

# Utah Planner

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## Presidents Message

By Chuck Klingenstein, AICP  
*Utah APA Chapter President*

As I am writing this, our conference committee is busy putting the finishing touches on our Fall 2002 Conference at Deer Valley which begins on Thursday night. My thanks to all involved led by Melissa Anderson (Salt Lake City Planning).

I am excited by two current activities. One is led by recently retired (next stage of life is a better phrase) Pat Comerall (Comerall Consulting) and the other by Ken Sizemore (Five County AOG). Pat was kind enough to get re-involved in the Chapter by helping the executive committee organize its past activities and documents plus organize a visioning effort. You all will have participated in this exercise at the fall conference but I have had the benefit of some pre-conference information from Pat (and yes, the names have been withheld from me to protect the innocent). I am looking forward to seeing the visioning results. As an organization, we are only as good as those who chose to volunteer. Our budget does not allow for the luxury of an executive director, therefore it is important to have volunteers to help the Legal Committee (Neil Lindberg), Legislative Committee (Wilf Sommerkorn), Program Committee (Kirsten Whetstone), Planning Official Development Committee (Bill Peperone), Professional Development Committee (Jon Nepstad), Awards Committee (Brian Maxfield), Education Committee (Gene Carr), Professional Affiliations Committee (Jay Aguiar), Small Cities/Rural Areas Committee (Nicole Cline), the Newsletter (Grant Crowell & Angelo Calacino), Student Representative Committee (Frank Lilly) and the website (Aric Jensen). Others include the President (me), Vice President (Melissa Anderson), Secretary (Sherrie Christensen) and Treasurer (Soren Simonsen). So we are looking forward to the visioning exercise led by Pat. Because of her volunteer commitment of time, the Utah Chapter will have a more clearly defined course of action.

Secondly, Ken Sizemore has been actively building up a renewed sense of support for the Spring Conference. He has sent me the following preliminary information:

DATE: March 2003 (to be finalized once we determine other conferences – APA National, Utah League of Cities & Towns, Rocky Mountain Land Use, etc.)

LOCATION: St. George City Opera House/Art Museum/Social Hall Complex

COMMITTEE: Ken Sizemore, Bob Nichol森, Jim McGuire, Curt Hutchings, Reed Erickson, and other AOG planners

I will be meeting with all of the AOG leadership on October 23<sup>rd</sup> to solidify their backing for the spring conference. As Ken discussed in his email to me (and I quote):

"Many professional planners I have conversed with have enjoyed the spring conference for a number of reasons: First, it provides an opportunity to get away from the office, but stay inside the state for valuable training and networking. Second, it gets people down to the sunshine after a long winter season. Third, it has provided an opportunity to recap the legislative session results. Finally, it is one of the few opportunities rural-based planners have to get to an APA function".

I too have heard similar remarks and I have been pleased with the amount of interest expressed by many throughout the state. Often, we do not realize how important something is to us until we may lose it. The last two spring conferences have been nail bitters for us and particularly me. I am charged (along with the executive committee) with the ultimate responsibility for the integrity, value and financial well being of our organization. Both of the last two conferences went down to the wire in terms of number of people attending. I would like to credit last minute marketing efforts through the list serve and my email database for pulling our numbers out of the basement on both



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conferences. I would like to thank Ken for his hard work on keeping this issue on the front burner and enlisting the support of the AOGs. I do believe this is an important conference to the Chapter, its membership and other folks involved in planning and that it should continue. I am hoping that with the active involvement by the AOGs, we will be able to expand the conference and focus its mission.

## **WASATCH FRONT REGIONAL COUNCIL EMBARKS ON OPEN SPACE PLANNING PROJECT**

The Wasatch Front Regional Council (WFRC), with the cooperation of the local governments, is embarking on a landmark project to help plan the open space future of the region, in hopes of preserving valuable open lands before growth forecloses on this option. Known as the Wasatch Front Regional Open Space Plan Study, the project is unique and ambitious, based simply on the sheer size of the project area. It encompasses almost 10,000 square miles, roughly a land area the size of the State of Maryland, includes five counties (Salt Lake, Davis, Weber, Tooele, and Morgan Counties), 53 cities, and contains 64 percent (about 1.4 million) of Utah's population.

