

112817

SUPERIOR COURT OF WASHINGTON FOR KLICKITAT COUNTY

KLICKITAT COUNTY, a
municipal corporation,

Plaintiff,

v.

THE STATE OF WASHINGTON, and
THE COLUMBIA RIVER GORGE
COMMISSION,

Defendants,

v.

CLARK COUNTY, a municipal
corporation, and SKAMANIA
COUNTY, a municipal
corporation,

Interested Parties.

No. 91 2 00263 6

SUMMONS

FILED FOR RECORD
SKAMANIA CO. WASH
BY Foster Pepper &
Shefelman
JAN 21 2 41 PM '92

P. Laury
GARY M. OLSON

Registered	1
Indexed, Dir	1
Indirect	1
Filmed	2/3/92
Mailed	

TO: Above-named defendants and interested parties.

A lawsuit has been started against you in the above entitled court by plaintiff. Plaintiff's claim is stated in the written complaint, a copy of which is served upon you with this summons.

In order to defend against this lawsuit, you must respond to the complaint by stating your defense in writing, and serve a copy upon the undersigned attorney for the plaintiff within 20 days after the service of this summons or within 60 days if you are served outside the State of Washington, excluding the day of service, or a default judgment may be entered against you without notice. A default judgment is one where plaintiff is entitled to what he asks for because you have not responded. If you serve a

SUMMONS - 1
51156.summons1.pld

RECORDER'S NOTE:
NOT AN ORIGINAL DOCUMENT

FOSTER PEPPER & SHEFELMAN
ONE MAIN PLACE
101 S.W. MAIN STREET
15TH FLOOR
PORTLAND OREGON 97204 3223
(503) 221-0607

1 notice of appearance on the undersigned attorney, you are entitled
2 to notice before a default judgment may be entered.

3 You may demand that the plaintiff file this lawsuit with the
4 court. If you do so, the demand must be in writing and must be
5 served upon the person signing this summons. Within 14 days after
6 you serve the demand, the plaintiff must file this lawsuit with
7 the court, or the service on you of this summons and complaint
8 will void.

9 If you wish to seek the advice of an attorney in this matter,
10 you should do so promptly so that your written response, if any,
11 may be served on time.


12 THIS SUMMONS is issued pursuant to Rule 4 of the Superior
13 Court Civil Rules of the State of Washington.

14 DATED this 24th day of January, 1992.

15 Respectfully submitted,

16 GERALD A. MATOSICH
17 KLICKITAT COUNTY PROSECUTING ATTORNEY
18 and

19 FOSTER PEPPER & SHEFELMAN

20 
21 P. Stephen DiJulio, WSBA # 7139
22 Steven G. Jones, WSBA # 19334
23 Special Deputy Prosecuting
24 Attorneys for Plaintiff
25 Klickitat County
26

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

SUPERIOR COURT OF WASHINGTON FOR KLIKITAT COUNTY

KLIKITAT COUNTY, a
municipal corporation,

Plaintiff,

v.

THE STATE OF WASHINGTON, and
THE COLUMBIA RIVER GORGE
COMMISSION,

Defendants,

v.

CLARK COUNTY, a municipal
corporation, and SKAMANIA
COUNTY, a municipal
corporation,

Interested Parties.

No. 91 2 00263 6

FIRST AMENDED COMPLAINT
FOR DECLARATORY AND
INJUNCTIVE RELIEF

Plaintiff Klickitat County states as follows:

1. Background.

1.1 In November, 1986, the U.S. Congress passed the Columbia River Gorge National Scenic Area Act. 16 U.S.C. § 544 et seq. (the "Act"). The Act created and defined the Columbia River Gorge National Scenic Area. 16 U.S.C. § 544b ("Scenic Area").

1.2 The Act also authorized and defined the membership and duties of the Columbia River Gorge Commission (the "Commission"). 16 U.S.C. § 544c. The Act did not create the Commission, but through the Act, the United States Government invited the states of Washington and Oregon to enter into an interstate compact to

1 create the Commission and to appoint its members.

