



# NORTHERN NEWS



American Planning Association  
California Chapter  
Northern

*Making Great Communities Happen*

A Publication of the Northern Section of the California Chapter of APA

**JULY/AUGUST 2012**

## San Francisco Planning ups grant funding to 1.5 million annually

By Theresa Alster, associate editor

The planning department of The City and County of San Francisco made a small structural change that brings up to 1.5 million dollars to the department annually. John Rahaim, planning director at the City and County of San Francisco, explained that a part-time dedicated grant writer is key to this financial gain.

The department had been applying for grants internally but not as aggressively, explained Rahaim. "It was hard to find the staff time to do it." They had received grants from Friends of San Francisco City Planning (FOCP) over the years, which had provided staff training and software. However, three years ago, they proposed using the FOCP money for a half-time grant writer for six months. They hired a grant writer who was also trained as a policy analyst. She works three or four days a week.

"Friends of City Planning gave us seed money to make this happen," said Rahaim. The department is now receiving about 1.5 million per year. The grant writer has raised a lot more than that, he said. "Most has been earmarked for streetscape, public realm, and open space design. We have received grants for transit corridors and an urban forest master plan." For cities looking for grants, there are websites, clearing houses, and regular sources like MTC and CDBG. A good 15 percent of the time spent is in researching prospects.

Rahaim realized that in order to optimize grant acquisitions, it was essential to have one person devoted to the task. "It is the most important thing," he said. With 50 city agencies, sometimes they would unknowingly end up competing with other departments for the same grants.



Planning staff enjoys not having the full responsibility for finding grants. The dedicated grant writer establishes relationships with the regional and state sources. "She knows who to call. It is an art," explained Rahaim. "It is hard for planners to understand, and a judgment call whether or not to go after certain sources. It is critical. If you want to be serious, someone must devote a good part of the week."

At this point, Rahaim is confident that they will continue to receive 1 to 1.5 million per year from competitive grants. "Two years ago, these grants helped us from having to lay off staff," said Rahaim. "There is no guarantee that I am going to get 1.5 million. We are looking (to cover) our own salary every year." ■

### New APA California Northern website is a pleasure to visit

By Theresa Alster, associate editor

Our website has been redesigned with improved functionality and a modern, clean appearance. Rotating home page images, provided by APA members, add a fun, personal feature. The home page also features rotating announcements.



Content is easier to find with reorganized menus. A new jobs area allows jobs to be submitted by anyone through the "submit a job" page. In addition, there are Energy Committee and Sustainability Committee areas.

Webmaster **Ronny Kraft, AICP**, coordinated the process by gathering input from Northern Section board members while training them how to update the content as needed. One purpose of the makeover was to switch the site over to WordPress so that all the board members can post and edit their own content. Site visitors benefit from more timely content. Check it out at <http://norcalapa.org/> ■

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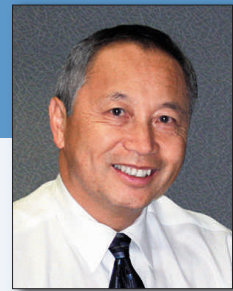
## Board member directory and newsletter information

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"A two-month survey of over 6,000 small business owners nationwide shows that **small business owners rank California among the least friendly states for small business**. California earned an F in 6 of the 12 categories, and the three worst cities for small businesses are in California. The one bright spot is San Jose, which ranked in the top half of cities nationwide." For the full survey and methodology, see <http://bit.ly/KJf11h>

## Director's note

By Hanson Hom, AICP



### Annual APA California Chapter Conference — October 21–24

Registration is now open for the 2012 APA California Chapter conference to be held at idyllic Rancho Las Palmas Resort & Spa at Rancho Mirage. It promises to be a packed four days with over 85 educational sessions and 11 mobile workshops — and, given the central location for golf enthusiasts, an APA golf tournament will be featured. Early registration ends on **August 17**. Student volunteers are also being recruited to assist with various duties during the conference. For more information, go to <http://calapa.org>

### Welcome new Board members!

Three new Board members were appointed to the Board at our July meeting. Please welcome **Florentina Craciun** to the Membership Director position, **Erik Balsley, AICP**, to the Communications Director position (he also serves as Newsletter Associate Editor), and **Veronica Flores** as San Jose State University Student Representative. I look forward to these new additions to the Board, and appreciate **Rodrigo Orduña, AICP**, former Membership Director, and **David Keyon**, former SJSU Representative, for their past service on the Board.