The potential impact of the Regional Open Space Plan Study, which is being financially supported by the state's Quality Growth Commission, and Envision Utah, is significant. The plan, if adopted by the communities in the region, will enable the development of a cohesive and interconnected open space system that preserves and connects critical open lands in the region as a whole for the benefit of both people and wildlife.

"Open space planning is usually done on a local level (cities and counties)," said Davis County Commissioner Carol Page, chairperson of the WFRC's Regional Growth Committee. "We're stepping back and taking a broader look – to discover the patterns, to see what we have, to capture important linkages. We hope to establish connectivity rather than just separate pieces of open space. We're also concerned with rapid growth and the rapid diminishment of open lands. We need to identify regionally significant lands and preserve them."

An obvious focus of Regional Open Space Plan Study is the open land located on the "urban fringes" – spaces that are not yet developed but will be completely built out in a relatively short time, unless careful planning and proactive implementation activities occur. Public input is also an important part of the planning process.

"We need to know what concerns and values Wasatch Front residents have relative to open space," said Aric Jensen, chairman of WFRC's Open Space Sub-committee. "Whether its shorelands, mountain benches, farmland, or stream corridors, we need to know which areas people value and don't want to see paved or built on. We hope to get a large amount of public participation at workshops coming up this fall."

Residents are encouraged to attend countywide workshops to help establish priorities and desired levels of conservation. The workshops, to be held on October 10 (Morgan), 22 (Tooele), 23 (Weber), 29 (Davis), and November 7 (Salt Lake) in each of the five counties, will incorporate a dynamic, hands-on process enabling residents to work together to create a conceptual design for the Wasatch Front's regional open space system. It is hoped that residents will become highly involved, encouraging their leaders to act on the plan that citizens develop.

Though the WFRC is initiating the project, its success will depend upon the local jurisdictions. Davis County Commission Chairman and Chairman of the WFRC Dannie McConkie is optimistic.

"We have developed long-range transportation plans that almost all municipalities have adopted and incorporated," McConkie said. "We've seen the fruits of regional transportation planning in the construction of many major transportation improvements, such as I-15 reconstruction, TRAX, and Bangerter Highway, over the past several years. If we work together, we think the same thing can happen with open space planning."

The WFRC, which serves as the plan's project manager, is using a consultant, Swaner Design, a specialist in open space planning and design, and Utah State University, which has been involved in open space and critical land studies for many years, to assist it in accomplishing the work of the project.

"Swaner Design brings the ability to help the region develop a vision for the future. We will help the communities create a plan that pulls together the rich open space resources that Wasatch Front residents have historically enjoyed. To us, it's about leaving a legacy of which we can all be proud," said Sharen Hauri, project manager for Swaner Design.

Utah State University was successful in obtaining a grant from the United States Geological Survey and other sources enabling several professors, students, and the USU Extension Service to spend a significant amount of time on the project. Students and professors surveyed the large study area from the air and ground, created an extensive data base, and developed various future growth scenarios and associated open space systems. Professor Richard E. Toth of the Department of Society and Environment spear-headed the USU research and classroom exercises. According to Toth, "the Regional Open Space project provided a valuable classroom exercise for students enrolled in USU's newly-created Bioregional Planning graduate degree program." The results of the project are documented in the report entitled "Alternative Futures for Utah's Wasatch Front: Conservation of Open Space."

Generally, the study approach incorporates careful identification and prioritization of many cultural, ecological, agricultural and recreational resources, and responds to public needs and desires as the plan is developed. The final step is implementation.

With the help of Utah State University and Swaner Design, a relatively large amount of information has already been gathered, which includes information on the region's significant remaining open lands. As the plan is developed, it will be important to be responsive to citizen input and ideas. Creating local implementation strategies and regional policies and locating funding sources for open space acquisition will be paramount as the planning process progresses. Options may include land purchases, transfers of development rights, conservation easements, and conservation subdivisions.

"We want to identify ways to make the plan work," Commissioner Page said. "Together we can get the plan's recommendations implemented – so that we don't just leave the fate of our open lands to chance."

