

Contributions Needed for the Illahee Outfall Appeal

Illahee residents who receive Illahee Community Updates by email received the following information last week. The Illahee Community Club asked that this be included in the Illahee Community Club newsletter mailing going out regarding the upcoming Illahee Day announcement.

Illahee Community Update 7-26-08 Illahee Outfall Appeal Update

Update on the Illahee Outfall Appeal. *It has been over a month since the Illahee Community Club decided to appeal the locating of a 42 inch diameter stormwater outfall at the Illahee Community Dock and we have been asked to provide an update. The original notice went out as an update on June 19th and is included at the bottom of this email.*

Things are Happening Quickly. *The pre-hearing conference was held this past Thursday (7-24-08) and everything seems to be on a fast track, with Discovery (a legal term we are just learning about) to be completed by August 4, 2008. Some other legal item needs to be completed in early September, with the hearing dates scheduled for October 7 & 8, 2008 (The first day will be at a location in Kitsap County and the second day will be at the Board's hearing room in Lacey, Washington.) We will provide more information when the pre-hearing conference results are published by the Shorelines Hearings Board.*

Thank You to Those Who Have Already Donated! *Donations in support of the appeal continue to trickle in which is encouraging to the ICC Board of Directors and they thank you for your help.*

Status of Donations. *Approximately half of the funds (about \$4000) have been raised for lawyer fees. The Club is still working on an expert witness list and will need to determine those costs.*

This is not where community members want to spend their money but they also have stated to the Club that they don't want to roll over and let another injustice be done in and to our community.

Contributions Still Needed. *Contributions are tax deductible, as allowed by law, since the Community Club reorganized in December 2007 as a 501.c.3 organization. They can be sent to the Illahee Community Club, P.O. Box 2563, Bremerton, WA 98310. Please note on gifts that they are for the Outfall Legal Fund.*

Jim Aho

Below is the 6/19/08 Update that described the SHB appeal.

County Notice. *Many in the community received the official notice a week ago that the County Commissioners denied the Illahee Community Club's appeal of the placement of a 42 inch diameter stormwater outfall at the base of the Illahee Community Dock. If you didn't receive it, we have attached it as a pdf file to this update.*

The Club's Response. *The Illahee Community Club responded quickly when the decision was first made with a letter to the editor (see attachment) that appeared in the CK Reporter and the Bremerton Patriot. The decision was also covered by the Kitsap Sun, which is linked. <http://kitsapsun.com/news/2008/may/19/appeal-over-illahee-pipe-denied-by-kitsap/>*

Community Appeal to the Shorelines Hearings Board. *We have been asked by the Illahee Community Club to pass on their request to solicit donations for their appeal of the Illahee Outfall decision to the Washington State Shorelines Hearings Board (SHB).*

Spreading the Appeal Costs. *Following the hearing before the County Commissioners, one of the residents suggested that if they lose they need to appeal this to the next level, which was thought to be Superior Court. The person said if they could find 60 community members who would each contribute \$150 they should have enough money to do so, which would be \$9,000.*

Why the SHB? *When the results of the hearing were published in the Kitsap Sun we were advised by an interested county resident that we should be appealing the results to the SHB and that he had successfully argued before them earlier. A check of this avenue appears promising and thus the desire by the Board to move ahead with the appeal.*

Legal Representation and Costs. *The Community Club has retained Ryan Vancil to represent them in the SHB appeal. His estimate is that the case could cost between \$7,000 and \$12,000 and has agreed to cap his costs at \$9,000, which equates to finding 60 people who would contribute the \$150.*

Can the Funds be Raised? *That was evidently the concern of the Board also. When the possibility of an appeal was first discussed in an Illahee Community Update there were about 20 people who indicated they felt the decision should be appealed and they were ready to contribute financially. So now the Community Club is asking for those initial 20 residents, plus 40 more to contribute to the Club's legal fund, and noted that any help is appreciated.*

Where to Contribute? *The Illahee Community Club, P.O. Box 2563, Bremerton, WA 98310-0332.*