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SUPREME COURT  
STATE OF WASHINGTON  
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SUPREME COURT  
OF THE STATE OF WASHINGTON

C/A No. 62843-7-I

COURT OF APPEALS  
OF THE STATE OF WASHINGTON  
DIVISION I

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SCOTT E. STAFNE,

Petitioner/Appellant/Plaintiff,

vs.

SNOHOMISH COUNTY AND  
SNOHOMISH COUNTY PLANNING DEPARTMENT,

Petitioners/Respondents/Defendants.

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SNOHOMISH COUNTY'S STATEMENT OF ADDITIONAL  
AUTHORITIES

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ORIGINAL

Pursuant to RAP 10.8, Snohomish County submits the following additional authority in support of Issue B<sup>1</sup> and Issue C<sup>2</sup> described in the Supplemental Brief of Snohomish County:

Spokane County v. Eastern Washington Growth Management Hearings Board, 160 Wn. App. 274, 250 P.3d 1050 (Div. 3, Jan. 13, 2011), rev. denied, 171 Wn.2d 1034, 257 P.3d 662 (July 13, 2011) (holding all amendments to a jurisdiction's GMA comprehensive plan, even "site specific" map amendments, are legislative in nature; subject matter jurisdiction to review such amendments is vested exclusively in the Growth Board, and not in the Superior Courts under LUPA).

Respectfully submitted this 10<sup>th</sup> day of October, 2011.

MARK K. ROE  
Snohomish County Prosecuting Attorney

By: /s/  
John R. Moffat, WSBA #5887  
Bree Urban, WSBA #33194  
Deputy Prosecuting Attorneys  
Attorneys for Snohomish County

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<sup>1</sup> Must a challenge to a local jurisdiction's denial of a proposed legislative amendment to its GMA comprehensive plan be filed with the Growth Management Hearings Board ("Growth Board")?

<sup>2</sup> Is the decision of a local legislative body not to adopt a proposed legislative amendment to a GMA comprehensive plan a "land use decision" appealable under the Land Use Petition Act ("LUPA")?