

## 2008 Legislative Session Update

*Brian Carrico, AICP, Senior Planner, JD White  
BERGER/ABAM Engineers Inc.*



**The 2008 short session** saw a flurry of bills introduced related to land use and development. The APA lobbyist noted that the theme of the session, regardless of the topic, was sustainability. The session ends on March 15 and, until then, we will not know the full extent

of what transpires.

At this time, some of the notable bills that failed to make it through the process include:

**Substitute House Bill 3203** would have changed the vesting date for many applications to the date of the decision.

**HB 2950** would have made projects that pay impact fees exempt from concurrency.

**HB 2844**, the evergreen cities bill, would have

established a new urban forestry program and contained incentives to encourage adoption by local communities. The budget failed to fund the program.

At press time, notable bills that are still active include:

**ESSB 6580** morphed from a bill adding a goal to the GMA on climate change to a bill setting up a program through CTED to develop strategies to address climate change through land use.

**ESSHB 2815** would establish goals for the reduction of greenhouse gas emissions for the state and require reporting of greenhouse gases and other efforts to reduce greenhouse gas emissions.

**SHB 2482** would clarify annexation petition requirements for corporations.

For specific information on individual bills, go to <http://apps.leg.wa.gov/billinfo/> and enter the bill number in the appropriate location. After the session is over, an update outlining key bills that passed will be sent to SW Section APA members.

## AICP Certification Maintenance Update

**To become a certified planner** and use the AICP designation, you must be a current member of the American Planning Association, submit an online application meeting certain educational and experience requirements (the deadline for submission this year was February 5, 2008), pass an examination, and be a fully paid member of APA and AICP. More information is available at: [www.planning.org/certification/](http://www.planning.org/certification/).

Once a member, you must meet the certification maintenance (CM) requirement approved by the AICP Commission in January that requires AICP members to engage in continuing education in order to maintain certification. AICP members must earn a total of 32 CM credits (1 hour = 1 CM credit) within their 2-year reporting period. A minimum of 1.5 credits must be on the topic of ethics, and another 1.5 credits must be on the topic of current planning law.

All professional development activities must be approved and registered in order to be eligible for CM credit and be reported into your online CM log. Go to [www.planning.org/cm/activities.htm](http://www.planning.org/cm/activities.htm) to learn about eligible CM activities and to

get tips on how you can fulfill your requirement. Find a list of approved activities by logging into your [www.planning.org/cm/member/log.htm](http://www.planning.org/cm/member/log.htm). Once logged on, you can view your CM log, upcoming CM sessions, and approved CM providers, and report your CM credits. New approved sessions are being added regularly, but it's a good idea to keep a record of the sessions you attend. To date, two sessions sponsored by the SW Section have been approved, the SEPA Training Workshop (3.5 credits on May 18, 2007) and Ethics in the Workspace (3.5 credits on October 26, 2007.)

### Exam Prep Session Set for March 24

**If you are taking the exam this May**, or plan to take it next fall, you are encouraged to register for the Washington Chapter AICP exam prep study session to be held from 8:30 a.m. to 4:30 p.m. on Saturday, March 22, 2008 at South Seattle Community College. Registration is \$20. For more information, contact **Corrinne Humphrey** at [corrinne.humphrey@hdrinc.com](mailto:corrinne.humphrey@hdrinc.com) or 503.423.3785. Oregon also sponsors a session, which was held this year on February 2.

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## Planners on the Move



**Brian Carrico** has joined JD White, a division of BERGER/ABAM Engineers Inc., as a Senior Planner. Brian works on long-range and current planning projects as well as environmental reports and studies. Before joining BERGER/ABAM, Brian was

the Community Development Director for the City of Battle Ground.



**Robert Maul** was promoted to Community Development Director for the City of Battle Ground in December. Robert has worked for the City since 2003, most recently as interim Community Development Director, and previously as Assistant Planner.

**Nicholas Phillips** has joined the City of Vancouver as an Assistant Planner with the Permits Team. Prior to joining the City, Nicholas worked at the permit counter for the City of Yuma, Arizona and worked closely with the Variance Committee, City Board of Adjustments, and the Planning Commission. Most recently, Nicholas was a volunteer with the Institute for Field Research Expeditions in Chitwan, Nepal assisting with the development of a sustainable community. Nicholas is a graduate of the University of Kansas with a bachelor's in Geography.

**Cathleen Golik** has joined the City of Vancouver as an Assistant Planner with the Planning Review Team. She was most recently the planner for Hagedorn, Inc., surveyors and land planners in Vancouver, and has worked as an operations manager for Pacific Rim and a scientist for CH2MHill. Cathleen graduated from Eastern Washington with a bachelor's in Environmental Science and minors in planning, geology, and chemistry.