2 1.3 In 1987, the states of Washington and Oregon entered
3 into the Columbia River Gorge Compact ("Compact"); the Compact is
4 codified at Chapter 43.97 RCW. The Compact ratifies and adopts
5 the Act by reference, thereby making the provisions of the Act the
6 law of the defendant State of Washington ("State"). As a result
7 of the State's adoption of the Compact, the State has participated
8 in the establishment of the Commission.

9 1.4 The Commission was charged under the Act with the
10 development of a management plan for the Scenic Area which was to
11 include a resource inventory, economic opportunity study,
12 recreation assessment and land use designations. The elements and
13 standards for adoption of the management plan with respect to the
14 General Management Area ("GMA") are set forth at 16 U.S.C. § 544d.
15 The management plan was to include, without change, guidelines for
16 the development of the Special Management Area ("SMA") which were
17 to be developed by the Secretary of the United States Department
18 of Agriculture ("Secretary"). 16 U.S.C. § 544d(c)(5)(A).

19 1.5 In July, 1991, the Commission published the Final Draft
20 Management Plan, including both GMA regulations and the SMA
21 regulations as prepared by the Secretary. On October 28, 1991,
22 the Commission published its Changes to the GMA portion of the
23 Final Draft Management Plan. (The Final Draft Management Plan and
24 the Changes to the GMA portion of the Final Draft Management Plan
25 will hereafter be collectively referred to as the "Management
26

FIRST AMENDED COMPLAINT
FOR DECLARATORY JUDGMENT
AND INJUNCTIVE RELIEF - 2
51156/complaint.pld

FOSTER PEPPER & SHEFELMAN
ONE MAIN PLACE
101 S.W. MAIN STREET
15TH FLOOR
PORTLAND, OREGON 97204 3223
(503) 221-0607

1 Plan"). Pursuant to 16 U.S.C. § 544d(f), the Commission forwarded
2 the Management Plan to the Secretary for concurrence. Copies of
3 the Management Plan (both July 1991 Plan and October 28, 1991
4 Changes) will be filed separately with the Court.

5 1.6 The Management Plan divides the Scenic Area into three
6 separate management areas:

7 1.6.1 28,500 acres of urban area which "are exempt from
8 the Management Plan, but are eligible to receive federal funds to
9 implement it. They will be the focus of future growth and
10 economic development." Management Plan, p. i.

11 1.6.2 149,500 acres of GMA which are devoted primarily to
12 traditional resource use with scattered areas of existing
13 residential development. Management Plan, p. ii.

14 1.6.3 114,600 acres of SMA. The Secretary is to develop
15 guidelines for land use ordinances to be adopted with respect to
16 the SMA. 16 U.S.C. § 544f(f). These guidelines are to be
17 incorporated by the Commission into the Management Plan. 16 U.S.C.
18 §§ 544d(c)(4), 544d(c)(5)(A).

19 1.6.4 A substantial portion of the Management Plan is
20 devoted to outlining use restrictions which pertain to various
21 types of land within the Scenic Area based on whether the lands
22 affected by those restrictions are within the GMA or the SMA.

23 1.7 The Act, at 16 U.S.C. § 544e (GMA) and § 544f
24 (SMA), authorizes counties within the Scenic Area to adopt land
25 use ordinances which conform with the requirements of the
26

1 Management Plan. Under these provisions, Clark, Klickitat and
2 Skamania Counties (collectively the "Counties") are obligated to
3 state within 60 days of receipt of the Commission's Final
4 Management Plan whether any of the Counties propose to adopt land
5 use ordinance(s) under the GMA and/or the SMA portions of the
6 Management Plan.

7 1.8 Any GMA ordinance ultimately adopted by any of the
8 Counties must be submitted to the Commission for approval. 16
9 U.S.C. § 544e(b). Any SMA ordinance ultimately adopted by any of
10 the Counties must be submitted to both the Commission and the
11 Secretary for approval. 16 U.S.C. § 544f(i). If a County fails to
12 adopt ordinance(s) found to be consistent with the Management
13 Plan, the Commission (GMA) or the Commission and Secretary (SMA)
14 are both authorized and obligated under 16 U.S.C. § 544e(c) (GMA)
15 and 16 U.S.C. § 544f)(1) (SMA) to adopt and administer land use
16 ordinance(s) within that County which are consistent with the
17 Management Plan.

18 2. Parties.

