

Featuring Speakers From:

- Association of Washington Cities
- Attorney at Law & Government Affairs
- Futurewise
- Johns Monroe Mitsunaga Kolouskova PLLC
- King County Office of Performance, Strategy, and Budget
- King County Prosecuting Attorney's Office
- Kitsap County Prosecuting Attorney's Office
- Mary J Urback PLLC
- Miller Nash Graham & Dunn LLP
- Perkins Coie LLP
- Snohomish County
- Spokane County Division of Utilities
- Squaxin Island Tribe
- Tulalip Tribes
- Van Ness Feldman LLP
- Washington State Attorney General's Office
- Washington Department of Commerce
- Washington State Department of Commerce
- Washington State Department of Ecology
- WEST Consultants Inc.

The 25th Annual Comprehensive Conference on Washington's

Growth Management Act

Current topics of heightened interest including changes coming out of the 2017 Legislature

November 16 & 17, 2017

Seattle, Washington

Washington State Convention Center

Live webcast and replays available!

Credits: 12.75 (Incl. 1 Ethics) WA CLE | 12.75 AICP CM (call about others)
Quick when/where: 8:30 a.m., 800 Convention Place

Growth Management Act Conference
 November 16 & 17, 2017 | Seattle, Washington
 Washington State Convention Center

Yes! Please register me:

Name: _____

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What type of credits do you need? _____

For which state(s)? _____

Register my colleague:

Name: _____

Email: _____

What type of credits do you need? _____

For which state(s)? _____

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If you cannot attend in person, check boxes to order:

- Live Homestudy Webcast Homestudy Replay Course Materials



8:30 Introduction & Overview
Tadas A. Kisielius, Esq., Program Co-Chair
Van Ness Feldman LLP ~ Seattle, WA

Duana T. Kolouskova, Esq., Program Co-Chair
Johns Monroe Mitsunaga Kolouskova PLLC ~ Bellevue, WA

8:45 **Buildable Lands, In-Fill and Transit Oriented Development, and Affordable Housing: Impact of the 2017 Legislation**
Overview of the legislation; how it fits into existing planning mechanisms; plans for development of guidance to implement SB 5254
Valerie Smith, AICP, Sr. Planner, Growth Management Services
Washington State Department of Commerce ~ Olympia, WA

Current demographic trends in the Puget Sound region; existing planning efforts such as the Puget Sound Regional Council's VISION 2040 project
Stephen Toy, Principal Demographer
Snohomish County ~ Everett, WA

10:00 Break

10:15 **Buildable Lands (cont'd)**
SB 5254's implications, as a seemingly procedural change to the GMA, for long-range planning and project approval: Problems the bill was intended to address and the path to the solution the legislature eventually adopted
Carl Schroeder, Government Relations Advocate
Association of Washington Cities ~ Olympia, WA

Local government perspective: Will the legislation fix problems or just muddle things up?
Karen Wolf, FAICP, Senior Policy Analyst
King County Office of Performance, Strategy, and Budget
Seattle, WA

11:45 **HB 2243: Relaxing GMA Restrictions on School Siting in Rural Areas**
The back story including the history of the GMHB appeals that precipitated its adoption; what it means for counties and schools
Mary J. Urback, Esq.
Mary J Urback PLLC ~ Edgewood, WA

12:15 Lunch (on your own)

1:30 **Water for New Rural Development after Hirst: What's Next for Moving Forward?**
County and landowner strategies for addressing the requirement that counties comply with the GMA and decide whether enough water is available for existing users before approving a project that needs a new well

Scott Kuhta, AICP, Moderator
Sr. Planner, Growth Management Services
Washington State Department of Commerce ~ Olympia, WA

Post-mortem on the legislative session; state approach for assessing the impact of new wells on aquifer sustainability and stream flows; Ecology's efforts to help counties implement Hirst

Dave Christensen, Section Manager, Water Resources Program
Washington State Department of Ecology ~ Olympia, WA

Tribal perspective on importance of protection of instream flows from rural development
Sharon I. Haensly, Esq., Attorney
Squaxin Island Tribe ~ Shelton, WA

