

**The Environmental Hearings Office  
Samples and Forms**

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grounds the grounds and factual basis for the stay, either in this notice of appeal, or in a separate motion). See RCW 43.21B.320).

9. Copies of this notice were served upon the respondent(s) on (date of service).

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Signature of the appellant(s)  
or representative

SHORELINES HEARINGS BOARD  
STATE OF WASHINGTON

	Petitioner(s),	
v.		PETITION FOR REVIEW
	Respondent(s)	

Petitioner(s)

- Name of petitioner(s)
- Name of representative (if any)
- Mailing address
- Telephone number
- Facsimile number (if available)
- E-mail number (if available)

1. Name of the local government and/or the Department of Ecology whose decision(s) you seek to review (respondent(s) in caption)
2. Name of applicant (who should be named a respondent, if you are not the applicant and are appealing an order or decision based upon an application)
3. Petitioner(s) (is or are) requesting review of the attached order, decision, regulation or master program (attach also the application if the order or decision is based upon an application).
4. Petitioner(s) (believes or believe) the agency decision is unlawful or unjust because (set forth a short and plain statement of the legal grounds for the appeal).
5. The petition is based upon the following pertinent facts (set forth a clear and concise statement of facts relied upon to support the grounds for the appeal).
6. Petitioner(s) (seeks or seek) the following relief (set forth the specific nature and extent of relief being sought).
7. Copies of this petition were served upon the respondent(s) and upon the Department of Ecology (you need serve the Department of Ecology only once, even if it is a respondent in the case) and the Attorney General on (date of service).

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Signature of the petitioner(s)  
or representative

FOREST PRACTICES APPEALS BOARD  
STATE OF WASHINGTON

Appellant(s),

v.

STATE OF WASHINGTON,  
DEPARTMENT OF NATURAL  
RESOURCES,

Respondent.

APPEAL OF COMPLIANCE ORDER

1. Appellant(s)

Name of appellant(s)  
Name of representative (if any)  
Mailing address  
Telephone number  
Facsimile number (if available)  
E-mail number (if available)

2. This proceeding is authorized by RCW 76.09.090.

3. The appellant(s) (has or have) had a hearing before the Department of Natural Resources (respondent in caption) on (date) and (has or have) attached a copy of the final decision issued after that hearing. .

4. Appellant(s) (believes or believe) the final order of compliance is unlawful because (set forth a short and plain statement of the legal grounds for the appeal. Cite the specific statutes, regulations or applications relied upon).

5. The appeal is based upon the following pertinent facts (set forth a clear and concise statement of the facts relied upon to support the grounds for the appeal).

6. Appellant(s) (seeks or seek) the following relief (set forth the specific nature and extent of relief being sought).

7. Copies of this petition were served upon the Department of Natural Resources on (date of service).

\_\_\_\_\_  
Signature of the appellant(s) or representative

FOREST PRACTICES APPEALS BOARD  
STATE OF WASHINGTON

Appellant(s),

v.

STATE OF WASHINGTON,  
DEPARTMENT OF NATURAL  
RESOURCES,

Respondent.

APPEAL OF ORDER TO COMPLY

1. Appellant(s)

Name of appellant(s)  
Name of representative (if any)  
Mailing address  
Telephone number  
Facsimile number (if available)  
E-mail number (if available)

2. This proceeding is authorized by RCW 76.09.090.

3. The appellant(s) (has or have) had a hearing before the Department of Natural Resources (respondent in caption) on (date) and (has or have) attached a copy of the final decision issued after that hearing. .

4. Appellant(s) (believes or believe) the final order of compliance is unlawful because (set forth a short and plain statement of the legal grounds for the appeal. Cite the specific statutes, regulations or applications relied upon).

5. The appeal is based upon the following pertinent facts (set forth a clear and concise statement of the facts relied upon to support the grounds for the appeal).

6. Appellant(s) (seeks or seek) the following relief (set forth the specific nature and extent of relief being sought).

7. Copies of this petition were served upon the Department of Natural Resources and upon the Attorney General on (date of service).

\_\_\_\_\_  
Signature of the appellant(s)

or representative

FOREST PRACTICES APPEALS BOARD  
STATE OF WASHINGTON

Appellant(s),

v.

STATE OF WASHINGTON,  
DEPARTMENT OF NATURAL  
RESOURCES,

Respondent.