19 2.1 Plaintiff Klickitat County is a municipal corporation of
20 the State of Washington. Klickitat, Skamania and Clark counties
21 are the three counties within the State of Washington which fall
22 within the Scenic Area created by the Act. As such, these
23 counties are each authorized to adopt and administer a land use
24 ordinance in conformity with the Act, the Compact, and the
25 Management Plan.
26

FIRST AMENDED COMPLAINT
FOR DECLARATORY JUDGMENT
AND INJUNCTIVE RELIEF - 4
51155 complaint.pld

FOSTER PEPPER & SHEFELMAN
ONE VAN PLACE
101 S W MAIN STREET
15TH FLOOR
PORTLAND OREGON 97204 3223
(503) 221 0607

1 2.2 The State of Washington is a sovereign state and a
2 party, along with the State of Oregon, to the Compact. As such,
3 the State has adopted and ratified the Act, thereby making all
4 provisions of the Act the law of the State.

5 2.3 The Columbia River Gorge Commission was established by
6 the Compact. The Commission has been named as an interested party
7 to these proceedings.

8 2.4 Clark County, a municipal corporation of the State of
9 Washington, has been named as an interested party to these
10 proceedings.

11 2.5 Skamania County, a municipal corporation of the State of
12 Washington, has been named as an interested party to these
13 proceedings.

14 3. Jurisdiction.

15 This action is brought for a declaratory judgment pursuant to
16 RCW 7.24.020 and RCW 7.24.030 and for injunctive relief. The case
17 presents claims which are ripe for judicial determination because
18 the issues involved are exclusively legal and do not require
19 further factual development. All parties are subject to the
20 jurisdiction of this Court pursuant to 16 U.S.C. § 544m(b) and
21 RCW 4.92.010.

22 4. Legal Issues Presented.

23 4.1 Under 16 U.S.C. § 544e(b) (GMA) and 16 U.S.C. § 544f(h)
24 (SMA), the Counties must each elect whether or not to adopt and
25 implement conforming land use ordinance(s) within 60 days of
26

1 receipt of the Management Plan for the Scenic Area. At the
2 present time, Klickitat County lacks sufficient information to
3 adequately assess the ultimate impact of the adoption of any
4 ordinance under the Act or Management Plan. Klickitat County has
5 sought guidance from both the State and the Commission, but has
6 failed to receive adequate responses from either of these
7 defendants. Accordingly, in order to enable Klickitat County to
8 assess the impact of implementing the Management Plan through the
9 adoption of appropriate ordinances and regulations, it now seeks a
10 declaratory judgment from this Court on the following questions:

11 4.2 Is the State liable under RCW 43.135.060 for all costs
12 incurred by a County in connection with the adoption,
13 implementation and administration of any new ordinances and
14 programs adopted by that County pursuant to the Management Plan
15 for the Scenic Area?

16 4.3 Is the State liable:

17 4.3.1 under the Fifth and Fourteenth Amendments to the
18 United States Constitution and Art. I, § 16 of the Washington
19 State Constitution to pay just compensation to any private
20 landowner whose property is taken or damaged as a result of the
21 adoption and implementation of the Act, the Compact, or the
22 Management Plan; and,

23 4.3.2 under RCW 43.135.060 to indemnify a County for any
24 costs incurred in the defense and payment of just compensation
25 claims by a private property owner who raises a takings claim with
26

FIRST AMENDED COMPLAINT
FOR DECLARATORY JUDGMENT
AND INJUNCTIVE RELIEF - 6
51156 complaint.pld

FOSTER PEPPER & SHEFELMAN
ONE MAIN PLACE
101 S.W. MAIN STREET
15TH FLOOR
PORTLAND, OREGON 97204-3223
(503) 221-0607

1 respect to the adoption and implementation of the Act, the
2 Compact, or the Management Plan?

3 4.4 In the event the Commission is obligated to adopt a
4 land use ordinance governing areas of the Counties which fall
5 within the Scenic Area:

6 4.4.1 does the adoption of such an ordinance constitute
7 assumption by the Commission of all other land use and regulatory
8 authority with respect to non-federal lands located within the
9 Columbia River Gorge National Scenic Area; and,

10 4.4.2. if not, what obligations remain for the Counties
11 within such areas in the event any or all of the Counties decline
12 to adopt any ordinance or regulation under the Management Plan?