## The AICP Exam and 2002 Results

*By Paul Farmer, AICP  
Executive Director, APA and AICP*

For over twenty years, the American Institute of Certified Planners has been certifying planners through a process that includes education and practice requirements, as well as a written examination. Employers are showing their confidence in the "AICP" credentials by increasingly requiring certification or otherwise giving special consideration to those who are certified. Planners are showing their interest by taking the exam in numbers that are regularly in the 1,000-1,500 range. AICP membership, which has been growing at approximately 1,000 per year, now stands at about 14,000. Of course, the purpose of certification is both to assist planners in their practice of sound, ethical planning and to assure the public that planners with such credentials have the expected expertise and that that expertise will be utilized in accordance with our code of ethics.

This year, the Institute experienced a lower pass rate for its certifying exam than it had experienced in recent years, which understandably resulted in a number of concerns expressed by both unsuccessful examinees and chapter Professional Development Officers. However, it should also be noted that this year's pass rate was more in keeping with the rates of many of the first twenty years of the exam than with the higher rates of the last half dozen years. From 1980 through 1992, the range had been from a low of 50% to a high of 63%, a rate that was achieved only once. In eight of the last nine years, the range had been 71-76 percent. Only in 1999, with an all-time high pass rate of 79 percent, was it outside that range.

Several phenomena may explain why this year's pass rate dropped back to rates more common during the first thirteen years of the written exam. None explains the entire change.

For example, pass rates vary widely according to such factors as an applicant's years of experience or their degree program (planning versus a related degree; an accredited planning degree versus a non-accredited degree). For an entire applicant pool, these vary from year to year.

In 1999, the AICP Commission commissioned a study of the certifying process. The Commission selected James Spencer, FAICP, a member of the University of Tennessee faculty, to perform the study. Dr. Spencer had completed a similar study approximately fifteen years earlier. The Spencer Report suggested a number of procedural and substantive changes to the exam process. One of the recurring themes that Dr. Spencer identified in his report was a strong desire by AICP members for the certifying exam to be more oriented to testing the application of planning knowledge and experience and a reduced emphasis on rote memorization of facts and figures. Since the report's publication in 2000, the exam committee of AICP has been slowly and deliberately shifting the focus of the exam to testing the application of planning knowledge and experience.

The change in focus of the exam became evident to the exam committee members who certified the exam for administration in 2002. Many of the exam committee members remarked that the draft exam seemed to be calling for more decision-making on the part of examinees than did previous exams. The exam is beginning to meet the desire of AICP members as expressed through the Spencer Report: to have an exam that is testing the application of planning knowledge and experience. This continued shift of emphasis in the exam may also have contributed to a lower overall pass rate.

Standardized exams require a periodic process to establish a "cut score," which establishes the number of questions that need to be successfully answered to pass the exam. The cut score is reviewed approximately every five to seven years; 2002 happened to be one of those years. The Select AICP Exam Cut-Score Committee that was convened in late May for this purpose consisted of recent exam takers, those who had taken the exam years before, a member of the last cut score committee, members of the exam committee, and current and former PDOs. A representative of the Chauncey Group, the professional administrators of the AICP certifying exam, led this effort. Most of the committee's time over two days was spent on two tasks. The first task was to develop a profile of an exam candidate who would marginally pass the exam. The second task was to evaluate questions from the 2002 exam and collectively agree on how well this marginal candidate would perform on each question. Using these data, the Chauncey Group developed a draft cut score for my review and certification as the AICP Executive Director.

After reviewing the recommendations of the Committee, I had further conversations with staff of the Chauncey Group and with the Chair of the Committee. I certified a cut score that raised the pass rate slightly from that initially recommended by the Committee. Although the change between the cut score from the past several years to this year was slight, it apparently has contributed to a lowering of the pass rate in 2002. However, the change in the cut score does not entirely explain the total change in the pass rate experienced this year. But, as with the background of the 2002 applicant pool and the implementation of the Spencer Report, it isn't the sole reason for lowered pass rate in 2002.

