



*The 30th Annual Comprehensive Conference on Washington's*

# Growth Management Act

*Current topics of heightened interest including the  
most significant GMA reforms in over two decades*

**November 16 & 17, 2023**

Live via Interactive Online Broadcast

## *Agenda—Day 1*

**9:00 Introduction & Overview**

**Jessica M. Clawson, Esq.**, *Program Co-Chair*  
McCullough Hill Leary ~ Seattle, WA

**Kim Adams Pratt, Esq.**, *Program Co-Chair*  
Madrona Law Group ~ Bellevue, WA

**9:15 Legislative Update: The Most Significant GMA Reforms in Over Two Decades**

Perspectives on bills that passed, including HB 1181, SB 5457, SSB 5374, & HB 1544, ones that failed, and the related political dynamics; what to expect for legislative activity during the 2024 session

**Carol V. Helland, Esq.**,  
*Director, Planning and Community Development*  
City of Redmond ~ Redmond, WA

**Bryce Yadon, Principal**  
Bryce Yadon Consulting ~ Seattle, WA

**Ian S. Morrison, Esq.**  
McCullough Hill Leary ~ Seattle, WA

**11:00 Break**

**11:15 "GMA 2.0" Comprehensive Plan and Development Regulations Revisions Coming Out of the 2023 Legislature: What will Local Governments Need to Address?**

Mandates for local governments to change both plans and development regulations (the why): New sections and existing ones needing updating to reflect statutory changes (the how)

**Joseph Tovar, FAICP, MUP**,  
*Affiliate Professor, College of Built Environments*  
University of Washington ~ Seattle, WA

**12:15 Lunch Break**

**1:15 Complying with Legal Requirements for Sovereign-to-Sovereign Tribal Consultation During Comprehensive Plan Development and When Treaty Rights Create Tribal Interests in Off-Reservation Development and Project Review Processes**

Tribes as entities exempt from GMA planning requirements and therefore organizationally structured for project review rather than plan development; importance of understanding each Tribes Treaty Rights; tips for ensuring effective Tribal participation

**Chloe Thompson Villagomez, Esq.**  
Foster Garvey ~ Seattle, WA

**1:45 The Creation and Evolution of GMA Over Time: The Citizens' Initiative and Other Issues that Led to Passage of the GMA; Fine Tuning and Major Reshaping as the Legislature Dealt with New Issues and Shifting Political Dynamics**

The likelihood of a return to the wild west in the courts for resolving conflicts over exempt projects: Have we come full circle? Has it all been worth it?

**John C. (Jack) McCullough, Esq.**  
McCullough Hill Leary ~ Seattle, WA

**2:15 Implementation: Progress to Date for Updating the State's Growth Policy Framework and To Do Items on the Lead Agency's Agenda**

Update on actions to facilitate GMA-related state agency activities and services, including grant programs, to local governments in their planning and implementation initiatives

**David Andersen, AICP,**  
*Managing Director, Growth Management Services*  
Washington State Department of Commerce  
Spokane, WA

**3:00 Break**

**3:15 The New Relationship Between GMA and SEPA**

New exclusions and size limits for exemptions: To what extent has SEPA been taken out of the picture?

**Cristina Haworth, Project Manager**  
SCJ Alliance ~ Seattle, WA  
**Patrick J. Schneider, Esq.**  
Foster Garvey ~ Seattle, WA

**4:15 Legislative Carveout for Infrastructure to Help Achieve Ambitious Affordable Housing and Climate Resiliency Goals: The Interplay with Concurrency Requirements**

The need to upgrade critical infrastructure, such as sewers, and develop effective transportation plans when local governments lack sufficient financial resources: Practical and legal perspectives on compliance with concurrency requirements

**Stephen Horenstein, Esq.**  
Schwabe, Williamson & Wyatt ~ Vancouver, WA

**5:00 Adjourn Day 1**

*Agenda—Day 2*

**9:00 Approaches for Affordable Housing**

Current plans and actions for addressing the housing problem: Exemptions from SEPA for projects with affordable housing components; "Middle Housing" programs vs other approaches; action plan development at the local, regional, and state levels

**Jessica M. Clawson, Esq., Program Co-Chair, Moderator**  
**Tim Trohimovich, Esq., Director, Planning & Law**  
Futurewise ~ Seattle, WA  
**David VanSike, SDCI Policy and Technical Planner**  
City of Seattle ~ Seattle, WA  
**Joshua Friedmann, Esq.**  
Hillis Clark Martin & Peterson ~ Seattle, WA

**10:30 Break**

### 10:45 Climate Resiliency: Now a Planning Requirement

Tips for selecting the implementation approach that best suits the planning entity's circumstances; interplay between GMA and climate law