## Help Wanted

### **City of Battle Ground, Senior Planner, Community Development Department—**

Applications are being accepted until filled for the position of Senior Planner. Complete job description and instructions are available via the web at [www.cityofbg.org](http://www.cityofbg.org).

**SW Section APA seeks Cowlitz County Representative—**The SW Section of APA is looking for a member to represent Cowlitz County on the Board of Directors. For more information, contact Laura Hudson, President of the SW Section at [laura.hudson@ci.vancouver.wa.us](mailto:laura.hudson@ci.vancouver.wa.us) or 360.487.7945.

## Planning Events

### **SW Section Winter Social**

Wednesday, March 5, 6:00 p.m.

#### **Big Al's Bowling**

16615 SE 18th Street, Vancouver

Please join us for socializing, bowling, and refreshments at Big Al's. The private party room will be provided by the SW Section and refreshments will be graciously provided by Parametrix.

### **SW Washington Planners' Forum**

Thursday, April 17, 9 a.m.–1 p.m.

#### **Camas Public Library**

625 NE 4th Avenue, Camas

#### **Future Trends:**

#### **Demographics, Land Use and our Regional Economy**

**Scott Bailey**, Southwest Regional Economist, Washington State Employment Security Department

**Sonny Conder and Dennis Yee**, Portland Metro

As a preview of coming attractions, likely future Forum topics are:

#### **Greener Than Thou:**

#### **Green Building, Green Technology, and More!**

Thursday, July 17, 9:00 a.m.–1:00 p.m.

#### **Rock Creek Community Center**

710 SW Rock Creek Drive, Stevenson

#### **Making Way for Bicycle and Pedestrian Connectivity**

Thursday, October 16, 9:00 a.m.–1:00 p.m.

#### **City of Vancouver Development Review Services – Conference Rooms E & F**

4400 NE 77th Avenue, Vancouver

### **Power of Place, Joint Preservation and Planning Conference**

April 30–May 1; pre-conference tour April 29

The 2008 Joint Washington State Planning/Preservation Conference (hosted by the Planning Association of Washington and Washington Trust for Historic Preservation) will be held in Chelan. For more information, contact the Washington Trust for Historic Preservation. Call **Chris Moore** at 206-624-9449. [www.wa-trust.org](http://www.wa-trust.org)

### **Towards Carfree Cities VIII: Rethinking Mobility, Rediscovering Proximity**

June 16–20, Portland

This conference series brings people together from around the world who work to promote practical alternatives to car dependence. The fundamental role of the conference is to share knowledge and assist the practical work of conference participants, whether it be organizing community events, promoting urban cycling, or building the carfree cities of the future.

<http://carfreeportland.org/>

# Successful Wetland Mitigation

*Brian Bieger, Senior Scientist, JD White BERGER/ABAM Engineers Inc.*

It's no secret that prime developable land is scarce and that wetlands encumber many remaining parcels. While permitting that involves wetland impacts can be daunting, the real difficulty often lies in completing the required wetland mitigation successfully. Successful wetland mitigation involves a well-designed plan, careful construction, and consistent maintenance.

## Designing

Most wetland mitigation projects create wetland to some extent, so the consultant should consider the type of vegetation community that will work best in the created wetland, its primary source of water, whether it will be created from excavating uplands, and if so, how its expected hydroperiod was estimated. The consultant should know what the soils are like at the site's elevation and the quantities of topsoil and amendments that will have to be brought in. What are the special needs of the plant communities? What kinds of invasive species are on site? These elements interconnect, and an experienced wetland consultant will have a thorough understanding of the site's existing conditions and the expected results of the proposed work.

## Constructing

The construction phase is critical. Whether the mitigation will create or enhance wetlands, make sure the contractor understands the end goal from the start. Wetland creation areas often end up looking like stormwater facilities freckled with native plants because the contractor is not used to creating wetlands. The wetland consultant needs to be available to monitor construction to make sure excavation is sequenced properly. The consultant will be able to determine if soils are too wet to work or are deficient and need amending. Lastly, some standard BMPs (such as spreading straw on the site to prevent erosion) should be avoided because they may introduce invasive plants that will increase maintenance costs.

## Planting

Most natives are planted during dormancy, typically from December to March, so consultants and contractors who plan to plant a mitigation area in July are raising a red flag. Many landscapers do not have a good understanding of what conditions individual species of native plant require. Some like full sun with

their feet wet, others like to be high and dry and in the shade. The consultant should have a good understanding of the hydrologic regime needed by individual plants. Lastly, many mitigation plans do not specify plant locations or which plants grow well together, and landscapers usually don't deal with these challenges—another reason to use a qualified consultant.