We should all be careful about relying on previous pass rates as a predictor of the pass rate in any given year. An applicant understandably asks for the history of pass rates. A rate is frequently stated in exam preparation courses. In fact, it is not uncommon for faculty of such courses to state the pass rates of "their graduates."

Another expectation relates directly to the preparation courses and materials. Too many exam takers assume that the practice exams provided as part of the review sessions offered by state chapters and private individuals somehow replicate what is on the actual exam. Those who conduct the review sessions emphasize that the practice exams are just that. But a number of applicants who called the chair of the exam committee expressed amazement that the questions on the practice exam(s) were not on the certifying exam. Practice exams should never be viewed as a shortcut to completely studying the exam subjects.

AICP certifies planners. It has an interest in having every practicing planner become certified and be a member of the Institute. It is not the intent of the AICP Commission or its Exam Committee to artificially raise or artificially lower the pass rate for the certifying exam. But an exam score must be set that numerically identifies those that qualify for membership in the Institute. We hope that the exam itself will be viewed as simply a part of a valuable learning process for those who seek to become certified planners. We will work with APA's Chapters so that continuing education programs can continue to be improved so that planners build on their knowledge and skills through the focused learning processes leading up to the exam. Those who become certified will then have both the satisfaction of earning their "AICP" credentials and the satisfaction that their knowledge and skills have improved through the process.

## Utah Chapter Nominates Local for Award

By Chuck Klingenstein, AICP

For all you members who don't know, Stephen Goldsmith for the past 20-years has consistently demonstrated community leadership in Salt Lake City and Utah. He has taken on various roles in the community including, activist, affordable housing advocate, community builder, developer and most recently government official. In each capacity, he has exhibited visionary leadership that has expanded the community's experience and dialogue of placing making, design, and ethics in city building. Because of his leadership and diverse influences the Utah Chapter of the American Planning Association has nominated Mr. Goldsmith for the American Architectural Foundation's Keystone Award. The following are brief descriptions of the various ways Mr. Goldsmith has made contributions to public.

### Leadership and Citizen Participation

As the co-founder and chairman of the Urban Design Coalition, Stephen Goldsmith worked to expand citizen participation in the design issues that are shaping Salt Lake City. The Urban Design Coalition was formed when Stephen was Vice-Chair of the city's local arts agency. His goal was to assist in finding ways to help the community visualize change in the built environment before it occurs, and assist the policy makers in making informed choices. According to the NEA (who helped fund the Coalition's early work) it was the first time Urban Design was incorporated into the work plan of a local arts agency.

The coalition was a group of volunteer citizens who were concerned with appropriate development of the Salt Lake Valley, seeking to identify crucial issues and possible options for the future in order to turn those options into action. One example of the work carried out by the Coalition was a full-page newspaper advertisement seeking citizen involvement in the city's future. The controversial advertisement served its intended purpose, and was a tipping point in getting community leaders together to bring a R/UDAT to the city to assess design issues and options in the city's downtown area. Another activity of the Coalition was

a weekly newspaper column and temporary art installation using three fictional characters, "Howard, Martha and their dog Skippy" to introduce urban design concepts to the community.

### City Building and Community Transformation

Stephen Goldsmith's most notable work has been as the Founder and President of Artspace, a not-for-profit corporation providing affordable housing and workspace. Founded in 1980, the Artspace mission is to advance art and culture in the community and enhance long term cultural, economic and neighborhood vitality. Through Stephen's leadership, the organization has completed three major development projects into mixed-use projects with affordable housing components. The Pierpont Warehouse is an historic warehouse that was transformed into live-work studios for artists. The California Tire and Rubber Company is an award winning renovation that provides affordable housing, commercial space and a childcare facility. The most recent project is an architecturally innovative development called the Bridge Projects with affordable housing, office space for nonprofit organizations, a writing center, public art gallery and the Artspace Institute of Art and Imagination.

