

Exhibit B-44: Hearing Examiner Memorandum (March 29, 2019)

SKAGIT COUNTY HEARING EXAMINER

March 29, 2019

MEMORANDUM

To: Parties, Concrete Nor'west/Miles Sand and Gravel application, PL16-0097

Re: Next Steps

The Hearing Examiner received the letter dated March 22, 2019, from Applicant's counsel and the County prosecutor's email in response.

After considering the recent communications and the correspondence leading up to them, it would appear that a face-to-face settlement conference attended by the parties would be the best way to resolve the issue of what's still needed for the application. The Hearing Examiner does not believe that his participation at such a conference would be appropriate.

The Examiner is reluctant to hold a hearing on the issue of the application's completeness, rather than on the merits of the project. Nevertheless, in consideration of the present impasse and to get matters moving, Examiner has decided to accept the Applicant's suggestion that the County be required to forward a formal written request to the Applicant stating the "specific requirements" still needed for a complete application.

Therefore, the Examiner hereby Orders that such a written request made. After receipt of the request, the Applicant shall have 30 days to respond and attempt to cure any informational deficiencies that County has identified. Thereafter, the County shall promptly provide a written determination on the subject of completeness. The settlement conference suggested above could be held during the 30-day response period, hopefully providing the basis for a successful resolution of the completeness question.

My intention is to hold another prehearing conference after the foregoing steps have been completed. Tentatively, the date of Wednesday, May 29, 2019, is identified as a time for the prehearing.

SO ORDERED, this 29th day of March 2019



Wick Dufford
Hearing Examiner

Cc: Martha Bray and John Day