## Maintaining

Unlike most construction projects, when all the heavy equipment and contractors are finished, a wetland mitigation site is still in its infancy. Keeping the mitigation area progressing toward the goals stated in the wetland mitigation plan and the performance standards in the permits requires TLC. Irrigating during the summer, suppressing competing vegeta-

tion, and monitoring for problems are important, but maintenance in three words? Irrigate, irrigate, irrigate.

With a good consultant, a thought-through plan, and consistent maintenance, mitigation wetlands will flourish and provide those functions that they were intended to compensate for in the first place.

## Skamania County Update

*Karen Witherspoon, Director, Planning and Community Development, Skamania County*

Skamania County continues to move forward with a four-part instream flow process within Water Resource Inventory Area (WRIA) 29A to finalize instream flow recommendations. The first two parts are complete, and the remainder will continue through June 30, 2009.

Skamania County is beginning the development of land use zoning that will be consistent with the recently adopted Comprehensive Plan (July 2007) and various subarea plans. Additionally, the critical area update project for Best Available Science is scheduled to be completed late this summer.

The Skamania County Planning Department is finally fully staffed after an 18-month search to fill the vacant positions. We welcome our two new Assistant Planners, Amanda Smeller (current planning) and Heather Watson (long-range planning).

The number of development permits remained steady in 2007 compared to 2006. In the past 3 years, this is the first year that the number of development permits did not increase over the previous year.



# Ethics in the Workplace

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**On October 26, 2007, the SW Section held its annual fall training session.** This year's session, Ethics in the Workplace, featured Sumner Sharpe, FAICP, who gave a presentation on the AICP Code of Ethics and Professional Conduct and provided pointers to the planners in attendance. Sumner's presentation was adapted from a presentation given by **Carol D. Barrett, FAICP**. AICP members are required to complete 1.5 certification maintenance (CM) credits on the subject of ethics in each 2-year reporting period. See [www.planning.org/cm/fora-icpmembers.htm](http://www.planning.org/cm/fora-icpmembers.htm) for more information.

A panel discussion featuring Vancouver attorney **Charles Isley**, **Katy Archer** of Woodrich & Archer LLP in Stevenson, and **Helen Devery** of JD White, a division of BERGER/ABAM Engineers, in Vancouver followed. Panelists considered several scenarios which generated a lively conversation among workshop participants.

The SW Section holds two training sessions a year. A spring session is being planned now. If you have suggestions on topics, please contact **Corrinne Humphrey** at [corrinnehumphrey@hdrinc.com](mailto:corrinnehumphrey@hdrinc.com) or **503.423.3785**.

## Ethics Session Highlights

### ACIP Code

The code is divided into three sections:

**Section A** contains a statement of aspirational **principles that constitute the ideals** to which AICP members are committed. "We shall strive to act in accordance with our stated principles. However, an allegation that we failed to achieve our aspirational principles cannot be the subject of a misconduct charge or be a cause for disciplinary action."

**Section B** contains **rules of conduct** to which AICP members are held accountable. "If we violate any of these rules, we can be the object of a charge of misconduct and shall have the responsibility of responding to and cooperating with the investigation and enforcement procedures. If we are found to be blameworthy by the AICP Ethics Committee, we shall be subject to the imposition of sanctions that may include loss of our certification."

**Section C** contains the **procedural provisions** of the Code. It (1) describes the way that one may obtain either a formal or informal advisory ruling, (2) outlines how a charge of misconduct can be filed, and (3) explains how charges are investigated, prosecuted, and adjudicated.

### AICP Members' Responsibility

AICP members have a responsibility to their profession and colleagues which includes the following:<sup>1</sup>

- We shall contribute to the development of, and respect for, our profession by improving knowledge and techniques, making work relevant to solutions of community problems, and increasing public understanding of planning activities.
- We shall protect and enhance the integrity of our profession.
- We shall educate the public about planning issues and their relevance to our everyday lives.
- We shall describe and comment on the work and views of other professionals in a fair and professional manner.
- We shall share the results of experience and research that contribute to the body of planning knowledge.
- We shall examine the applicability of planning theories, methods, research and practice and standards to the facts and analysis of each particular situation and shall not accept the applicability of a customary solution without first establishing its appropriateness to the situation.
- We shall contribute time and resources to the professional development of students, interns, beginning professionals, and other colleagues.
- We shall increase the opportunities for members of underrepresented groups to become professional planners and help them advance in the profession.
- We shall continue to enhance our professional education and training.
- We shall systematically and critically analyze ethical issues in the practice of planning.