### Public Art Commissions Transform Place

As an artist, Mr. Goldsmith has been responsible for several public art commissions in the City. Two works have left an endearing legacy for citizens to enjoy in public park spaces: *City Creek Park* (1994-1995), a collaboration with Jan Streifel, Landscape Architect and CH2M Hill Engineers, for a project that day-lighted a buried creek, creating a one-half mile water-parkway linking Salt Lake's Central Business District to an adjoining wilderness area; and *Seven Canyons Fountain* (1991-1993), a design of a 30,000 square foot, interactive water feature, in collaboration with Boyd Blackner and Associates. *Seven Canyons Fountain*, located in the City's largest regional park, uses minimal water over a large area to give children an understanding of the relationships between the built and natural environments, and the unique hydrology of this oasis on the edge of a desert. Other works include a the plaza entry water feature at Salt Lake Community College, a water feature at the entry to Primary Children's Hospital, and several other large scale environmental works.

### Symposia

During Stephen's tenure as Planning Director for Salt Lake City he developed and produced an international symposium and exhibition as part of the Cultural Olympiad titled, "The Physical Fitness of Cities: Vision and Ethics in City Building." Mr. Goldsmith also organized an inaugural symposium for the Dessau Master of Architecture Program at the Bauhaus in Dessau, Germany titled, "Revitalizing the city: the American Perspective" for all Loeb Fellows in the class of 2000.

### Civic Dialogue and Leadership

Stephen Goldsmith has been involved in decision-making processes on planning and design issues that affect the community's quality of life. Projects have included The R/UDAT Report for Salt Lake City. Stephen served as a member of the steering committee, representing the Urban Design Coalition. The R/UDAT study was done to make recommendations regarding the future needs of downtown Salt Lake City and specifically to prepare a strategy for the redevelopment of Block 57.

Mr. Goldsmith was also a steering committee member, representing Artspace, Inc. for the City's cultural plan: *A Vision for Arts and Culture in Salt Lake City*. The study investigated how the many cultural resources of the City and their individual plans for expansion could be coordinated and combined with civic and transportation improvements to establish Salt Lake City as an economically, ethnically and artistically diverse center of commercial and cultural activity.

Stephen was also involved in the preparation of Salt Lake City's *Futures Commission Report: Creating Tomorrow Together*. As a representative of Artspace, Inc., he served as the Chair of the Arts and Culture Sub-committee, as well as a member of the Built Environment

Sub-committee.

### Leadership through Public Service

For the past two years Stephen Goldsmith has worked as the Planning Director for Salt Lake City. He has spearheaded progressive projects such as the *High Performance Green Building Initiative*: a project to develop high-performance, green building policies for the city. The High Performance Buildings Initiative will create guidelines and standards for all buildings constructed by the city in the future. The buildings will meet a number of efficiency standards designed to preserve natural resources, save taxpayer dollars, and improve employee efficiency and comfort.

Stephen also collaborated with Dr. Ann Forsyth, Harvard Design School, to produce an APA award winning document: *"Towards a Walkable Downtown: Urban Design Strategies to Improve the Pedestrian Environment in Downtown Salt Lake City."* The report identifies priority areas for intervention within the downtown study area in the short and medium term. Recommendations involve both practical and aesthetic issues: pedestrian comfort, safety and interest. The report addresses specific design improvements for the overall pedestrian network in the downtown to link shopping, offices, entertainment, cultural facilities, restaurants, residences, open space, transit, and parking.

Changes to the zoning ordinance have also been initiated under his leadership that promote more sustainable development patterns. These include new transit oriented zoning districts and a "Walkable Communities" initiative. The walkable communities ordinance amendments require neighborhood-scale commercial properties to address the street front with parking directed toward the rear, thus prioritizing pedestrian access and activation of the streetscape.

### Building for the Future

The next step for Stephen Goldsmith is a position as the new director of the Enterprise Foundation's Frederick P. Rose Architectural Fellowship. The Fellowship supports young architects and low-income communities in need of their skills. It is named in honor of the late Frederick P. Rose, a prominent philanthropist and developer who believed strongly in good design and public service.

In his role, Mr. Goldsmith will oversee all aspects of the Fellowship, including: managing a highly competitive selection process; selecting community-based partners and matching them with Fellow; and orienting Fellows and community-based partners to the Fellowship and The Enterprise Foundation. To support the network of Fellows, he will work closely with the Fellows, their partner organizations, Enterprise Foundation staff, the Advisory Committee and local and national partners.