Prior to affirming the above appointments, the Northern Section By-laws were amended to shift some of the duties of the Membership Director to a recreated Communications Director position. This will allow the Membership Director to focus more attention on developing a membership outreach program and to participate in a parallel effort at the California Chapter level. Additionally, the Northern Section has conscientiously expanded its methods of communication with APA members (e.g. *Northern News*, website, *eNews*, *LinkedIn*, *Facebook*, etc.). It became more evident that a Communications Director was desirable to coordinate and improve the effectiveness of these multiple forms of communication. The ultimate objective is to improve

our services to APA members, and any ideas and suggestions are most welcome.

### Upcoming Northern Section sponsored events

In addition to the events listed in the calendar on our website, <http://norcalapa.org/calendar/upcoming-events/>, the Northern Section is very pleased to sponsor several upcoming events with pending AICP/CM credits:

- The Northern Section continues to support a *Planners Working Group on Energy and the Built Environment* coordinated by **Josh Hohn, AICP**. A third Panel Presentation/General Session is scheduled for this September (date to be announced). See webpage at <http://norcalapa.org/programs/energy/> for more information.
- With the recent attention on AB 904 (Skinner), a proposed bill to set a cap on minimum parking requirements for transit-intensive areas, the Northern Section will be organizing a workshop to facilitate a dialogue on this issue. This bill has received heightened attention from the planning profession, with strong opinions expressed on both sides of the issue. Although this bill was recently tabled, it is expected to be reintroduced in a modified form in the next legislative session. The date of the workshop is pending, so look for an upcoming announcement.

Financial sponsorships are being provided to two upcoming efforts by the San Jose State University Graduate Planning Program:

- Urban Planning Coalition (UPC) symposium with multiple panel discussions scheduled on September 29.
- Graduate student study with CommUniversity on a comprehensive community assessment of the Spartan-Keyes neighborhood in central San Jose. The outcome will be a community-based report and presentation in early Spring 2013. ■

The display of calling cards from firms offering professional services appears in every issue of *Northern News*. Fees paid by the firms for this service help defray the costs of this newsletter.

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“Even the highest quality **BRT systems** run in lanes that could just as easily serve regular drivers. All it takes is one government decision to allow private cars on a BRT busway, and then *blam*: What you have isn’t really BRT anymore.” Dan Malouff, “BRT might be cheap to build, but it’s cheaper to destroy,”

<http://bit.ly/MnVSpN>

## Northern Section welcomes 25 new AICP members

Seventy-five California planners, representing 15 percent of those taking the test nationally, sat for the May 2012 AICP exam. Of those, 49 — including the 25 Northern Section planners listed below — passed. That represents a 65 percent pass rate for California — slightly higher than the national pass rate of 64 percent. Passing the AICP exam is a tremendous accomplishment and a mark of professional distinction. Passing also allows application for AICP membership and its commitment to a professional code of ethics and continuing education.

Please join the Northern Section Board of Directors in congratulating our newest AICP members:

Fiona M. Akins  
Eric B. Anderson  
Paul A. Bignardi  
Kimberly Brosseau  
Jonah K. Chiarenza  
Aaron M. Cook  
Thomas Cornillie  
Lindsay Hagan  
Erin N. Harwayne  
Todd T. Henry  
Lauren Kotwal  
Shaun M. Lacey  
Alex Lantsberg  
Joshua S. Lazarus  
Jessica M. Look  
Scott McKay  
Stanley I. Muraoka  
Jeanne Naughton  
Melissa D. Reggiardo  
Avalon Schultz  
Paul Supawanich  
Ernesto A. Vilchis Puga  
Megan E. Wessel  
Laura Wolfgram  
Cindy Yee

For more on the AICP Code of Ethics, Professional Development, or Certification Maintenance (CM) Credit, you can visit Northern Section’s professional development page at <http://bit.ly/MvLJHy>, the national AICP page at <http://bit.ly/O9kYVx>, or California Chapter’s professional development page at <http://bit.ly/LxtGPP>. ■





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"If you want a glimpse of some of **the worst of global warming**, scientists suggest taking a look at U.S. weather in recent weeks. Such patterns haven't happened only in the past week or two. The spring and winter in the U.S. were the warmest on record and among the least snowy, setting the stage for the weather extremes to come."

<http://yhoo.it/Nho1fK>

## Health Impact Assessment: An innovative approach for planning Healthy Communities

By Sarah W. La Belle, AICP

**H**ealth Impact Assessment (HIA) is an emerging practice that aims to bring a greater understanding of human health consequences to public policy and decision-making. It is a system of tools used in combination to evaluate the potential impacts of a policy, plan, program, or project on the health of a population and the distribution of those impacts within the population. "Health" in this context is defined broadly to include consideration of economic, social, and environmental determinants. Moreover, HIAs identify appropriate actions to mitigate those effects and include application to a wide range of policy sectors, involvement of stakeholders, and concerns for social justice.

