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- Cairncross & Hempelmann, P.S.
- Cascade Land Conservancy
- City of Seattle
- City of Shoreline
- Department of Community, Trade and Economic Development
- Department of Transportation
- Foster Pepper PLLC
- Futurewise
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- McCullough Hill, PS
- Michael Luis and Associates
- Office of the Attorney General
- Pacific Legal Foundation
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The Seventeenth Annual Two-Day Conference on Washington's

# Growth Management Act 2008

Recent and emerging regulatory, legal and business developments

## December 15 & 16, 2008

Seattle, Washington  
Renaissance Seattle Hotel

**Credits:** WA CLE 13.25 | WA Appr & WA RE pending | AICP CM pending (call about others)  
**Quick when/where:** 8:30 a.m., 515 Madison St.

### Growth Management Act 2008 Conference December 15 & 16, 2008 | Seattle, Washington Renaissance Seattle Hotel

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08GMAWA WS



**8:00 Registration and Continental Breakfast**  
**8:30 Introduction and Overview**  
**Jay P. Derr, Esq., Program Co-Chair**  
 GordonDerr LLP ~ Seattle, WA  
**Eric Laschever, Esq., Program Co-Chair**  
 Stoel Rives LLP ~ Seattle, WA

**8:45 Report on the REALITY CHECK (The Urban Land Institute's Design Charrette for Growth Management in the Region)**  
 How should we change the way we address urban development?  
**John Hempelmann, Esq., Moderator**  
 Cairncross & Hempelmann PS ~ Seattle, WA  
**Mary M. McCumber, Board Member**  
 Futurewise ~ Seattle, WA  
**Gregory K. Johnson, President**  
 Wright Runstad & Company ~ Seattle, WA

**9:30 Citizens' Alliance for Property Rights et al. v. Ron Sims et al.: Discussion of the Decision and Its Implications for Development Regulation**  
**Eric Laschever, Esq., Program CoChair**  
**Brian T. Hodges, Esq.**  
 Pacific Legal Foundation ~ Bellevue, WA  
**Darren Carnell, Esq., Senior Deputy**  
 King County Prosecutor's Office ~ Seattle, WA

**10:30 Break**

**10:45 Integrating GMA Critical Areas Obligations with SMA Updates in the Marine Shoreline Overlap**  
 Differences in objectives and marine shoreline buffer requirements; siting water-related and water-dependant uses; guidance we can get from the recent Supreme Court decision in the *Futurewise v. WWWGMHB*  
**Eric Laschever, Esq., Program Co-Chair, Moderator**  
**Thomas J. Young, Esq.**  
 Assistant Attorney General - Ecology Division  
 Office of the Attorney General ~ Olympia, WA  
**Eleanor S. Baxendale, Esq., Senior Assistant City Attorney**  
 City of Seattle ~ Seattle, WA

**11:45 Lunch (on your own)**

**1:00 Land Capacity Analysis: Evaluating How Much Land is Needed to Accommodate Growth**  
 What is required and how are jurisdictions meeting the requirement  
**Dan Cardwell, Senior Planner and Buildable Lands Coordinator**  
 Pierce County ~ Tacoma, WA  
 Implications for rural sprawl if land capacity analysis is incomplete or incorrect  
**Jack Petree, Esq., Partner**  
 Public Policy Perspectives ~ Bellingham, WA

**2:15 Wet Growth: Exploring the Intersection Between Growth Management Law and Water**  
 GMA obligations regarding water supply; overview of municipal water law litigation; implications for water planning in an era of increasingly limited and uncertain water supply  
**John B. Arum, Esq.**  
 Ziontz, Chestnut, Varnell, Berley & Slonim ~ Seattle, WA  
**Terese (T.C.) Neu Richmond, Esq.**  
**Tadas Kisielius, Esq.**  
 GordonDerr LLP ~ Seattle, WA