The Enterprise foundation believes that decent, affordable housing is the base upon which healthy communities are built. The Foundation accomplishes this work largely by providing loans, technical assistance and grants to nonprofit community development organizations. To help expand life opportunities for people with low incomes, the Foundation works to expand or improve job opportunities, neighborhood safety and child care programs.

Through these many years, Stephen's consistent work has illustrated a commitment to improving the built environment and raising the level of community dialogue regarding design issues. The Utah Chapter of the American Planning Association believes Mr. Goldsmith's work exemplifies the intent of the Keystone Award, and is deserving of recognition.

### Calendar of Events

#### **December 16, 2002 - Rudy Bruner Award for Urban Excellence**

The Rudy Bruner Award for Urban Excellence (RBA) seeks to discover, celebrate and publicize places that exemplify the richness and diversity of the urban experience. Excellent urban places involve the interplay of process, place and values, and transcend the boundaries between architecture, urban design, and planning. One Gold Medal Winner will receive \$50,000, and four Silver Medal Winners will be awarded \$10,000 each. The application may be submitted by anyone involved in the planning, development, or operation of a project, including: a representative of city, county, state or federal government; a developer; a design or planning professional; a community or neighborhood group; an educational or cultural institution; or a business. Applications are due December 16, 2002. <http://www.brunerfoundation.org/p/rba.html>

**January 30-February 1, 2003 – 2<sup>nd</sup> Annual New Partners for Smart Growth**  
*"Building Safe, Healthy, and Liveable Communities"*  
 Sheraton New Orleans Hotel, Louisiana

*March 29-April 2, 2002 – National APA Conference, Denver Colorado*

### National Notes

#### **FEDERAL GOVERNMENT PROVIDES TOOLS THAT BENEFIT COMMUNITIES**

The House passed legislation last week that would help communities manage growth and sprawl through better access to data gathered by satellites. Introduced by Rep. Mark Udall (D-CO), the Remote Sensing Applications Act of 2002 (H.R. 2426) would establish a grant program for competitively awarded pilot projects. The legislation recognizes that although urban land use planning and growth management are functions of local agencies, the Federal Government can and should play an important role in the development of innovative techniques to improve comprehensive land use planning and growth management.

The projects should explore the integrated use of remote sensing and other geospatial information to address State, local and tribal needs. The National Aeronautics and Space Administration (NASA) would administer the grant program. The bill authorizes \$15 million for each fiscal year from 2003 through 2007. To read the legislation, please visit <http://thomas.loc.gov> and use the bill number provided above.

#### **TO DRILL OR NOT TO DRILL, THAT IS THE QUESTION**

House and Senate Conferees reached another stalemate last week in deciding on the energy bill, leaving many legislators a bit less optimistic. The bill, H.R. 4, is an omnibus energy bill that has been in the making for almost two years. One of President Bush's central themes in his campaign was the need for the U.S. to establish an energy policy for the nation and reduce its reliance on foreign oil.

Key issues that are still on the table for discussion are drilling in the Arctic National Wildlife Refuge (ANWR), ethanol, electricity and



language on a national renewable portfolio standard. With the possibility of adjournment looming over the heads of the conferees, the time has come for House-Senate leadership and the White House to begin reaching agreements on the unresolved issues or simply to call it quits.

Already on the table is an offer concerning the opening of the ANWR to oil exploration. In exchange for drilling rights on 2,000 acres of the coastal plain, the House proposes to add 10.2 million acres of Alaskan wilderness to the refuge. ANWR drilling is one of the Bush administration's top energy priorities and Senate Democrats are not making the achievement of the priority easy. Conferee Sen. Joseph Lieberman (D-CT) has pledged to filibuster any drilling provisions, and has yet to have seen any offers that would change his mind.

Another proposed, but rejected, deal was on climate change, offered by the Senate to the House. The offer would keep greenhouse gas (GHG) reporting voluntary for at least five years, but add the Environmental Protection Agency to the agencies managing the registry and include a trigger making the registry mandatory if after five years it accounts for less than 60 percent of U.S. GHG emissions. The proposal also called for the creation of a White House Office of Climate Policy and required the office to present to Congress within a year a strategy to stabilize U.S. GHG emissions. The House conferees voted it down 2-15.

