

**SKAGIT COUNTY
OFFICE OF THE HEARING EXAMINER**

re: Appeal of Damerell & Bowman of a Skagit County Planning & Development Administrative Decision of 7/10/2026 granting a Shoreline Exemption to **Darakhovskiy**

APL 2026-013
of PLAN1-2026-0089

POST CONFERENCE ORDER

Required Actions by Parties at §§2(a) and 5

Required Actions by Clerk at §4

The Hearing Examiner having conducted a pre-hearing conference on this date with the parties; and with the authority pursuant to the Skagit County Hearing Examiner's Rules of Procedure (SCRE) §10 and 24; the Hearing Examiner hereby further orders, modifying prior orders:

ORDER

1. The Current Record

As identified by the Office of the Hearing Examiner, the record of this case, and agreed to by the parties, is as follows thus far:

1. Approved Shoreline Exemption Plan - *issued 7/10/2026*
2. Damerell Bowman Public Comment – unknown date
3. P62014 Deed – *recorded 6/13/25*
4. JARPA – B1 – *signed 5/2/2026*
5. Shoreline Application – *signed 5/8/26*
6. Viking Marine Site – *dated 4/27/2026*
7. HCA Assessment Report Dock Installation 18141 W. Big Lake BLVD – *dated 5/11//2026*

8. "Email w/ Boat Lifts International's Founder – CEO Jeff Prestmo" – various dates
9. "Image Showing our Dock From 1968" – Unknown date
10. "Google Maps Showing Docks in est. 300ft" – Unknown date
11. Signed Damerall Bowman Appeal Memorandum – *signed 7/23/2026*
12. Damerell Bowman Appeal or Request for Reconsideration – *signed 7/23/2026*
13. Pre-Hearing Order – *entered 7/24/2026*
14. PDS Filing Declaration – *filed 08/07/2026*
15. PDS Prehearing Memo APL26-0013 Dramorall – *filed 8/18/2026*

2. Other Evidentiary Issues

- a. Appellants intend to supplement the record with a construction bid document by September 21, 2026.

3. Applicable Law Agreed to by the Parties as to the Scope of Appeal and Hearing:

Law:

- Revised Code of Washington (RCW)
 - RCW 36.70A, Growth Management Act
 - RCW 36.70B, Local Project Review
 - RCW 79.105, Aquatic Lands—General
 - RCW 90.58, Shoreline Management Act of 1971 ("SMA")
- Washington Administrative Code (WAC)
 - WAC 173-27, Shoreline Management Permit and Enforcement Procedures
 - WAC 197-11, SEPA Rules
 - WAC 220-660, Hydraulic Code Rules
 - WAC 332-30, Aquatic Land Management
- Skagit County Code (SCC)
 - SCC 14 – Unified Development Code
 - SCC 14.02 – General Provisions
 - SCC 14.02.070 – Office of the Hearing Examiner
 - SCC 14.06 – Permit Procedures
 - SCC 14.11 – Zoning, Rural Mixed Use Zones and Uses
 - SCC 14.11.300 – Rural Residential Village (RVR)
 - SCC 14.24, Critical Areas
 - SCC 14.48, Shoreline Management Master Program Chapter
- Skagit County Shoreline Master Program of 6/29/76, as amended by Skagit County Board of Commissioners through 7/10/95 (SMP)

- Skagit County Comprehensive Plan 2024-2025, as adopted by Skagit County Board of Commissioners on 6/23/25 (SCP or “Comprehensive Plan”)
- Skagit County Hearing Examiner’s Rules of Procedure (SCRE), as authorized by Skagit County Commissioners per Resolution #R20240280 on 12/16/24

Scope of Appeal

- a. Whether or not the Department erred when it granted a shoreline exemption to the applicant for construction of a new dock, specifically by:
 - i. Not considering the cost or fair market value;
 - ii. Not requiring a survey;
 - iii. Not conducting a 300 foot analysis under SMP §7.10(2)(B)(5)(a);
 - iv. Not requiring SEPA compliance;
 - v. Allowing a project to be piecemealed;
 - vi. Evaluating an unreliable habitat assessment;
 - vii. Not requiring approval of property owners;
 - viii. Hydrologic Project Approval by WDFW; and
 - ix. Non-compliance with SMP Aquatic land ownership requirements.

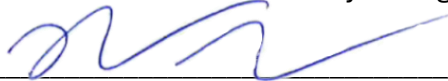
4. Final Hearing Date Agreed to by the Parties:

- a. The Final Hearing on this matter is set for **Friday, December 4th, 2026 at 8:30 am** in Skagit County Council Chambers, **in person**.

5. Briefing Schedule for Final Hearing:

- a. Final Briefs, Staff Reports, if any, will be filed by **November 6th, 2026**.
- b. Responses will be filed by **November 20th, 2026**.
- c. Replies, no longer than four pages in length, will be filed by **November 30th, 2026**.

SO ORDERED this 21st day of August 2026.



Rajeev D. Majumdar
Skagit County Hearing Examiner