

Honorable Wick Dufford
Skagit County Hearing Examiner
c/o Betta Spinelli, Coordinator
Skagit County Hearings Office
1800 Continental Place
Mount Vernon, WA 98273
360-336-9334 phone

VIA E-mail to bettas@co.skagit.wa.us

Subject: Public Recording/Transcript of Public Hearing in re Shoreline Development,
Substantial Development Application PL12-0144

Mr. Examiner,

This letter is neither a pro or con letter re the above listed project. Rather this is to advise you of a situation that could have appeal implications on your decision no matter what you decide. We requested a copy of the electronic copy of the above listed hearing. An electronic copy as required by Rules of Public Procedure for Hearings as promulgated pursuant to SCC 14.06.240(8). The rules state on page 12 at §1.18:

All proceedings before the Examiner shall be electronically recorded and the recordings shall be made a part of the record. Copies of the recordings shall be made available on request and upon payment of the costs of reproduction. The preparation of a written transcript shall be the responsibility of the person desiring the transcript. (Emphasis added.)

In an effort to assist the Examiners office as well as inform the general public of what was said at the hearing my son and I tried to transcribe the tape. That transcription is attached as a Word document to this e-mail. As you can readily ascertain beginning on page 29 at approximately 1:14:03 into the hearing the recording goes virtually blank except for your microphone. This condition last until approximately Page 44, 2:37:21 into the hearing. That's a loss of approximately 1 hour and 23 minutes of lost testimony. This lost testimony impacts both the applicant and the people who spoke against the project. In fact there is no testimony of individuals who spoke against the project.

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Letter to Hearing Examiner

I leave the decision on how to handle this situation entirely in your capable hands but being an individual who has been involved in the Skagit River flood issue in excess of 38 years I thought that I had a public duty to bring it to your attention. Thank you for your consideration.

Respectively submitted,

Electronically signed: *Larry Kunzler*

Larry Kunzler

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