On June 7, URS Corporation hosted a presentation on this topic at their Oakland office. About 30 planners, students, and analysts from both public and private industry attended the event to network and learn how HIAs can be integrated into existing planning processes, the origins of the practice, and how it is evolving to meet planning needs today and in the future.

The panelists included:

- **Usha Vedagiri** and **Sarah La Belle** of URS. They introduced the key features of HIA practice, a planning context, and examples of how HIAs are implemented.
- **Dr. Rajiv Bhatia**, special guest and internationally renowned pioneer and innovator of HIA practice. Bhatia provided background on the origins of HIA as a unique discipline, and discussed the state of the practice today and how it is evolving to meet the needs of tomorrow. The presentation was followed by a robust question and answer period.

The event was funded by APA California Northern and URS Corporation and was eligible for 1.0 AICP | CM credits.

### Panelist bios:

Dr. Rajiv Bhatia, MD and Master of Public Health, is the director of occupational and environmental health for the San Francisco Department of Public Health, where he has been responsible for developing and implementing environmental health law and policy since 1998. Dr. Bhatia has had a leading role in cultivating the practice of health impact assessment

*(continued on next page)*

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**Health Impact Assessment: An innovative approach for planning Healthy Communities** *(continued from previous page)*

(HIA) in the United States and has integrated community health monitoring and forecasting tools into the routine work of transportation and planning agencies.

Usha Vedagiri, PhD, is a principal health risk and health impact assessor at URS Corp. with 20 years of experience in supporting Environmental, Social, and Health Impact Assessment (ESHIA), permitting, and remediation for public and private industry clients.

Sarah La Belle, AICP, is a senior environmental planner with 20 years of project and program management experience in transportation and transit, land use, and environmental planning and permitting. ■

## Where in the world?



Photo by H. Pike Oliver, AICP (Answer on page 10)

"Fill a glass of water nearly to the top. Put some ice cubes in it. Let the ice cubes melt. Observe what happens. Then think about whether it's really **a good idea to continue to build at the ocean's edge**. And if you live in California, keep that ice water handy. You're going to need it."

—Paul Whitefield, <http://lat.ms/O2x559>



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## In Memoriam

**Steve Norwick**, a recently retired professor in Sonoma State University's Department of Environmental Studies and Planning, died June 19. Norwick, 68, and a long time bicycle commuter, succumbed from injuries suffered when struck by a truck while riding on Petaluma Hill Road near campus on June 8.

A scientist by training and former head of ENSP's water program, Norwick taught courses on earth sciences, water technology and regulation, and environmental literature for nearly 40 years. With a doctorate in geology from the University of Montana, he joined Sonoma State's faculty in 1974. Described as a popular and dynamic teacher, Norwick affected the lives and careers of thousands of students. He was a skilled advisor, known for taking a personal interest in his students, and checking in with them years after their graduation.

Writes Sonoma State Professor Thomas Jacobson, AICP, "Among his many, many contributions to our [Environmental Studies & Planning] department was a course he created and taught called Applied Physical Science. It was, he often told me, inspired by Ian McHarg and the principles of *Design with Nature*. For years, I encouraged our planning students to take the class. Finally, we revised our graduation requirements so that all our future planners now take it." ■

"Apple chose to design its new headquarters as if it were a new consumer product, an 'iBuilding' of sorts with a clean, high-concept design that reinforces the company's futuristic corporate brand. But **it does nothing to make Silicon Valley a better environment for people.**" —Kaid Benfield, <http://bit.ly/Le8Vsl>

"There's only so much carbon dioxide that plants can take. We can plant all the grass and trees we want, but if we don't cut down our own carbon dioxide emissions, **a front lawn covering the entire continent** won't be able to suck it all up."

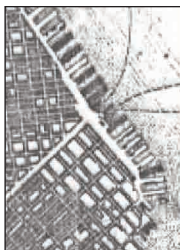
—Nate Berg, <http://bit.ly/OwEMBb>



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## Wrap-up of recent planning-related court decisions

Alexandra M. Barnhill, Northern Section legislative director

### Objection required to sue agencies that adopt statutory exemptions.

In *Tomlinson v. County of Alameda*, the California Supreme Court held that the exhaustion of administrative remedies requirement set forth in Public Resources Code section 21177(a) applies to a public agency's decision that a proposed project is categorically exempt from CEQA, as long as the public agency gives notice of the ground for its exemption determination and that determination is preceded by a public hearing at which the public has the opportunity to raise concerns or objections. This ruling clarifies decades of dispute concerning a plaintiff's obligation to raise objections to the use of an exemption for a project prior to its approval (i.e., exhaust their administrative remedies) before they may file a lawsuit regarding those objections. The decision will likely have significant ramifications on public agency practice with regard to the use of categorical exemptions.