**Kim Adams Pratt, Esq.**, *Program Co-Chair, Moderator*

Climate action land use policy priorities

**Michael Burnham, MS, MURP**, *Resilience Lead*

Washington State Department of Commerce ~ Olympia, WA

Implementing Greenhouse Gas Emissions and VMT Reduction

**Alon Bassok, Ph.D.**, *Sr. Land Use & Transportation Planner*

Washington State Department of Transportation ~ Olympia, WA

### 12:00 Lunch Break

### 1:00 Economic Development and Growth in Rural Areas: The Challenge for Cities Running Out of Room to Grow

Urban Growth Area expansion: Perspectives on the processes and issues

**The Hon. Katherine Ross**, *Mayor*

City of Snoqualmie ~ Snoqualmie, WA

**Paul Inghram, FAICP**, *Director of Growth Management*

Puget Sound Regional Council ~ Seattle, WA

### 2:00 Ethical Issues for Land Use Practitioners

Special issues arising in practice before administrative regulatory bodies

**Gary N. McLean, Esq.**, *President*

Hearing Examiners Association of Washington

Des Moines, WA

### 3:00 Evaluations & Adjourn

### *Who Should Attend*

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

### *About the Conference*

The 2023 Legislature passed the most significant GMA reforms in over two decades. We start the program by reviewing the bills that passed and analyzing what the ones that failed reveal about the political dynamics for land use and growth management issues. The new legislation also changed the relationship between GMA and SEPA with new exemptions and exclusions making SEPA seemingly less relevant. We will look at the extent to which the changes take SEPA out of the picture. We'll also look at whether the changes take us back to the wild, wild west of battles in the courts over projects. Following that foundation, you'll hear from the Department of Commerce, as the lead implementation agency, regarding GMA-related state agency activities including grant programs.

We are pleased to have Joe Tovar return to the program to discuss the issues that local governments will need to address in their comprehensive plan revisions, and we'll look at what local governments need to do during the plan development process to comply with Tribal consultation requirements. Two big areas of legislative change for comprehensive plan requirements are affordable housing and consideration of climate resiliency. We will take a deep dive into implementation issues in both of those areas.

The 2023 legislation included carveouts for infrastructure to help achieve affordable housing and climate resiliency goals, but local governments still need to find ways to comply with concurrency requirements. Particularly with respect to affordable housing, we'll look at processes for expanding Urban Growth Areas for cities running out of room to grow.

We'll wrap up with ethical issues for land use practitioners so land use attorneys can fulfill their ethics credits requirements in a meaningful way.

We hope you will join us for what promises to be an interesting and informative two days. Register now to reserve your virtual seat!

~ **Jessica M. Clawson, Esq.** of McCullough Hill Leary and  
**Kim Adams Pratt, Esq.** of Madrona Law Group, Program Co-Chairs

### *Registration & Other Conference Information*

**Tuition:** Regular tuition for this program is \$995 with a group rate of \$895 each for two or more registrants from the same firm. For government employees, we offer a special rate of \$745. For Tribal Members, public interest NGO's, students, and people in their job for less than a year, our rate is \$497.50. All rates include admission to all program sessions and course materials.

Make checks payable to Law Seminars International.

As a value-added bonus, you will receive access to audio and video recordings of the program at no extra charge.

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 9, 2023. After that time, we will credit your tuition toward attendance at another program or the purchase of an audio or video replay.

**Continuing Education Credit:** Live credits: This program qualifies for 11:00 (1 Ethics included) Washington MCLE, 11.0 ABCEP environmental professional, and 11.0 AICP land use planner credits. Upon request, we will help you apply for CLE credits in other states and other types of credits.

**Time Shift Your Content:** Audio and video replay files, with course materials, are available for download or on a flash drive at the same price as live attendance. Files are available for downloading five business days after the program or from the date we receive payment. Flashdrive orders are sent via First Class mail within seven business days after the program or from the date we receive payment. The course materials alone are available for \$100.

### *Faculty*

**Jessica M. Clawson, Program Co-Chair,** is a partner at McCullough Hill Leary. She works with private developers on land use and permitting issues throughout the state of Washington, with a specific focus on complex projects within complicated urban jurisdictions.

**Kim Adams Pratt, Program Co-Chair,** is the founder of Madrona Law Group and focuses on municipal, land use, and real estate law. She has extensive experience with the Growth Management Act, Shoreline Management Act, and the State Environmental Policy Act, and partners with mayors, city staff and city councils to draft ordinances that are compliant with these statutes and represent the city's desired policy.

**David Andersen** is the Managing Director for Growth Management Services at the Washington State Department of Commerce. He leads a team of professionals responsible for implementation of the state GMA, and for collaborating with the Puget Sound Partnership, Department of Ecology, local regional councils, and others. He also provides advice on the state's role in the GMA and the role of local planning in implementing state policy priorities to executive and legislative leadership.