13 5. Facts.

14 5.1 General. Plaintiff repeats and realleges
15 paragraphs 1.1 through 1.7.

16 5.2 The State's Financial Obligation for New Local
17 Programs and Services Under Chapter 43.135 RCW.

18 5.2.1 On November 6, 1979, the citizens of the State of
19 Washington enacted into law Initiative 62. This initiative is
20 codified at Chapter 43.135 RCW.

21 5.2.2 R.C.W. 43.135.060(1) provides that the legislature
22 shall not impose responsibility for new programs or increased
23 levels of service under existing programs on any taxing district
24 unless those districts are reimbursed for the costs thereof by the
25 State.

26
FIRST AMENDED COMPLAINT
FOR DECLARATORY JUDGMENT
AND INJUNCTIVE RELIEF - 7
51156/complaint.pld

FOSTER PEPPER & SHEFELMAN
ONE MAIN PLACE
101 S.W. MAIN STREET
15TH FLOOR
PORTLAND OREGON 97204 3223
(503) 221 6607

1 5.2.3 The legislature, through the adoption of the
2 Compact, has imposed new responsibilities on, and required new
3 programs of, the Counties.

4 5.2.4 These new responsibilities and programs will result
5 in the provision of increased levels of service to citizens of the
6 Counties in particular, and citizens of the State generally.

7 5.2.5 Each of the Counties is a taxing district under RCW
8 43.135.020(4).

9 5.2.6 The State is liable under RCW 43.135.060 for all
10 costs incurred by any of the Counties in connection with the
11 adoption, implementation and administration of any new ordinances
12 and programs adopted by any of the Counties pursuant to the
13 Commission's Final Management Plan for the Scenic Area.

14 5.3 The State's Obligation to Compensate Private
15 Property Owners Who Assert Successful Takings
16 Claims.

16 5.3.1 "The Fifth Amendment to the United States
17 Constitution, applicable to the states through operation of the
18 Fourteenth Amendment, provides in relevant part:

19 No person shall be . . . deprived of life, liberty, or
20 property, without due process of law; nor shall private
21 property be taken for public use, without just
22 compensation.

22 5.3.2 Art. 1, § 16 of the Constitution of the State of
23 Washington ("State Constitution") provides in relevant part that:

24 No private property shall be taken or damaged for public
25 or private use without just compensation having been
26 first made, or paid into court for the owner

1 5.3.3 16 U.S.C. § 544e(a) provides that all non-Federal
2 lands within the Scenic Area are to be administered by the
3 Commission in accordance with the Management Plan.

4 5.3.4 The Management Plan places significant restrictions
5 on the use and development of non-federal lands located within the
6 Scenic Area.

7 5.3.5 The Management Plan outlines a vast array of land
8 use restrictions tied to a comprehensive scheme of land
9 classifications. For example, with respect to private land within
10 the GMA which has been designated as "Open Space," land may only
11 be used for:

12 a. Low intensity recreation, subject to the guidelines
13 for Recreation Intensity Classes;

14 b. Land Divisions to facilitate efforts to protect and
15 enhance scenic, cultural, natural or recreational resources;
16 and

17 c. Repair, maintenance, operation and improvement of
18 existing serviceable structures, including roads, railroads,
19 hydro facilities and utilities that provide transportation,
20 electric, gas, water, telephone, telegraph,
21 telecommunications or other services.

22 Management Plan, p. I-50 - I-51.

23 5.3.6 The Management Plan contemplates the designation of
24 5,710 acres of land as Open Space within the GMA. Management Plan,
25 p. I-47.

26 / / / /

 / / / /

 / / / /

FIRST AMENDED COMPLAINT
FOR DECLARATORY JUDGMENT
AND INJUNCTIVE RELIEF - 9
51156complaint.pld

FOSTER PEPPER & SHEFELMAN
ONE MAIN PLACE
101 S.W. MAIN STREET
15TH FLOOR
PORTLAND, OREGON 97204-3223
(503) 221-0607

1 5.3.7 With respect to land designated "Open Space" within
2 the SMA, the Management Plan contemplates the following uses
3 without review of the Forest Service:

4 a. Maintenance, repair, or operation of existing
5 dwellings, structures, trails, roads, railroads, and utility
6 facilities.