### Statute of limitations: public agency and party challenging EIR may agree to toll limitations period.

A court of appeal recently held in *Salmon Protection and Watershed Network v. County of Marin* that a public agency and a party challenging the adequacy of an environmental impact report prepared for adoption of a general plan amendment could agree to toll the limitations period that applies to filing a petition to challenge an EIR's adequacy. The Court found that neither CEQA nor Government Code Section 65009 (which imposes a 90 day limit on challenges regarding a Planning and Zoning Law) prohibits agreements to toll the statute of limitations. While there is a strong public policy that favors prompt disposition of CEQA challenges, there is an equally strong public policy (and CEQA includes provisions) to encourage parties to reach a settlement before commencing litigation. Three parties must agree to toll the limitations period — the project proponent, the public agency, and the party asserting noncompliance with CEQA.

### Objective of CEQA is to provide relevant information that permits informed decision-making.

The California Court of Appeal ruled in *Neighbors for Smart Rail v. Exposition Metro Line Construction Authority* that lead agencies can use future condition baselines to analyze impacts that may not materialize for years, such as traffic, air quality, and GHG emissions, as long as the use of a future condition baseline is supported by substantial evidence. This is particularly important when a project will not be completed until several years after the final EIR is certified, such that the use of current conditions as a baseline would inaccurately reflect the project's environmental impacts. In making its decision, the Court reviewed the holdings in *Sunnyvale West Neighborhood Assn. v. City of Sunnyvale City Council* (2010) and *Madera Oversight Coalition, Inc. v. County of Madera* (2011).

(continued on next page)



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**“More people are quitting their jobs.** That’s good news, because quits are a vital part of the ‘churn’ that marks a healthy job market — when people leave their jobs, they open up opportunities for others. The bad news: More are getting laid off, too.”

—Ben Casselman, <http://on.wsj.com/S0XuVd>

## Wrap-up of recent planning-related court decisions

*(continued from previous page)*

**Court addresses scope of materials that must be included in CEQA administrative record.** The Court of Appeal found in *Consolidated Irrigation District v. The Superior Court of Fresno County* that under Public Resources Code section 21167.6, tape recordings of public agency hearings must be included in the administrative record for a CEQA proceeding, but a public agency does not have to provide a transcript where the recordings have not been transcribed. Further, documents referred to in a comment letter that can be found at a specific Web page have to be delivered upon request, but documents that refer to a general Web site do not. Also, delivery of files maintained by a subcontractor is not required where the public agency has no rights in the subcontractor’s files.

**City’s development restrictions constituted illegal spot zoning.** A California Court of Appeal recently concluded that a city’s imposition of a one-dwelling-per-20-acre land use restriction on a 2.85-acre parcel of land located in the middle of a residential tract that allows for four dwellings per acre constituted spot zoning and a compensable taking by the City. In *Avenida San Juan Partnership v. City of San Clemente*, the Court held that the City’s refusal to lift the zoning restrictions constituted inverse condemnation. The Court determined that City’s downzoning of the owners’ property and its later refusal to change the zoning was arbitrary and capricious. (Spot zoning occurs where restrictions on a small parcel are greater than the restrictions on surrounding properties — in essence, irrational discrimination.) Here, the Court found no question that the zoning creates an island in the middle of the denser RL zoning, and that the topography of Owners’ property is not unusual and does not support the discriminatory treatment exercised by the City.

**Update on Berkeley Hillside case.** The California Supreme Court granted review of *Berkeley Hillside Preservation v. City of Berkeley*. Among other things, the Court is expected to examine what is the appropriate standard of review to determine whether the significant effects exception to a categorical exemption applies. ■

**“Although the [high-speed] rail authority gets support from national environmental groups who say rail could reduce global warming in future decades, local activists say their immediate health concerns are discounted.”**

—Ralph Vartabedian, <http://lat.ms/Ldv2Kh>



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Answer to "Where in the world?" (Page 6)

Lake Union houseboats, Seattle.

Photo by H. Pike Oliver, AICP

"A small but vocal minority of people are '**resistant to change in general.**' They should know that 'change is inevitable.'"

—Weather Underground president  
Alan Steremberg on the acquisition of his  
company by The Weather Channel.

<http://nyti.ms/MUQC9V>

## Who's where

**Julie B. Eldridge, AICP**, has joined W-Trans as the new transit practice leader, Santa Rosa and Oakland. She previously was senior planner/project manager for Kimley-Horn and Associates. Before returning to California in 2009, Eldridge worked on major transit studies and projects in Georgia, South Carolina, Utah, and Arizona. She holds a Bachelor of Science degree in political science and public service from UC Davis.



