified as confidential and treated as such by counsel for Citizens for Zoning and Code Compliance. He may use this information in the preparation of his case and argument, but shall take care that his actions do not result in any broader disclosure of the confidential material.

Cascade Ag shall provide the described information by February 25, 2003.

SO ORDERED, this 12th day of February, 2003.

  
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Wick Dufford, Hearing Examiner