7 b. Existing management practices.

8 Management Plan, p. I-57 - I-58. In addition to these uses, the
9 following uses are only allowed subject to review by the Forest
10 Service for compliance with scenic, cultural, natural, and
11 recreational resources guidelines:

12 a. Changes in management practices and existing use,
13 including reconstruction, replacement, and expansion of
14 existing structures.

15 b. Structure or vegetation management activities,
16 including scientific research, related to scenic, cultural,
17 recreational, and natural resource enhancement projects.

18 c. Low-intensity recreation uses including educational
19 and interpretive facilities

20 d. Construction of new utility facilities that protect
21 the scenic, natural, cultural, and recreation resources.

22 Management Plan, p. I-58.

23 5.3.8 The Management Plan contemplates the designation of
24 70,857 acres as Open Space within the SMA.

25 5.3.9 The Open Space designation is one of six different
26 land use designations made under the Management Plan and is
outlined only for illustrative purposes. Each of the
classifications have their own specific restrictions based upon
the nature of the classification and the existing uses.

1 5.3.10 Such restrictions on the use of private property
2 make it inevitable that private land owners will claim that their
3 property has been taken as a result of the operation of the
4 Management Plan and any ordinances adopted pursuant to it.

5 5.3.11 Takings claims will result in substantial defense
6 costs and, if successful, substantial costs to compensate private
7 property owners as required under the Fifth and Fourteenth
8 Amendment of the United States Constitution and/or Article I, § 16
9 of the Washington State Constitution.

10 5.3.12 16 U.S.C. § 544g authorizes the Secretary to
11 acquire property within the SMA through the exercise of the
12 federal power of eminent domain and to compensate private
13 landowners whose lands are taken pursuant to this authorization.
14 No similar provision exists with respect to the GMA.

15 5.3.13 The Compact, through its adoption of the Act, makes
16 the provisions of 16 U.S.C 544, et seq., part of the law of the
17 State of Washington. Therefore, to the extent that the Secretary
18 is either unwilling or unable to provide just compensation to
19 private landowners whose property has been taken or damaged as a
20 result of the operation of the Act, the Compact would make such
21 taking or damaging the result of action on the part of the State.

22 5.4 Regulatory Responsibilities of the
23 Commission/County.

24 5.4.1 Each of the Counties currently administers a number
25 of systems of regulation and permitting under the State
26

1 Constitution Art. 11, § 11 and State statute.

2 5.4.2 The regulatory systems ("Systems") administered by
3 the Counties include, but are not limited to:

4 5.4.2.1 The State Environmental Policy Act, Chapter
5 43.21C RCW;

6 5.4.2.2 The Shoreline Management Act, Chapter 90.58
7 RCW;

8 5.4.2.3 Adoption and administration of solid waste
9 management plans, Chapter 70.95 RCW, Chapter
10 36.58 RCW;

11 5.4.2.4 Issuance of grading, building and construction
12 permits, and administration of the uniform
13 building codes, Chapter 19.27 RCW, Chapter
14 19.29 RCW, Chapter 36.43 RCW;

15 5.4.2.5 Issuance and administration of development
16 controls and the platting of subdivisions,
17 Chapter 58.17 RCW;

18 5.4.2.6 Administration of waste water treatment plans
19 and systems, Chapter 65.08 RCW, Chapter 36.94
20 RCW;

21 5.4.2.7 Adoption and administration of drainage and
22 surface water plans and permits, including
23 regulation of floodplains, Chapter 35A.63 RCW,
24 Chapter 36.89 RCW, Chapter 36.94 RCW;

25 5.4.2.8 Control of development within or near critical
26 environmental areas, as part of the State's
Growth Management Act, Chapter 36.70A RCW.

5.4.3 In the event that any of the Counties fails to
enact land use ordinance(s) in conformity with the Management
Plan, the Commission is obligated under 16 U.S.C. § 544e(c) (GMA)
and 16 U.S.C. § 544f(1) (SMA) to enact such land use ordinance(s)
and administer them within the Scenic Area.