Opportunities and challenges for mitigation on the programmatic level and on the property level
Bill Clarke, Esq.
Attorney at Law & Government Affairs ~ Olympia, WA

Case study: Spokane County's Comprehensive Regulatory Approach
Mike Hermanson, Water Resources Manager
Spokane County Division of Utilities ~ Spokane, WA

3:30 Break

3:45 **Development of Low Lying Areas: Rivers, Shorelines and Flood Planning**
Recent FEMA Flood Hazard Map updates and how local governments are implementing them
Henry Hu, Ph.D., PE, Vice-President
WEST Consultants Inc. ~ Bellevue, WA

Appeals of maps, how vesting ties in and implications for development strategies
Molly A. Lawrence, Esq.
Van Ness Feldman LLP ~ Seattle, WA

5:00 Adjourn Day 1



About the Conference

LAW SEMINARS INTERNATIONAL

What previous attendees have said:

"The range of speakers was really good. Presentations started and ended on time. Much appreciated."

"Overall, this was an extremely well-planned & interesting CLE. It was one of the best I've attended. Thank you!"

"It is well worth the time each year. Great job!"

The 2017 legislature passed major GMA-related legislation. We'll start this year's conference with a detailed look at the legislation and agency implementation plans. The legislature considered, but did not pass, "Hirst fix" legislation. We'll explore the approaches counties are taking for compliance with the Hirst decision and the options available to landowners.

Each year, we design this program to address current topics of heightened interest. There are new developments in Flood Plain Regulation and shoreline plan updating. We'll have a discussion of the Public Trust Doctrine and how it applies to shoreline regulations and development projects that interfere with public use of waters of the state. We'll also discuss local government obligations under the GMA to address low probability - high consequence events like landslides and tsunamis.

Our speakers are recognized experts in their fields and will offer a wide range of perspectives. We invite you to attend this conference to hear insights from them on priority topics of the moment and perspectives on what lies ahead.

~ Program Co-Chair: Tadas A. Kisielius, Esq. of Van Ness Feldman LLP and Duana T. Kolouskova, Esq. of Johns Monroe Mitsunaga Kolouskova PLLC



8:30 Shoreline Master Program Periodic Reviews

How Ecology has changed what needs to be done after the first round of updates; summary and implications of revisions to Ecology's rules that will govern periodic reviews

Tim Gates, Shoreline Master Program Policy Lead
Washington State Department of Ecology ~ Olympia, WA

9:00 The Public Trust Doctrine

Overview: Tracing the origins of the Public Trust Doctrine and its presence in Washington law

Joseph V. Panesko, Esq., Senior Counsel
Washington State Attorney General's Office ~ Olympia, WA

Chelan Basin Conservancy vs. GBI Holding Co: Overview of the case, implications of the Supreme Court's decision and potential outcomes of the remand to the trial court

Markham A. Quehrn, Esq.
Perkins Coie LLP ~ Bellevue, WA

10:15 Break

10:30 Preparing for the "Big One": Does GMA's Mandate to Designate Geologically Hazardous Areas Require Cities and Counties to Protect Against Low Probability, but High Consequence Events?

An examination of potential land use and planning considerations communities may face with regards to earthquake and tsunami recovery based on "Big Ones" in New Zealand and Japan

John Schelling, Emergency Management & Safety Administrator
Washington Department of Commerce ~ Olympia, WA

Perspectives on how to strike the "right" balance for regulations governing geologically hazardous areas

Tim Trohimovich, Esq., Director, Planning & Law
Futurewise ~ Seattle, WA

Developer perspective

Diane M. Meyers, Esq.
Miller Nash Graham & Dunn LLP ~ Seattle, WA

Local government perspective

Lisa Nickel, Esq., Senior Deputy Prosecuting Attorney
Kitsap County Prosecuting Attorney's Office ~ Port Orchard, WA

12:00 Lunch (on your own)