**3:15 Break**

**3:30 Tips for Practice Before the Growth Management Hearings Board**  
 Developers  
**G. Richard Hill, Esq.**  
 McCullough Hill, PS ~ Seattle, WA  
 Local Government  
**John R. Moffat, Esq., Supervising Attorney - Land Use Unit**  
 Snohomish County Prosecuting Attorney's Office ~ Everett, WA  
 Environmental groups  
**David S. Mann, Esq.**  
 Gendler & Mann ~ Seattle, WA

**5:00 Overview of Proposed Changes to GMA Regulations in Washington's Administrative Code**  
 Key changes under consideration in the review and update of CTED's administrative guidelines governing the Growth Management Act  
**David Andersen, AICP, Technical Assistance Manager**  
 Department of Community, Trade and Economic Development  
 Olympia, WA

**5:30 End of Day**



About the Conference

LAW SEMINARS INTERNATIONAL

We dedicate all of our efforts to producing high-quality professional education programs.

Our seminars provide an opportunity for lawyers to learn about their clients' businesses and for the clients to learn about the legal issues impacting their business.

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As the Growth Management Act steadily matures from legislative ambition to regulatory reality, legal, market and political demands continue to shape its implementation. Growing bodies of experience and case law under the GMA bring new insight to previous questions of land preservation and regulatory compliance.

On Day 1, our distinguished faculty will focus on the Urban Land Institute's ground breaking perspective on understanding and planning for growth, amended GMA regulations, the divided Supreme Court decision on GMA and Shoreline integration and its implication for planning, a focused discussion on growth and water issues, land capacity, the latest in GMA case law and practice tips before the Growth Management Hearings Boards.

Day 2 focuses on Transfer of Development Rights and their role in managing growth, commentary on a major study of growth regulations and affordable housing, developments along the rural/urban line, transportation planning and the political forces that will shape the GMA.

~ Program Co-Chairs: Jay P. Derr, Esq. and Eric Laschever, Esq.



- 8:00 Registration and Continental Breakfast**
- 8:30 Transferable Development Rights and Comprehensive Plan Updates**  
Using transfer and purchase of development rights to achieve GMA goals and objectives in comprehensive plan updates.  
**Michelle Connor, Senior Vice President - Policy**  
Cascade Land Conservancy ~ Seattle, WA
- 9:00 What's Happening at the Rural/Urban Interface**  
Overview of issues east and west of the mountains  
**Keith Scully, Esq.**  
Gendler & Mann LLP ~ Seattle, WA
- 9:30 GMA Regulations Effect on the Cost and Availability of Affordable Housing**  
Perspective on the University of Washington Economic Policy Research Center  
**Michael Luis, Public Policy Consultant**  
Michael Luis and Associates ~ Medina, WA  
Washington Chapter American Planning Association counterpoint  
**Michael Hubner, AICP, Buildable Lands and Land Use Manager**  
Suburban Cities Association ~ Tukwila, WA
- 10:30 Break**
- 10:45 Case Law Update**  
Point/counterpoint on selected GMA Cases  
**Alan D. Copsey, Esq., Assistant Attorney General**  
Office of the Attorney General ~ Olympia, WA  
**Andrew S. Lane, Esq.**  
Cairncross & Hempelmann, P.S. ~ Seattle, WA
- 11:45 Update on Early Efforts to Incorporate Climate Change Impacts into GMA Analysis**  
**J. Tayloe Washburn, Esq.**  
Foster Pepper PLLC ~ Seattle, WA
- 12:15 Lunch (on your own)**

- 1:30 GMA Reform**  
State GMA policy issues and potential for legislative reform  
**The Hon. Jay Rodne, Esq., (R), 5th Legislative District**  
House of Representatives ~ Olympia, WA  
Local government perspective  
**The Hon. Larry Phillips, Councilmember**  
King County Council ~ Seattle, WA  
Environmental community perspective  
**Robert Beattley, Esq., Legal Director**  
Futurewise ~ Seattle, WA
- 3:00 Break**
- 3:15 Transportation Planning Issues**  
State perspective  
**Brian Smith, AICP**  
Strategic Planning and Programming Director  
Department of Transportation ~ Olympia, WA  
Regional planning perspective: Vision 2040 and its Transportation Policies  
**Norman A. Abbott, Ph.D., AICP**  
Director of Growth Management Planning  
Puget Sound Regional Council ~ Seattle, WA  
Local government perspective  
**Joseph W. Tovar, FAICP, Planning Director**  
City of Shoreline ~ Shoreline, WA
- 4:30 Evaluations and Adjourn**