/ / / /

FIRST AMENDED COMPLAINT
FOR DECLARATORY JUDGMENT
AND INJUNCTIVE RELIEF - 12
51155-complaint.pld

FOSTER PEPPER & SHEFELMAN
ONE MAIN PLACE
101 S.W. MAIN STREET
15TH FLOOR
PORTLAND, OREGON 97204 3223
(503) 221-6607

1 5.4.4 Neither the Act, the Compact nor the Management
2 Plan make provision for the adoption, implementation or
3 administration by the Commission of the Systems outlined in
4 paragraph 5.4.2. Thus, it is unclear whether the Counties will
5 continue to administer these Systems within the Scenic Area in the
6 event that the Commission adopts a land use ordinance for the
7 Scenic Area, whether the Commission would be obligated to assume
8 responsibility for the Systems, or how those Systems are to be
9 integrated with Management Plan land use ordinances.

10 6. Relief Requested.

11 6.1 Declaratory Judgment

12 Plaintiff Klickitat County requests that the Court enter
13 a declaratory judgment:

14 6.1.1 That the State is liable under RCW 43.135.060 for
15 all costs incurred by any of the Counties in connection with the
16 adoption, implementation and administration of any new ordinances
17 and programs adopted by any of the Counties pursuant to the
18 Commission's Final Management Plan for the Scenic Area; and,

19 6.1.2 That, in the event the Secretary refuses or is
20 unable to do so, the State is obligated to provide in connection
21 with claims made by any private land owner who asserts that the
22 adoption, implementation and administration of the Act, the
23 Compact or the Management Plan resulted in a taking or damaging of
24 that owner's private property for the public use:

25 / / / /

26
FIRST AMENDED COMPLAINT
FOR DECLARATORY JUDGMENT
AND INJUNCTIVE RELIEF - 13
51156 complaint.pld

FOSTER PEPPER & SHEFELMAN
ONE MAIN PLACE
101 S.W. MAIN STREET
15TH FLOOR
PORTLAND, OREGON 97204 3223
(503) 221-0607

1 6.1.2.1 indemnification (including defense costs) of
2 all costs incurred by any of the Counties
3 incurring such costs; and

4 6.1.2.2 compensation to any successful private
5 property owner; and,

6 6.1.3 Outlining the responsibilities of the Counties,
7 State and Commission with respect to all Systems (See paragraph
8 5.4.2) should any of the Counties:

9 6.1.3.1 elect to adopt land use ordinance(s) in
10 conformity with the Management Plan, or

11 6.1.3.2 elect not to adopt land use ordinance(s) in
12 conformity with the Management Plan.

13 6.2 Injunctive Relief

14 Plaintiff Klickitat County reserves the right to plead
15 and request the Court's entry of either preliminary or permanent
16 injunctive relief prohibiting defendants from taking action to
17 adopt and implement land use regulations under the Management
18 Plan, and protecting all of Klickitat County's rights of action
19 under either the Act, the Compact and the Management Plan,
20 including Klickitat County's election to act under those
21 ordinances and regulations until such time as a final decision has
22 been rendered by this Court and all parties have exhausted fully
23 any rights of appeal which they may have.

24 / / / /

25 / / / /

26

FIRST AMENDED COMPLAINT
FOR DECLARATORY JUDGMENT
AND INJUNCTIVE RELIEF - 14
51156-complaint.pld

FOSTER PEPPER & SHEFELMAN
ONE MAIN PLACE
101 S.W. MAIN STREET
15TH FLOOR
PORTLAND, OREGON 97204-3223
(503) 221-0607

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

6.3 Additional Relief

Plaintiff Klickitat County requests that the Court grant it
all other relief that the Court deems just and proper.

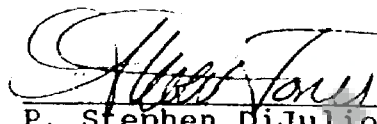
Dated this 24th day of January 1992.