1:15 The Expanding Influence of Tribal Nations in Project Permitting

The importance and methods of soliciting Tribal engagement during project review, whether under the ESA, Section 106 or SEPA; key cases involving Tribal opposition to projects; opportunities to find creative solutions to Tribal concerns

Anthony J. Jones, Esq., Attorney
Tulalip Tribes ~ Tulalip, WA

2:00 Ethical Issues

Special issues to consider when involved with litigation involving government agencies

Karen A. Pool Norby, Esq.,
Senior Deputy Prosecuting Attorney
King County Prosecuting Attorney's Office ~ Seattle, WA

3:00 Evaluations and Adjourn

Related Seminars & Webcast Replays:

Landslides in Washington	March 2-3, 2017	Seattle, WA
Public Records-Open Meetings	March 31, 2017	Seattle, WA
Clean Water and Stormwater	June 22-23, 2017	Seattle, WA
Water Law in Washington	July 25-26, 2017	Seattle, WA
Model Toxics Control Act	September 28, 2017	Seattle, WA
Tribal NRD Assessments	December 4, 2017	Seattle, WA
Commercial Real Estate Leases	December 11-12, 2017	Seattle, WA

See more at www.lawseminars.com



Registration & Other Conference Information

To Register:

Call us at: 206-567-4490

Fax the registration form to us at:
206-567-5058

Email us at:
registrar@lawseminars.com

Online: www.lawseminars.com

Mail the registration form on the front page.

Walk-ins are welcome, subject to space availability.

Registration is complete when we receive payment or agree to later payment.

Tuition: Regular tuition for in person or webcast attendance for this program is \$895 with a group rate of \$670 each for two or more registrants from the same firm. For government employees, we offer a special rate of \$595. For students, people in their job for less than a year and public interest NGO's, our rate is \$447.50. All rates include admission to all seminar sessions, food and beverages at breaks, and all course materials. Materials will be available for download and review a few days before the seminar. Make checks payable to Law Seminars International. Financial aid is available to those who qualify. Contact our office for more information.

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 Friday, November 10, 2017. After that time, we will credit your tuition toward attendance at another program or the purchase of a webcast or audio replay.

Seminar Location: The conference will be held at the Washington State Convention Center at 800 Convention Place in Seattle, WA 98101.

Continuing Education Credits:

Live credits: This program qualifies for 12.75 (Incl. 1 Ethics) Washington MCLE credits and 12.75 AICP CM credits. Upon request, we will apply for, or help you apply for, CLE credits in other states and other types of credits.

Time Shift Your Content:

Webcast and audio replays, with course materials, are available for \$895. The course materials alone are available for \$100. Replays will be available within three business days after the seminar or from the date we receive payment.

Faculty: Growth Management Act Conference

Tadas A. Kisielius, Program Co-Chair, is a partner at Van Ness Feldman LLP. He helps private clients and public port districts secure and defend state and federal environmental permits and local land use approvals for development projects, including complex marine terminal development projects.

Duana T. Kolouskova, Program Co-Chair, is a named partner at Johns Monroe Mitsunaga Kolouskova PLLC. She represents clients in all stages of land development. Before she entered private practice, she was a Deputy Prosecuting Attorney for Snohomish County.

Scott Kuhta, AICP, Moderator, is a Senior Planner, Growth Management Services, at the Department of Commerce. He provides general planning technical assistance to counties and cities in central Washington State with a technical focus on water resource policy.

Dave Christensen is the Section Manager for the Washington State Department of Ecology Water Resources Program. He leads a team that develops State rules and policies, evaluates legislative proposals, and collaborates with water resources interests to address current conflicts and challenges.

Bill Clarke, Attorney at Law & Government Affairs, represents clients in the legislature, before state agencies and local governments, and in environmental and land use permitting and appeals. He is a former Chair of the Pollution Control Hearings Board and Shorelines Hearings Board.

Tim Gates is the Shoreline Master Program Policy Lead for the Washington State Department of Ecology. He has 27 years of experience in shoreline and growth management planning.

Sharon I. Haensly is an attorney for the Squaxin Island Tribe. Prior to representing Squaxin Island, she was an attorney for the U.S. EPA, Swinomish Indian Tribal Community, and several Seattle law firms that represent Indian tribes.