### Upcoming Seminars:

Impact Fees	October 22, 2008	Seattle, WA
Green Development	November 14, 2008	Charlotte, NC
Natural Resource Damages	November 20 & 21, 2008	Newark, NJ

See more at [www.lawseminars.com](http://www.lawseminars.com)



## Registration & Other Conference Information

### To Register:

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 Walk-ins are welcome, subject to space availability.  
 Registration is complete when we receive payment or agree to later payment.

**Tuition:** Regular tuition for this program is \$995 with a group rate of \$845 each for two or more registrants from the same firm. For government employees, we offer a special rate of \$695. For students and people in their job for less than a year, our rate is \$497.50. All rates include admission to all seminar sessions, food and beverages at breaks, and all course materials. Make checks payable to Law Seminars International.

**Substitution & Cancellation:** You may substitute another person at any time. We will refund tuition, less a \$50 cancellation fee, if we receive your cancellation by 5:00 p.m. on Tuesday, December 9, 2008. After

that time, we will credit your tuition toward attendance at another program or the purchase of a Homestudy. There is a \$25 cancellation fee for Course Materials orders and \$50 for Homestudy orders.

**Seminar Location:** The conference will be held at the Renaissance Seattle Hotel at 515 Madison St. in Seattle, WA 98104. A special negotiated rate of \$169/nt is available for online reservations only on a first come, first serve basis. Go to <http://marriott.seattle/hotels/travel/seasm-renaissance-seattle-hotel> to reserve. Use Corporate Code L64. If you have additional questions for the hotel, please contact them directly at (206) 583-0300.

**Continuing Education Credits:** This program qualifies for 13.25 WA CLE credits. WA Appraiser, WA Real Estate and AICP credits are pending. Upon request, we will apply for CLE credits in other states and other types of credits.

**If You Cannot Attend:** Our complete Homestudy Course, consisting of a DVD recording and the written course materials, is available for \$1005. The written course materials alone are available for \$100. We will ship your Homestudy order via UPS ground within two weeks after the seminar or the date we receive payment (whichever is later).

## Faculty: Growth Management Act 2008 Conference

**Jay P. Derr**, *Program Co-Chair*, managing partner at GordonDerr LLP, practices land use and environmental law, and is special land use counsel for cities and counties throughout Washington. He is named in *The Best Lawyers in America* and a "Super Lawyer".

**Eric Laschever**, *Program Co-Chair*, principal with Stoel Rives LLP in land use, environmental and hazardous waste law, focuses on compliance with GMA and helps secure project permits and approvals. He is named a "Super Lawyer".

**Norman A. Abbott, Ph.D., AICP**, Director of Growth Management Planning for Puget Sound Regional Council, manages the team responsible for the Council's Growth Management Program and is the agency's Environmental Officer.

**David Andersen, AICP**, Technical Assistance Manager, Community Trade and Economic Development's Growth Management Services office, oversees CTED's review of local planning.

**John B. Arum**, partner at Ziontz, Chestnut, Varnell, Berley & Slonim, focuses on federal Indian law, water law and environment and land use law.

**Eleanore S. Baxendale**, Senior Assistant City Attorney for the City of Seattle, focuses on land use matters, particularly environmentally critical areas, shoreline and First Amendment issues.

**Robert Beattey**, Legal Director at Futurewise, a public interest group, works to promote healthy communities and cities while protecting farmland, forests and shorelines.

**Dan Cardwell**, Senior Planner and Buildable Lands Coordinator for Pierce County focuses on monitoring development and analyzing residential and employment capacity in urban areas.

**Darren Carnell**, Senior Deputy, King County Prosecutor's Office, represents King County in land use litigation and is Chair of the Land Use Group in the Prosecutor's office.