APPEAL OF PENALTY

1. Appellant(s)

Name of appellant(s)  
Name of representative (if any)  
Mailing address  
Telephone number  
Facsimile number (if available)  
E-mail number (if available)

2. This proceeding is authorized by RCW 76.09.170.

3. The appellant(s) (has or have) (not) applied in writing to the Department of Natural Resources (respondent in caption) for remission or mitigation of the penalty.

4. Appellant(s) (believes or believe) the penalty is unlawful or unreasonable because (set forth a short and plain statement of the legal grounds for the appeal. Cite the specific statutes, regulations or applications relied upon).

5. The appeal is based upon the following pertinent facts (set forth a clear and concise statement of the facts relied upon to support the grounds for the appeal).

6. Appellant(s) (seeks or seek) the following relief (set forth the specific nature and extent of relief being sought).

7. Copies of this petition were served upon the Department of Natural Resources on (date of service).

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Signature of the appellant(s)  
or representative

FOREST PRACTICES APPEALS BOARD  
STATE OF WASHINGTON

Appellant(s),

v.

STATE OF WASHINGTON,  
DEPARTMENT OF NATURAL  
RESOURCES,

Respondent.

APPEAL OF STOP-WORK ORDER

1. Appellant(s)

Name of appellant(s)  
Name of representative (if any)  
Mailing address  
Telephone number  
Facsimile number (if available)  
E-mail number (if available)

2. This proceeding is authorized by RCW 76.09.080(2)(d).

3. The Department of Natural Resources (respondent in caption) served upon appellant(s) a stop-work order on (date).

4. Appellant(s) (believes or believe) the order is unlawful because (set forth a short and plain statement of the legal grounds for the appeal. Cite the specific statutes, regulations or applications relied upon).

5. The appeal is based upon the following pertinent facts (set forth a clear and concise statement of the facts relied upon to support the grounds for the appeal).

6. Appellant(s) (seeks or seek) the following relief (set forth the specific nature and extent of relief being sought).

7. Copies of this petition were served upon the Department of Natural Resources on (date of service).

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Signature of the appellant(s)  
or representative

HYDRAULIC APPEALS BOARD  
STATE OF WASHINGTON

Appellant(s),

v.

STATE OF WASHINGTON,  
DEPARTMENT OF FISH AND  
WILDLIFE,

Respondent.

APPEAL OF HYDRAULIC PERMIT  
DECISION

1. Appellant(s)  
Name of appellant(s)  
Name of representative (if any)  
Mailing address  
Telephone number  
Facsimile number (if available)  
E-mail number (if available)
2. The Department of Fish and Wildlife (respondent in caption) (approved, denied, conditioned, or modified) the attached hydraulic permit application on (date).
3. Name of applicant (who should also be named a respondent, if you are not the applicant and are appealing the final decision)
4. Appellant(s) (believes or believe) the agency decision is unlawful or unjust because (set forth a short and plain statement of the legal grounds for the appeal).
5. The appeal is based upon the following pertinent facts (set forth a clear and concise statement of facts relied upon to support the grounds for the appeal).
6. Appellant(s) (seeks or seek) the following relief (set forth the specific nature and extent of relief being sought).
7. Copies of this appeal were served upon the respondent(s) on (date of service).

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Signature of the petitioner(s)  
or representative

**PROPOSED ISSUES, WITNESSES & EXHIBITS**

POLLUTION CONTROL HEARINGS BOARD  
STATE OF WASHINGTON

<i>NAME</i>	
Appellant,	PCHB No. 00-000
v.	
STATE OF WASHINGTON, DEPARTMENT OF ECOLOGY,	DEPARTMENT OF ECOLOGY'S PROPOSED LIST OF LEGAL ISSUES, WITNESSES, AND EXHIBITS
Respondent.	

Respondent, State of Washington, Department of Ecology (Ecology) hereby submits the following Proposed List of Legal Issues, Witnesses, and Exhibits in the above-captioned case:

**LEGAL ISSUES**

1. Whether Permit No. 00-0000 issued by Ecology is unlawful or arbitrary.

**WITNESSES**

1. Witness, Ecology

**EXHIBITS**

Entire Ecology file on the matter, including but not limited to:

1. Ecology's Permit No. 00000000
2. Application materials;
3. Correspondence.

This serves as the Proposed List of Legal Issues, Witnesses, and Exhibits for Ecology. Ecology reserves the right to add or delete any witnesses or exhibits from this proposed list, and to call as a witness or offer as an exhibit any of the witnesses or exhibits listed by the Appellant.