Mike Hermanson is the Water Resources Manager in the Spokane County Environmental Services Department. He has been part of the

team developing and implementing Spokane County's interim ordinance to address the Hirst Decision.

Henry Hu, Ph.D., PE, is Vice-President at WEST Consultants Inc. He has been involved in the Corps Water Management System (CWMS) implementation for basin-wide real-time flow forecasting to seven basins across the nation.

Anthony J. Jones is an Attorney with the Tulalip Tribes of Washington. Advises and represents the Tribes and their agencies, departments and corporate and governmental entities in diverse areas including trial, appellate and administrative proceedings.

Molly A. Lawrence, partner at Van Ness Feldman LLP, focuses on assisting clients in developing comprehensive permitting strategies and counseling them through the regulatory process. She is listed in Best Lawyers in America and is a Washington Super Lawyer.

Diane M. Meyers is a natural resources and environmental partner at Miller Nash Graham & Dunn LLP. She currently represents Grandy Lake Forest Associates on litigation related to the 2014 Oso Landslide. She has been selected by the *Puget Sound Business Journal* as one of its 2015 top 40 business leaders under the age of 40.

Lisa Nickel is a Senior Deputy Prosecutor in the Civil Division of the Kitsap County Prosecuting Attorney's Office. She advises and defends the Commissioners, the Department of Community Development and the Public Works Department on issues involving environmental, land use and municipal laws.

Joseph V. Panesko serves as Senior Counsel in the State of Washington Office of the Attorney General and currently represents the Department of Fish and Wildlife. He also works on emergency preparedness and response issues.

Karen A. Pool Norby is a Senior Deputy of King County Prosecuting Attorney's Office. She has extensive litigation experience in federal and state courts, including managing complex class actions.

Markham A. Quehrn is a partner with Perkins Coie LLP and

focuses his practice on energy, water resources and commercial development. He represents clients before the FERC and numerous other federal, state and local regulatory agencies.

John Schelling is the Emergency Management & Safety Administrator for the Washington State Department of Commerce. He is responsible for coordinating the agency's disaster preparedness, mitigation, response, and recovery efforts with federal, state, tribal and local partners.

Carl Schroeder is a Government Relations Advocate for the Association of Washington Cities. He has been on the policy staff of the House Democratic Caucus where he focused on environmental, housing and land use issues.

Valerie Smith, AICP, is a Senior Planner, Growth Management Services, at the Washington State Department of Commerce. She currently serves as Secretary for the Infrastructure Assistance Coordinating Council (IACC).

Stephen Toy is the Principal Demographer for Snohomish County Planning and Development Services where he has headed up development of growth forecasts, land capacity and growth monitoring information under the Growth Management Act.

Tim Trohimovich is the Director of Planning & Law for Futurewise. He focuses on land use and environmental policy studies, education, technical assistance, policy advocacy and land use and environmental law. He co-wrote a chapter for the book *Planning the Pacific Northwest* published in 2015 by the American Planning Association.

Mary J. Urback, Mary J Urback PLLC, represents school districts in land use and real estate matters in Pierce and Kitsap Counties. She was lead counsel on the GMA challenges to the Pierce County Comprehensive Plan. She also represented Pierce County School Districts in their successful effort to obtain legislation to amend the GMA.

Karen Wolf, FAICP, is a Senior Policy Analyst in the King County Office of Performance, Strategy and Budget. She also serves as a member of the Puget Sound Regional Council's Regional Staff Committee.

November 16 & 17, 2017

Seattle, Washington

Washington State Convention Center

800 Convention Place
(206) 694-5000

Who Should Attend:

Attorneys, planners, real estate and environmental professionals; Tribal, city and county officials, and anyone else involved in managing growth and development in Washington

Our Co-Chairs:



Tadas Kisielius, Esq.
Van Ness Feldman LLP



Duana T. Kolouskova, Esq.
Johns Monroe Mitsunaga
Kolouskova, PLLC

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