

Cami Petersen - Taylor Mussel Raft Standing

From: jjnm <jjnm@aol.com>
To: <ThomasBjorgen@bjorgenbauer.com>
Date: 03/11/2012 11:49 AM
Subject: Taylor Mussel Raft Standing
CC: <peterscs@co.thurston.wa.us>, <mlpmtroy@comcast.net>
Attachments: Feb12TaylorHearingDocuments.pdf

To: Hearing Examiner Thomas Bjorgen

From: Jules Michel

Date: March 11, 2012

RE: Taylor Mussel Raft Standing

I am writing to confirm I have standing in regards to the Taylor Mussel Raft hearing (Thurston County Permit #961372). It specifically focuses on three issues. The first is Attachment A of Exhibit 14 ("Staff Report"), a copy of the Public Notice. It states, in part: "Verbal and written testimony will be accepted at the hearing." It did not state a person had to be present in order to submit comments. The second is on Monday morning the Troys submitted to the Cami Peterson my written testimony sent to the Troys, dated February 12. This receipt was confirmed by Robert Smith and was made part of Exhibit 15. The third is the email challenged by the attorney for Taylor Shellfish was not the email submitted by the Troys but a later one sent to Cami Peterson which had included the contact information for Mary Carman.

For clarity I have attached a file of emails with dates and times.

1. On Sunday, February 12 at 12:45PM I sent to Mary and Preston Troy my written testimony on Taylor Shellfish's mussel raft proposal (first four of nine pages in the attached file).
2. On Sunday, February 12 at 12:58PM I sent to Mary and Preston Troy an email to tell them I had sent the comments noted in point #1 (first sentence of the first paragraph on the fifth page of the nine page attached file).
3. On Monday morning, February 13, the Troys submitted my email which they had printed out to the county (pages seven through nine of the nine page attached file).
4. Exhibit 15, part 3, contains a copy of that email submitted (page 27 of that file).

On the evening of Monday, February 13, I sent an email to the Troys to confirm my comments had been submitted and accepted. Their response on February 14 is copied here:

-----Original Message-----

From: P. Troy <mlpmtroy@comcast.net>

To: jjnm <jjnm@aol.com>

Sent: Tue, Feb 14, 2012 4:04 pm

Subject: Re: Comments on Hearing

Jules,

We turned in your comments **yesterday AM** to Cami Petersen, and Preston later confirmed with Robt. Smith, Co. Development. Services Staff (in charge of Staff Report) that it had been entered as part of the record.

On Friday a separate email sent February, 13 to Cami Peterson with the time of 8:04PM was challenged by the attorney for Taylor Shellfish. I am not questioning that decision.

At Issue: Whether the email submitted by the Troys and accepted by the county on the morning of February 12 gives me standing. The Public Notice said written testimony will be accepted at the hearing; the Troys submitted my written testimony; and, the county accepted my written testimony.

Thank you for your consideration on whether I have legal standing and whether I am able to submit a post hearing brief.

Cami Petersen - Correction: Fwd: Taylor Mussel Raft Standing

From: jjnm <jjnm@aol.com>
To: <thomasbjorgen@bjorgenbauer.com>
Date: 03/11/2012 11:56 AM
Subject: Correction: Fwd: Taylor Mussel Raft Standing
CC: <peterscs@co.thurston.wa.us>
Attachments: Feb12TaylorHearingDocuments.pdf

My "At Issue" paragraph at the end of the memo should have noted the date of February 13, not February 12. I apologize for the mistake.

At Issue: Whether the email submitted by the Troys and accepted by the county on the morning of February 13 gives me standing. The Public Notice said written testimony will be accepted at the hearing; the Troys submitted my written testimony; and, the county accepted my written testimony.

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From: jjnm <jjnm@aol.com>
 To: ThomasBjorgen <ThomasBjorgen@bjorgenbauer.com>
 Cc: peterscs <peterscs@co.thurston.wa.us>; mlpm Troy <mlpm Troy@comcast.net>
 Sent: Sun, Mar 11, 2012 11:49 am
 Subject: Taylor Mussel Raft Standing

To: Hearing Examiner Thomas Bjorgen

From: Jules Michel

Date: March 11, 2012

RE: Taylor Mussel Raft Standing

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