**Delilah Leval** is now a planner at The Planning Center | DC&E, Berkeley. She previously was employed as a contract junior planner with the City of Pleasant Hill and served at ABAG as a GHG specialist. Ms. Leval holds a Master of City and Regional Planning from Cal Poly, San Luis Obispo, and a Bachelor of Science degree from UC Davis.



**Lisa Bates** has been appointed deputy director of housing policy development at the California Department of Housing and Community Development. Bates has served as deputy executive director at the Sacramento Housing and Redevelopment Agency since 2007, where she held multiple positions since 1991, including housing and community development director, housing program manager, senior housing finance analyst, and redevelopment planner.



**John David Beutler, AICP**, has been promoted to Senior Associate at Calthorpe Associates in Berkeley. He has been with the firm for 12 years. Mr. Beutler holds a Master of City Planning degree from UC Berkeley and a Bachelor of Science degree in management from Missouri State University. He has worked on regional planning efforts in multiple US states and foreign countries. Mr. Beutler's current work focuses on reforming city-building patterns in China. ■



# Norcal roundup

## Planning news from around the San Francisco and Monterey Bay areas

Compiled by Erik Balsley, AICP, associate editor

### Hunters increasingly protecting land

<http://bit.ly/NS4Ozr>

"In late May, California's Wildlife Conservation Board awarded the nonprofit group Ducks Unlimited, a pro-hunting conservation group, \$8 million to improve public access and help restore portions of the 5,000-acre Eden Landing Ecological Reserve in Hayward. That's on top of the \$7.1 million that Ducks Unlimited received from local and federal agencies in 2009 and 2010 in part to tear a 100-foot breach in a perimeter levee that for more than a century protected the salt ponds from bay tides. Hunters have frequented the salt flats outside Hayward for decades, said John Krause, a wildlife biologist who manages the property for the state Department of Fish and Game. The organization wasn't the only hunting group awarded money in the latest round of grants from the Board. Of the \$29.4 million being distributed among a total of 30 projects this year, \$1.3 million is going to the Rocky Mountain Elk Foundation and \$4.2 million to Sacramento's California Waterfowl Association." —Nate Seltenrich, "Ducks Unlimited to help restore wetland," *The San Francisco Chronicle*, July 23, 2012.

### Subway project advances despite uncertainties

<http://bit.ly/OiE23Y>

"Noisy, dusty, traffic-tangling construction is under way on San Francisco's Central Subway, yet uncertainties and challenges continue to dog the \$1.6 billion project. The subway, in the works since 2000, is an extension of the T-Third Muni Metro line that will connect the Caltrain station at Fourth and King streets to Chinatown and is projected to carry 35,000 riders a day by 2030. The Municipal Transportation Agency is still awaiting word on whether — and when — it will get a \$942 million federal funding guarantee it's been awaiting for months. The subway also faces unanticipated challenges in Union Square, where opponents may sue to stop a station in the park, and in North Beach, where merchants are fighting plans to close lanes on busy Columbus Avenue, where the tunneling machines will be removed. Despite the plethora of problems, transportation agency officials say they're optimistic the Central Subway will move forward." —Michael Cabanatuan, "Central Subway work starts amid problems," *San Francisco Chronicle*, July 19, 2012.

### Market Street revitalization plans propose new concepts

<http://bit.ly/OYDeTu>

"Planners presented early concepts for a new Market Street to the public to move the discussion forward on revitalizing San Francisco's grand boulevard with features like car-free zones, raised bike lanes, faster transit, and more inviting public spaces. The increasingly

popular idea of removing private autos from lower Market could come in various forms, ranging from additional forced turns for cars in both directions, to a car-free zone near the Powell Street cable car turnaround, to a full ban on cars as far west as Octavia Boulevard. Similar experiments have proven successful in New York City and Copenhagen, Denmark. Market could also be graced with physically raised bike lanes, which are common in Copenhagen. To speed up Muni lines on the street, the number of center lane stops could be reduced from the current 12 to either six or nine. The project is scheduled to be completed in 2015." —Aaron Bialick, "Learning from other cities, planners shop early visions for Market Street," *SF Streetsblog*, July 18, 2012.