**Alon Bassok, Ph.D.,** is a Senior Land Use & Transportation Planner at the Washington State Department of Transportation. He formerly was an Affiliate Assistant Professor in the Master of Sustainable Transportation program at the University of Washington and a Research Scientist at the Washington State Transportation Center (TRAC).

**Michael Burnham, AICP,** is the Climate Resilience Lead for the Washington State Department of Commerce. He is developing a model climate element for Washington jurisdictions' comprehensive plans. The model element -- which will include adaptation strategies to help cities and counties prepare for, respond to, and recover from floods, droughts, storms, and other hazards exacerbated by climate change -- also will include mitigation measures to reduce greenhouse gas emissions.

**Erin E. Ferguson** is an Environmental Planner at Parametrix. She previously served as a land use attorney for the City of Seattle.

**Joshua Friedmann,** Hillis Clark Martin & Peterson, supports a range of public-private and mixed-use and public-private developments, conservation transactions and other projects with external-facing concerns. He helps clients comply with local permitting processes as well as Washington's State Environmental Policy Act (SEPA), Shoreline Management Act (SMA), Growth Management Act (GMA) and other statutes.

**Cristina Haworth** is a Project Manager for the SCJ Alliance and has worked on complex integrated planning and zoning initiatives at citywide, subarea, district, and neighborhood scales. She previously worked as a Senior Planner and Project Manager at Otak and served as a planner for the Fairbanks North Star Borough.

**Carol V. Helland** is the Director of Planning and Community Development at the City of Redmond. The department is responsible for four primary lines of business that include Citywide planning, strategic implementation, permitting and inspection, and human services. She formerly worked as Policy Director and SEPA Responsible Official at the City of Bellevue.

**Stephen Horenstein** is a shareholder at Schwabe, Williamson & Wyatt. He has represented a variety of clients, including commercial real estate developers, public sector entities, and Tribal entities, in some of southwest Washington's most complex and challenging projects. He also has extensive experience in government relations, public policy, and advocacy having drafted and advocated for the passage of legislation in areas including economic development, transportation, and land use planning.

**Paul Inghram** is the Director of Growth Management for the Puget Sound Regional Council. A member of the College of Fellows of the American Institute of Certified Planners, he provides inter-jurisdictional coordination and regional planning for the 86 jurisdictions, nine Tribes, and ports and special districts of the Seattle metro region and MPO.

**John (Jack) C. McCullough**, McCullough Hill Leary, concentrates on land use law and real estate financing and development. He has experience in the Growth Management Act, zoning, shoreline regulations, environmental compliance, and wetland regulation.

**Gary N. McLean** is President of the Hearing Examiners Association of Washington.

**Ian S. Morrison** is a partner at McCullough Hill Leary. He focuses on land use entitlements with an emphasis on working in Puget Sound jurisdictions. Prior to joining McCullough Hill Leary, he worked for Governor Gregoire as a liaison to local government, civic and businesses throughout the Puget Sound. Ian uses his policy background to help clients navigate political issues arising in the land use process.

**The Hon. Katherine Ross** became Mayor of the City of Snoqualmie after serving for five years on the City Council. As Mayor, she her prioritis to ensure a fiscally sustainable budget, protect the quality levels of service, provide a friendly economic environment for our businesses, and facilitate affordable housing.

**Patrick J. Schneider** is a partner at Foster Garvey. He advises developers on land use entitlement and litigation strategies. He previously served as lead land use attorney for the City of Seattle and a senior land use attorney for King County.

**Joseph Tovar** has been an Affiliate Associate Professor, College of Built Environments at the University of Washington since 2001. In 2020, he began working in the College's Northwest Center for Livable Communities as the project manager for "Updating Washington's Growth Policy Framework." He has served as the planning director for the cities of Kirkland, Covington, Shoreline, and Bainbridge Island and was a member of the Washington State Growth Management Hearings Board.

**Tim Trohimovich** is Director of Planning & Law at 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.

**David VanSlike** is SDCI Policy and Technical Planner for the City of Seattle.

**Chloe Thompson Villagomez** is a principal at Foster Garvey and focuses her practice on advising Native American Tribes and Tribal entities. Prior to joining Foster Garvey, she served as the Tribal Attorney for the Snoqualmie Indian Tribe, Associate General Counsel for Port Madison Enterprises (an agency of the Suquamish Tribe) and in private practice with a boutique Indian law firm in the Minneapolis area.

**Bryce Yadon**, Bryce Yadon Consulting, been involved and working in local, state and federal politics for the past decade. He currently serves as the State Policy Director at Futurewise and handles all of its state lobbying of the Legislature, Executive Branch, and State Agencies.