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6 BEFORE THE GROWTH MANAGEMENT HEARINGS BOARD
7 WESTERN WASHINGTON REGION
8 STATE OF WASHINGTON

8 WHIDBEY ENVIRONMENTAL
9 ACTION NETWORK, a non-profit
10 organization.

No.

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Petitioner,

PETITION FOR REVIEW

v.

ISLAND COUNTY,

Respondent.

IDENTITY OF PETITIONER

The Petitioner is Whidbey Environmental Action Network (“WEAN”). WEAN’s mailing address, telephone number, and email address are listed below:

Whidbey Environmental Action Network
PO Box 293
Langley, WA 98260
(360) 222-3345
ed@whidbeyenvironment.org

For purposes of this action all correspondence, pleadings, and future filings should be served upon the following attorneys for WEAN:

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1 not have adequate septic capacity and there are no GMA-compliant plans to provide that
2 capacity?

3 5. Does Ordinance C-35-26 fail to comply with RCW 36.70A.070(5)(d) and
4 Planning Goal 12 (RCW 36.70A.020(12)) because densities allowed in LAMIRDs are not
5 supported by existing septic capacity, and there are no GMA-compliant plans to provide that
6 capacity?

7 6. Does the County's updated comprehensive plan as adopted by C-34-26 violate
8 RCW 36.70A.070(3) and (4) as they relate to capital facilities and utilities for LAMIRDs and the
9 Freeland Non-Municipal Urban Growth Area because the County's capital improvement plan
10 includes no (or inadequate) funding or strategies to provide septic and sewer capacity necessary
11 to serve those areas, and fails to reassess the comprehensive plan's land use element in light of
12 those shortfalls?

13 7. Does the County's updated comprehensive plan as adopted by Ordinance C-34-26
14 violate RCW 36.70A.110(3) and Planning Goals 1 and 2 (RCW 36.70A.020(1-2)) by planning
15 for urban growth out of sequence?

16 8. Do the County's Buildable Lands and Land Capacity Analyses violate RCW
17 36.70A.110(1-3), RCW 36.70A.115, RCW 36.70A.070(2), RCW 36.70A.215, and Planning
18 Goals 1 and 2 (RCW 36.70A.020(1)-(2)) because the County reduced the population and housing
19 growth allocated to the City of Oak Harbor without a sufficient evidentiary basis, shifting a
20 disproportionate share of countywide growth away from the urban area and toward rural areas
21 where adequate public facilities do not exist?

22 9. Does the County's updated comprehensive plan fail to comply with RCW
23 36.70A.070(9) and Planning Goal 14 (RCW 36.70A.020(14)) because the Climate Element lacks
24 or defers identification of climate impacts, adaptation measures, and resiliency strategies to
25 future unfunded planning processes rather than adopting the required climate resilience sub-
26 element measures?

10. Is the County's updated comprehensive plan as adopted by Ordinance C-34-26 internally inconsistent in violation of RCW 36.70A.070 (preamble) because, *inter alia*, densities authorized in the comprehensive plan's land use element are not consistent with the capital facilities element?

11. Does the County's updated comprehensive plan as adopted by Ordinance C-34-26 fail to comply with the GMA's critical area requirements at RCW 36.70A.172(1), RCW 36.70A.060(2), RCW 36.70A.070(5)(c)(iv), and Planning Goal 10 (RCW 36.70A.020(10)) because it fails to include best available science?

12. Does County's updated comprehensive plan as adopted by Ordinance C-34-26 fail to comply with RCW 36.70A.172(1)'s requirement that the County give special consideration to conservation or protection measures necessary to preserve or enhance anadromous fisheries? Relatedly, do the County's critical area and shoreline policies fail to comply with RCW 36.70A.172(1)'s requirement for best available science and the goals and policies of the Shoreline Management Act (as incorporated at RCW 36.70A.020(15) and RW 36.7A.480)?

STANDING

WEAN has participation standing under RCW 36.70A.280(2)(b). During the County's multi-year planning process, Petitioner submitted extensive oral and written comments—approximately 800 pages, including material included by reference—expressly on behalf of the organization, raising each of the issues presented in this Petition in sufficient detail to afford the County the opportunity to consider them.

ESTIMATED LENGTH OF HEARING

Four (4) hours.

RELIEF SOUGHT

WEAN respectfully requests that the Board find that Ordinances C-34-26 and C-35-26 fail to comply with the goals and requirements of the GMA and requests that the Board remand the matter back to Island County for action that is compliant with the Growth Management Act.

1 WEAN also requests an order of invalidity pursuant to RCW 36.70A.302 with respect to the
2 County's new rural cluster rules as adopted by Ordinance C-35-26.

3 The Petitioner has read this Petition for Review and believes the contents to be true.

4 Dated this 28th day of August, 2026.

5 Respectfully submitted,

6 TELEGIN LAW PLLC

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9 By:


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