### Greenhouse gas reduction plan in the spotlight

<http://bit.ly/SG2DIQ>

"In January, the City of Monterey began replacing street lights and other city lights with LED fixtures to comply with environmental rules on greenhouse gases. The suit, filed in March by a group of people who live, work, and visit Monterey called 'Turn Down the Lights,' contends the city failed to follow the California Environmental Quality Act, or CEQA, in replacing the high-pressure sodium street lights with new light-emitting diode, or LED, lights. The new lights use about 40 percent less electricity, and city officials said putting them in would help the city comply with a state law on reducing greenhouse gases. The lawsuit claims the new lights produce 'a harsh glaring light' that is painful to look at, invades private homes, detracts from Monterey history, and makes driving through the city less safe. Both sides have met in an effort to resolve the dispute — a requirement in CEQA litigation — and attorneys expressed optimism about a possible resolution." —Larry Parsons, "Monterey residents sue over new LED streetlights," *The Monterey County Herald*, July 17, 2012.

### Vehicle mile tax approved for study

<http://bit.ly/MELIxs>

"The boards of the Metropolitan Transportation Commission and the Association of Bay Area Governments jointly approved an environmental impact study on what would be the nation's first VMT (vehicle miles traveled) tax. Under the scenario, drivers would likely have to install GPS-like trackers on their cars to tally travel in the nine-county Bay Area, with only low-income people exempted. The VMT tax could cost up to a dime per mile, or the cost may peak during rush hour and bottom out, perhaps to less than a penny per mile, when the roads are mostly empty. Transportation planners know they would have a tough time selling such a radical plan but argue the goal of the so-called VMT tax is to reduce traffic and pollution while raising

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revenue needed to fill potholes and bolster public transit service. The VMT study is part of the long-term transportation and housing effort called Plan Bay Area, which also includes strategies like raising the Bay Bridge rush-hour toll from \$6 to \$8 and reducing the size of parking lots. The results are expected in December before the two agencies vote in April." —Mike Rosenberg, "Bay Area drivers could pay to drive each mile under tax proposal," *The San Jose Mercury News*, July 17, 2012.

### Alameda rezoning opens more areas to apartments <http://bit.ly/LQcMjd>

"For the first time in nearly 40 years, the city of Alameda zoned 17 locations throughout the city to build a total of 2,420 apartment units. Many of the sites are near the old Naval Air Station Alameda, which has been closed for 15 years. The new zoning plan came eight months after a community group called Renewed Hope Housing Advocates threatened to sue the island city. The group argued that Alameda's ban on new apartment construction, which voters approved in 1973, violated California law. Alameda has changed dramatically since voters approved the ban on new apartments. Had Alameda failed to change its zoning rules, the city faced losing tens of millions of dollars in regional transportation funds over the next four years, City Manager John Russo wrote in a memo to City Council members before the vote. The Council passed the housing plan by a vote of 4-0, with Councilman Doug de Haan abstaining." —Aaron Glantz, "Alameda to allow construction of new apartments," *The Bay Citizen*, July 11, 2012.

### Oyster farm versus wilderness question will soon be settled <http://bit.ly/Q4ERBd>

"Oyster farming in Drakes Estero, in the Point Reyes National Seashore on the Marin County coast, dates back to the 1930s, but the Drakes Bay Oyster Co. depends on a permit granted by the federal government 40 years ago. The permit expires Nov. 30, and for the past five years, a maelstrom of politics, disputed science, and conflicting principles has swirled around the estero and the oyster farm. There is little, if any, room for compromise. The dispute pits wilderness advocates and the National Park Service against the oyster farm, sympathetic Marin ranchers, and their ally, Sen. Dianne Feinstein, one of the most powerful members of Congress. Wilderness advocates want the farm, which harvests \$1.5 million worth of oysters a year, shut down and its presence, including shoreline buildings and wooden oyster growing racks in the estero, removed. The dispute is headed for resolution this fall by Interior Secretary Ken Salazar, who

holds sole authority to decide whether the oyster company's permit is renewed for 10 years." —Guy Kovner, "Oyster farm battle," *The Sonoma County Press Democrat*, July 8, 2012.

### 49ers' wrestle back stadium funds <http://bit.ly/Nxfljy>

"The San Francisco 49ers scored their first victory in the team's fight with South Bay leaders to wrestle back \$30 million in stadium funds. The saga began June 22, when an oversight board, made up of two Santa Clara officials and five officials from boards and agencies around Santa Clara County, decided to snatch the funds in hopes of spending it on things like education, saying new state laws gave them control over all redevelopment funds. However, Sacramento Superior Court Judge Lloyd Connelly granted the 49ers' request for a temporary restraining order to freeze the money for at least the next few weeks and set a July 27 hearing at which he may rule on the 49ers' claim that the team should get the funds because voters had earmarked the money specifically for the stadium." —Mike Rosenberg and Steve Harmon, "San Francisco 49ers win restraining order on \$30 million in disputed stadium funds," *The San Jose Mercury News*, July 3, 2012.