DATED this \_\_\_\_\_ day of \_\_\_\_\_ 200 .

ROB MCKENNA  
Attorney General

Mr. Smith  
Assistant Attorney General  
Attorneys for Respondent

**MOTION**

**POLLUTION CONTROL HEARINGS BOARD  
STATE OF WASHINGTON**

Name of Appellant,

Appellant,

v.

STATE OF WASHINGTON,  
DEPARTMENT OF ECOLOGY,

Respondent.

PCHB No. 00-000

MOTION FOR CONTINUANCE

**I. MOTION**

*Appellant, Appellant's Name*, through its attorneys, *Name of Attorney*,

does hereby move as follows:

1. Due to the possibility of settlement in the above-captioned matter, the parties wish to put this matter in abeyance for approximately sixty (60) days;
2. The parties desire to cancel the Pre-Hearing scheduled for March 19, 200\_;
3. The parties further desire to cancel the secondary and primary hearing dates of June 6 and 7, 200\_ and September 5 and 6, 200\_ respectively;
4. The parties will submit to the Pollution Control Hearings Board (Board) a settlement status report by May 31, 200\_;
5. Appellant reserves the right to request the Board to reschedule a hearing in this matter in the event that settlement negotiations are not successful.

ROB MCKENNA  
Attorney General

Name of Appellant

\_\_\_\_\_  
*Name of Attorney*  
Assistant Attorney General  
Attorneys for Respondent  
State of Washington  
Department of Ecology  
(360) 000-0000

\_\_\_\_\_  
*Name of Attorney*  
Attorneys for Appellant  
  
(360) 000-0000

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_

## II. ORDER

Based upon the motion of the Appellant, now, therefore,

**IT IS ORDERED** that:

1. The Pre-Hearing date of March 19, 200\_ and the secondary and primary hearing dates of June 6 and 7, 200\_ and September 5 and 6, 200\_, respectively, are hereby cancelled;
2. The parties will submit a settlement status report to the Board by May 31, 200\_.

DATED this \_\_\_ day of \_\_\_\_\_, 200\_.

\_\_\_\_\_  
Administrative Appeals Judge

Presented by:

\_\_\_\_\_  
*Name*  
Attorneys for Appellant  
(360) 000-0000

Approved as to form and entry:

\_\_\_\_\_  
*Name*  
Assistant Attorney General  
Attorneys for Respondent  
State of Washington  
Department of Ecology  
(360) 000-0000

BEFORE THE \_\_\_\_\_ BOARD  
STATE OF WASHINGTON

APPELLANT'S NAME (ALL CAPS),

Appellant,

v.

RESPONDENT'S NAME (ALL CAPS),

Respondent.

[BOARD] NO. [case #]

DECLARATION OF [name]  
IN SUPPORT OF [name of motion or brief]

I, [name], declare the following:

1. I am over twenty-one years of age and am competent to testify herein. The facts set forth in this declaration are from my personal knowledge.

**or**

1. I am now and at all times mentioned a citizen of the United States and a resident of the State of Washington, over the age of eighteen years, competent to make this declaration, and make this declaration from my own personal knowledge and judgment.

2. I am [identification of the person making the declaration (the "declarant")'s employment, function or place, and why declarant is qualified and in a position to make the statements in the declaration].

3.

4.

Etc.

**Where there are documents attached, a declaration attesting to the accuracy of the documents is necessary. For example,**

A true and correct copy of [name of document] is attached hereto as [Exhibit 1].

**or**

[description of the document, where it came from, and how the declarant came into possession of it] and a true and correct copy of the [name of the document] is attached hereto as Exhibit [1, 2, A, B, etc.].

**or**

[name]'s resume describes [his/her] experience and qualifications as a [professional designation/title]. A true and correct copy of [name]'s resume is attached hereto as Exhibit [1].

**INCLUDE IN ALL DECLARATIONS:**

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

DATED this \_\_\_\_ day of [month, year], in [place where declaration was signed (such as "Seattle, Washington")].

\_\_\_\_\_  
[name of person making declaration]