Respectfully submitted,

GERALD A. MATOSICH
KLICKITAT COUNTY PROSECUTING ATTORNEY

and

FOSTER PEPPER & SHEFELMAN



P. Stephen DiJulio, WSBA # 7139
Steven G. Jones, WSBA # 19334
Special Deputy Prosecuting
Attorneys for Plaintiff
Klickitat County

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

SUPERIOR COURT OF WASHINGTON FOR KLIKITAT COUNTY

KLIKITAT COUNTY, a
municipal corporation,

Plaintiff,

v.

THE STATE OF WASHINGTON, and
THE COLUMBIA RIVER GORGE
COMMISSION,

Defendants,

v.

CLARK COUNTY, a municipal
corporation, and SKAMANIA
COUNTY, a municipal
corporation,

Interested Parties.

No. 91 2 00263 6

DOCUMENTS RELATING TO
FIRST AMENDED COMPLAINT
FOR DECLARATORY AND
INJUNCTIVE RELIEF

INDEX

TAB	DATE	DOCUMENT
1.	July 1991	Final Draft Management Plan for General and Special Management Areas
2.	April 26, 1991	Final Draft Management Plan Recreation Intensity Classes (Map)
3.	April 26, 1991	Final Draft Management Plan Landscape Settings Map (Map)
4.	April 26, 1991	Final Draft Management Plan Land Use Designations (Map)

/ / / /
/ / / /
/ / / /

DOCUMENTS RELATING TO FIRST
AMENDED COMPLAINT FOR DECLARATORY
AND INJUNCTIVE RELIEF - 1
51155 docamcom.pld

FOSTER PEPPER & SHEFELMAN
ONE VAN PLACE
101 S.W. VAN STREET
15TH FLOOR
PORTLAND, OREGON 97204-3223
(503) 221-0607

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

5. October 28, 1991 Changes to GMA Final Draft
Management Plan

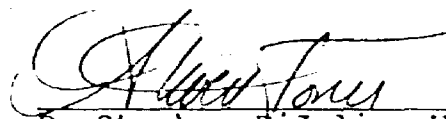
DATED this 24th Day of January, 1992

Respectfully submitted,

GERALD A. MATOSICH
Klickitat County Prosecuting Attorney

and

FOSTER PEPPER & SHEFELMAN



P. Stephen DiJulio, WSBA # 7139
Steven G. Jones, WSBA # 19334
Special Deputy Prosecuting
Attorneys for Plaintiff
Klickitat County

DOCUMENTS RELATING TO FIRST
AMENDED COMPLAINT FOR DECLARATORY
AND INJUNCTIVE RELIEF - 2
51156.doc amcom p11

FOSTER PEPPER & SHEFELMAN
ONE MAIN PLACE
101 S.W. MAIN STREET
15TH FLOOR
PORTLAND, OREGON 97204 3223
(503) 221-6607

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing FIRST AMENDED COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF; DOCUMENTS RELATING TO AMENDED COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF on January 24, 1992, by mailing a true copy thereof, certified by me as such, contained in a sealed envelope to:

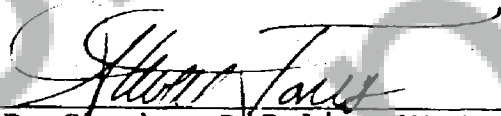
John W. Hough
Deputy Attorney General of Washington
PB 71
Olympia, WA 98504-8071

Columbia River Gorge Commission
288 East Jewitt Blvd
White Salmon, WA

and deposited in the post office at Portland, Oregon, on said day.

DATED this 24th day of January, 1992.

Respectfully submitted,
GERALD A. MATOSICH
Klickitat County Prosecuting Attorney
and
FOSTER PEPPER & SHEFELMAN


P. Stephen DiJulio, WSBA # 7139
Steven G. Jones, WSBA # 19334
Special Deputy Prosecuting
Attorneys for Plaintiff
Klickitat County

Stevenson, Washington, 1/24/92

TO COUNTY AUDITOR DR.
Skamania County, Washington

FILING RECORDING ☒ FILE NO. **112817** AMOUNT nc

Agree. & Lease _____
Liens _____
Mines _____
Deed _____
Mortgage _____
Satisfactions _____
Misc. _____
Surveys _____
Plats _____
UCC _____

State of Washington et al
to
Klickitat County

2:44

Jerry M. Olson
COUNTY AUDITOR
By J. Cowry DEPUTY

28536