Conferees will begin discussions again this week in hopes of reaching an agreement on the bill before recess. Many are pessimistic about whether or not the bill will pass. Some priorities may have to be dropped or conferees will have to settle for a more watered-down version. With a number of controversial issues that must be agreed upon, time may run out for the energy bill and it may have to wait for the 108<sup>th</sup> Congress.

**STREAMLINING DEBATE WILL CONTINUE WITH REAUTHORIZATION OF TEA-21**  
This week the House Transportation and Infrastructure Subcommittee on Highways and Transit plans a hearing on H.R. 5455, a bill requiring the Department of Transportation and federal resource agencies to expedite environmental reviews of highway and transit projects. The full Committee Chairman Sen. Don Young (R-AK) introduced the bill last month, just weeks after President Bush signed an Executive Order directing the Department of Transportation to expedite environmental reviews of high priority highway and transit projects.

There are some major differences between Bush's executive order and Young's legislation. While Bush's executive order does not mandate strict time limits on environmental reviews, Young's bill goes further and limits some reviews to 30 days. Bush's order explicitly says that it is not intended to create any new legal rights or benefits, Young's bill would limit the time groups, companies or individuals have to mount legal challenges to the Department of Transportation (DOT) decisions. It would also limit appeals of lower court decisions to the Supreme Court.

Many groups view H.R. 5455 as undermining natural resources laws, a threat to wetlands and endangered species and weakening public input and planning. The National Environmental Policy Act of 1969 says that the Federal Highway Administration and the Federal Transit Administration must conduct environmental assessments before authorizing or embarking on federally backed projects.

The road construction lobby has been arguing for many years that simply too much time is wasted under the current DOT environmental review process and projects are sometimes on the

table for ten years before implementation. Many environmental groups disagree with this sentiment and point to the Federal Government's own data and say that it shows environmental reviews are not among the leading sources of project delay. Groups such as the Surface Transportation Policy Project and Environmental Defense Fund argue that the top three reasons for project delay are lack of financing, lack of public consensus, and low prioritization of projects by government agencies. To read STPP's full report on transportation project delays, visit their site at [www.transact.org](http://www.transact.org).

It is unlikely that Young's streamlining bill will pass, however it has started a debate that will certainly continue into the 108<sup>th</sup> Congress, especially for the reauthorization of the federal transportation legislation, the Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21). APA's TEA-21 Task Force has been discussing the issue of streamlining among other important topics that will be questioned in next years reauthorization. APA will have a policy position paper for the reauthorization of TEA-21 available in the next few weeks.

## ENCOURAGING LEGISLATION THAT SUPPORTS LAND CONSERVATION

The Senate Energy and Natural Resources Committee was hard at work last week passing numerous bills out of committee. One of the 46 that were approved was a bill introduced by Sen. Harry Reid (D-NV) that serves as a positive bill for land conservation. S. 2612 focuses on the conservation of land in Clark County, Nevada, outside of Las Vegas. The legislation works to balance the needs for development, recreational opportunities, and conservation of precious natural resources in southern Nevada. Reid regards the bill as a broad-based compromise that satisfied all interested parties.

The measure would create more than 440,000 acres of wilderness and would remove about 233,000 acres from wilderness study area status. One area that will be protected is the Wee Thump Joshua Tree forest, home to 6,000 acres of ancient Joshua Trees. Other wilderness areas will be preserved as habitat for Rocky Mountain elk herds and desert tortoises.

Also passed was S. 2672, introduced by Chairman of the Energy and Natural Resources Committee Sen. Jeff Bingaman (D-NM). The measure seeks to repair damaged watersheds and degraded national forests and spur economic development. It would create "restoration and value-added centers" to provide technical assistance for rural communities attempting restoration projects on public lands. It would authorize up to \$1 million per center, and would mandate that centers be constructed in Idaho, New Mexico, Montana, northern California and eastern Oregon.