### Sea level rise impacts to California outlined <http://bit.ly/OeymcO>

"Former Gov. Arnold Schwarzenegger in 2008 called on state agencies to prepare for rising sea levels and brace for the coastal impacts. A National Research Council study to assess the expected rise was also commissioned and concluded that sea-level rise and storms already have caused 'significant coastal retreat.' Communities and ecosystems on the coastline were found to be susceptible to waves, a threat accelerated by the combination of storms, high tides, and El Niño. Experts believe sea levels on the California coastline could rise between 4 centimeters to as much as 30 centimeters over the next 20 years, leaving a wide range of possibility. Scientists attribute that range to the limitations of available models, a lack of complete knowledge about the global climate system, and a shortage of necessary data. The projections near California are higher than what the scientists anticipate will occur globally. Major earthquakes occurring every few hundred to 1,000 years can also lead to some coastal areas sinking in the short term and causing sea levels to further climb, possibly by as much as a meter." —G.W. Schulz, "Small sea-level changes could pose big problems for Calif. coast," *The Bay Citizen*, July 2, 2012. ■

"After sweeps, — fearing lawsuits by advocates for the homeless — San Jose has begun trial cleanups in which **possessions gathered from makeshift dwellings are kept for 90 days.**" <http://nyti.ms/L2tv9E>



# What others are saying

From *The New York Times*, *Times of India*, *The Telegraph*, *Pacific Standard*, and *Spiegel Online*

Compiled by Naphtali H. Knox, FAICP, Editor

## Climate

### It has been hot, and we know why

<http://nyti.ms/O8cBHA>

“A new study found that global warming made the severe heat wave that afflicted Texas last year 20 times as likely as it would have been in the 1960s. And the extremely warm temperatures in Britain last November were 62 times as likely because of global warming. Researchers around the world managed to study six events from 2011 and publish the results in six months. Heat waves, in particular, are probably being worsened by global warming, the scientists said. They also cited an intensification of the water cycle, reflected in an increase in both droughts and heavy downpours. In the new report, researchers in Oregon and Britain found that natural climate variability played a big role in setting the stage for the 2011 heat wave in Texas.” —Justin Gillis, “Global warming makes heat waves more likely, study finds,” *The New York Times*, July 11, 2012. The study, “Explaining extreme events of 2011 from a climate perspective” (Peterson et al, UK and NOAA, Bulletin of the American Meteorological Society, July 2012) is available at <http://bit.ly/S7sseh>.

### Time to worry about global cooling?

<http://bit.ly/MYJTOK>

Recent research by the Radio Astronomy Centre, National Centre for Radio Astrophysics (NCRA) of the Tata Institute of Fundamental Research (TIFR), found a steady weakening of the Sun’s magnetic field and its associated solar wind in interplanetary space. According to the study, these changes can have a greater impact on the earth’s atmosphere than previously thought. If such a steady weakening of the Sun’s magnetic energy continues for one or two solar cycles, it may lead to a mini-ice age similar to that which occurred in the 17th Century.” —Dipannita Das, “Steady weakening of Sun’s energy can affect Earth,” *Times of India*, May 15, 2012. Marc Herman writes in *Pacific Standard* [<http://bit.ly/LH1FzW>] May 22, 2012: “According to a 2002 study by Michael Mann,

the Little Ice Age appears to have been a 400-year period between the 16th and 19th centuries in which the Earth cooled 0.6 degrees Celsius, and is concurrent with the last drop in solar wind.” [<http://bit.ly/JADXtB>] While it’s “crazy to suggest that solar wind-provoked cooling will reverse climate change,” adds Herman, “the Indian discovery is an interesting part of the larger story.”

### G8 acts on climate change

<http://tgr.ph/JEX330>

“World leaders at the May 2012 G8 summit have taken the biggest step in years in tackling climate change. The summit’s final communiqué, the Camp David Declaration, supports ‘comprehensive actions’ to reduce ‘short-lived climate pollutants.’ These substances — including black carbon (soot), methane, ground-level ozone, and hydro-fluorocarbons — are responsible for about half of global warming. Straightforward measures to address them, a report by the United Nations Environment Program concluded last year, would delay dangerous climate change by more than three decades, buying crucial time for the much more difficult process of slashing carbon dioxide emissions. While international climate negotiations drag on, these pollutants can be reduced through existing national laws and regulations, using technologies already available. Senator James Inhofe, who pioneered Republican rejection of action to curb carbon dioxide, supports it on black carbon, while Canada — which this winter quit the Kyoto Protocol — has been in the forefront of countries urging an assault on such short-lived agents of climate change.” —Geoffrey Lean, “G8: Leaders open up vital new front in the battle to control global warming,” *The Telegraph* (UK), May 21, 2012.