**Michelle Connor**, Senior Vice President of Policy at the Cascade Land Conservancy, is responsible for implementing the Cascade

Agenda, a conservation program for the Central Cascade region.

**Alan Copsey**, Assistant Attorney General for Washington State Office of the Attorney General, represents the Growth Management Program in the Department of Community, Trade and Economic Development (CTED).

**John Hempelmann**, partner at Cairncross & Hempelmann PS, focuses on land use, natural resources and real estate development.

**G. Richard Hill**, founding principal of McCullough Hill, PS, practices land use, zoning and growth management law.

**Brian T. Hodges**, attorney at Pacific Legal Foundation, concentrates on property rights issues, land use, growth management, regulatory takings and eminent domain abuse.

**Michael Hubner, AICP**, Buildable Lands and Land Use Manager at Suburban Cities Association, coordinates local and countywide responses to the GMA.

**Gregory K. Johnson** is President of Wright Runstad & Company, one of the premier real estate development, investment and management companies in the Pacific Northwest.

**Tadas Kisielius**, counsel at GordonDerr LLP, focuses on land use and water resources. He is co-counsel for the Washington Water Utilities Council regarding the Municipal Water Law Case.

**Andrew S. Lane**, partner at Cairncross & Hempelmann, P.S., focuses on land use and environmental law, including advising cities, counties and Native American Tribes on the GMA.

**Michael Luis**, Public Policy Consultant of Michael Luis and Associates, focuses on public affairs, communications and civic leadership, including housing, land use and growth management matters.

**David S. Mann**, partner at Gendler & Mann, represents property owners, community groups and small businesses on land use, environmental and real property disputes.

**Mary M. McCumber**, Board Member at Futurewise, is a recog-

nized growth management and transportation leader in the Puget Sound.

**John R. Moffat**, Supervising Attorney of the Land Use Unit at Snohomish County Prosecuting Attorney's Office, focuses on land use issues.

**Jack Petree**, Partner at Public Policy Perspectives is a writer specializing in environmental and public policy issues.

**The Hon. Larry Phillips**, Councilmember on King County Council, focuses on natural resource issues including salmon protection, land use and open space.

**Terese (T.C.) Neu Richmond**, partner at GordonDerr LLP, focuses on environmental, land use and water law, emphasizing long-term quantity and quality of water.

**The Hon. Jay Rodne**, Representative of the 5th Legislative District for the Washington House of Representatives, is on the Insurance, Financial Services and Consumer Protection, Judiciary and Transportation committees.

**Keith Scully**, attorney with Gendler & Mann, focuses on environmental and land use matters. Previously he was legal director of Futurewise.

**Brian Smith, AICP**, Strategic Planning and Programming Director for the Washington State Department of Transportation, is responsible for the Washington Transportation Plan.

**Joseph W. Tovar, FAICP**, Planning Director for the City of Shoreline, was on the Growth Management Hearings Board and is President of the Washington Chapter of the American Planning Association.

**J. Tayloe Washburn**, member at Foster Pepper PLLC, focuses on land use, transportation and climate change issues.

**Thomas J. Young**, Assistant Attorney General, Ecology Division at the Washington State Office of the Attorney General, is lead attorney for Ecology's Shorelands and Environmental Assistance Program.

**December 15 & 16, 2008**

Seattle, Washington

**Renaissance Seattle Hotel**

515 Madison St.  
(206) 583-0300

### Who Should Attend:

*Attorneys, real estate professionals, city and county officials, planning consultants, and anyone else involved in managing growth and development in Washington.*

### You Will Learn About:

- *Urban Land Institute's REALITY CHECK*
- *GMA case law update and implication's for development*
- *SMA/GMA integration*
- *Land capacity analysis*
- *CTED's administrative guidelines*
- *Using development rights to achieve GMA goals*
- *Rural/Urban interface: East and West of mountains*
- *Affordable housing*
- *Incorporating climate change impacts*
- *Legislative reform*
- *Rural sprawl*
- *GMA and water*
- *Tips for practice before the Boards*
- *Transportation issues*

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