Amid the appropriations bickering, Democrats and Republicans on the Energy and Natural Resources Committee have been able to work together. Sens. Patty Murray (D-WA) and Frank Murkowski (R-AL) teamed up to pass two bills that they were supporting but were not on the committees' agenda. Murkowski's bill, S.1816, allowed a land trade between the federal government and the University of Alaska. He had been attempting to pass it since 1996. S. 2565, supported by Murray, would create the 106,000-acre Wild Sky Wilderness Area in Washington's Snoqualmie National Forest. It is home to not only several threatened species of salmon but contains gorgeous scenery of peaks and rivers. The bundled bill narrowly passed 13-10.

## CALIFORNIA SMART GROWTH INITIATIVE RELEASES RECOMMENDATIONS

The Urban Land Institute (ULI), in collaboration with its California District Councils, initiated a multi-year effort to advance a statewide, regionally based California initiative for smart growth. Through grants from the Irvine Foundation, Bank of America, and the ULI Foundation, the project was initiated in September 2000. It is designed to examine growth and development trends in California, determine the barriers to

smart growth, and identify specific local, regional and state solutions that advance a collaborative smart growth agenda. The ULI California Smart Growth Initiative has been guided by a State Coordinating Committee, led by co-chairs Frit Grupe, Chairman and CEO of the Grupe Company, and Will Rogers, President of the Trust for Public Land. Committee members include leading environmentalists, developers, public officials and civic activists from around the state.

In September, 2002, the Statewide Coordinating Committee released its recommendations in a report entitled: Putting the Pieces Together: State Actions to Encourage Smart Growth Practices in California (pdf file). The report is the culmination of 18 months of analysis to find ways to curb haphazard, ill-planned sprawling development, and promote development that more closely links housing to jobs and preserves open space. Recommendations addresses reform of the California Environmental Quality Act, incentives for better local and regional planning and permitting, state investments to spur better development patterns, school siting and design and construction defect liability for infill multi-family housing. In the coming year, ULI staff and Committee members will meet with civic groups, state and local political leaders and industry organizations around the state to hear responses to and build support for the recommendations. For more information go to <http://smartgrowthcalifornia.uli.org/>.

#### WASHINGTON SMART GROWTH ALLIANCE LAUNCHES SMART GROWTH RECOGNITION PROGRAM

In the Washington, D.C. region, five organizations -- the ULI Washington District Council, the Chesapeake Bay Foundation, the Coalition for Smarter Growth, the Greater Washington Board of Trade and the Metropolitan Washington Builders Council -- have elected to put aside their differences and work together on common goals for smart growth. Together, these organizations have created a unique partnership for success -- the Washington Smart Growth Alliance.

The first project undertaken by this new partnership is the SGA Smart Growth Recognition Program. The purpose of the Recognition Program is to help project proposals that meet smart growth criteria, established by the SGA get local approval from regulators, public officials and citizen groups. In July 2002, the first round of applications was received and two project proposals were recognized. Both projects have subsequently received favorable responses from public bodies. The second round of applications will be reviewed in mid-October. For more information on the SGA and its recognition program go to <http://washington.uli.org/sga/default.asp>

#### **Planners on the Move**

David White formerly with Salt Lake City is now Planner with Salt Lake County.

Peter Simmons is now a Planner with West Jordan City.

Jenny Schow is now a Planner with Riverton City.

Good luck to planners in your new positions.

Note: The periodic nature of the newsletter prevents us from posting job openings in time for application before most closing dates. In lieu of that the newsletter lists recent openings or other changes in planning positions or chapter members as they are available.

On-line job postings for planning positions can be listed on the Utah Chapter web site, by contacting Webmaster Aric Jensen at [aric@co.davis.ut.us](mailto:aric@co.davis.ut.us). Be looking for job postings for these and other positions on the Utah APA website at <http://utah-apa.org> National-level job postings can be accessed at [www.planning.org/html/jobs.html](http://www.planning.org/html/jobs.html)

**Send your information on Planners on the Move and job opportunities to:**

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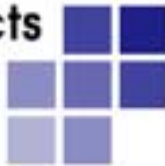
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