**For an earlier report** on phasing out HFCs, see *Northern News*, Dec 2011–Jan 2012, “The US elections notwithstanding, November was quite a month for policy debates on climate change,” Page 17. <http://bit.ly/KjyMO1>

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## Government and industry

### Public-private partnership on steroids

<http://nyti.ms/LQF5L6>

“Cities have dabbled for years with privatization, but few have taken the idea as far as Sandy Springs, Georgia. Since it incorporated in 2005, it has handed off to private enterprise just about every service that can be evaluated through metrics and inked into a contract. It does not have a fleet of vehicles for road repair, or a yard where the fleet is parked. It does not have long-term debt. It has no pension obligations. It does not have a city hall — Sandy Springs rents. The town *does* have a conventional police force and fire department, but its 911 dispatch center is operated by a private company in Cranbury, N.J. The city manager points to the town’s healthy balance sheet [and] high marks from residents about quality of life and government services. Critics contend the town is a white-flight suburb that essentially seceded from Fulton County [which] includes many poor and largely African-American areas in Atlanta and points south.” —David Segal, “A Georgia town takes the people’s business private,” *The New York Times*, June 23, 2012.

### Going higher — breaking the timber ceiling

<http://nyti.ms/MbrvAd>

“A tall wooden structure would seem to be a collapse waiting to happen, but a building made from cross-laminated timber is stronger than a conventional wood-frame structure. From the second floor up [this] 29-unit building is constructed entirely of wood, making it one of the tallest wooden residential buildings in the world. [Graphic at <http://nyti.ms/JUSlwZ>] It was built using laminated spruce panels, up to 30 feet long, that were fabricated to precise specifications and bolted together to form the exterior and interior walls, floors, roof, stairwells, and elevator shafts. Developed in Europe in the 1990s, cross-laminated timber, or CLT, is the latest in a line of ‘engineered’ wood products that are strong and rigid enough to replace steel and concrete as structural elements. Popular in Europe, CLT is only beginning to catch on in North America, where proponents say buildings made with the panels could be a cheaper and environmentally friendly alternative. The buildings have a

low carbon footprint: Because trees remove carbon dioxide from the atmosphere through photosynthesis, the carbon stored in all those panels helps offset the greenhouse gases released in making and hauling the other building materials and in the actual construction.” —Henry Fountain, “Lofty ambitions for cross-laminated timber panels,” *The New York Times*, June 5, 2012.

### Could this be why Solyndra failed?

<http://bit.ly/Mm5nml>

“People in Germany aren’t buying solar modules because the sun shines often [but] because they will receive subsidies (feed-in tariffs) for the electricity for 20 years. Michael Zhu, vice president of Suntech Power in Wuxi, China, raves about Germany’s early decision to subsidize green energy. Nearly one-third of Suntech’s modules are sold to Germany. Over the past eight years, Germany’s market share of the global photovoltaic industry dropped from nearly 70 percent to less than 20 percent. Reiner Beutel, CEO of German solar cell maker Sovello, wants to save the German solar panel. [One problem is that] the subsidies in Germany have not been limited to electricity produced by German-made solar panels. As a result, the German subsidy program has had an effect across the world, primarily in Asia. Manufacturers worldwide were soon making more modules than customers wanted. It’s a well-known principle that oversupply is followed by a market shakeout. Prices fell by 50 percent last year (the solar industry’s crisis was already in full swing). German quality at Chinese costs — that’s where things now stand.” —Wiebke Hollersen, “Chasing the Sun,” *Spiegel Online*, May 29, 2012.

### Requirement for advance posting of agendas ends

<http://bit.ly/LnnBAI>

“Under the new [state] budget, significant components of the California Open Meeting Law, better known as the Brown Act, have been suspended. The requirement that governing bodies of California cities, counties, school districts, water districts, and other local agencies prepare and post agendas in advance of meetings as well as disclose closed session decisions is now optional. The state will no longer reimburse

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### Government and industry (continued)

local agencies for administrative costs incurred from fulfilling these requirements. The state's action to lift the requirement leaves citizens with no legal recourse should their representatives decide not to post agendas 72 hours in advance of meetings or disclose any actions taken during closed door meetings. The Governor's tax measure, if passed in November, would also reinstate the full mandate but without state reimbursement. If it fails, the suspension could remain in place for at least the next three years." —Alexandra Bjerg, The Brown Act enters budgetary limbo, transparency at stake, *California Forward*, July 16, 2012.

#### Say what?

<http://bit.ly/OQWpvP>

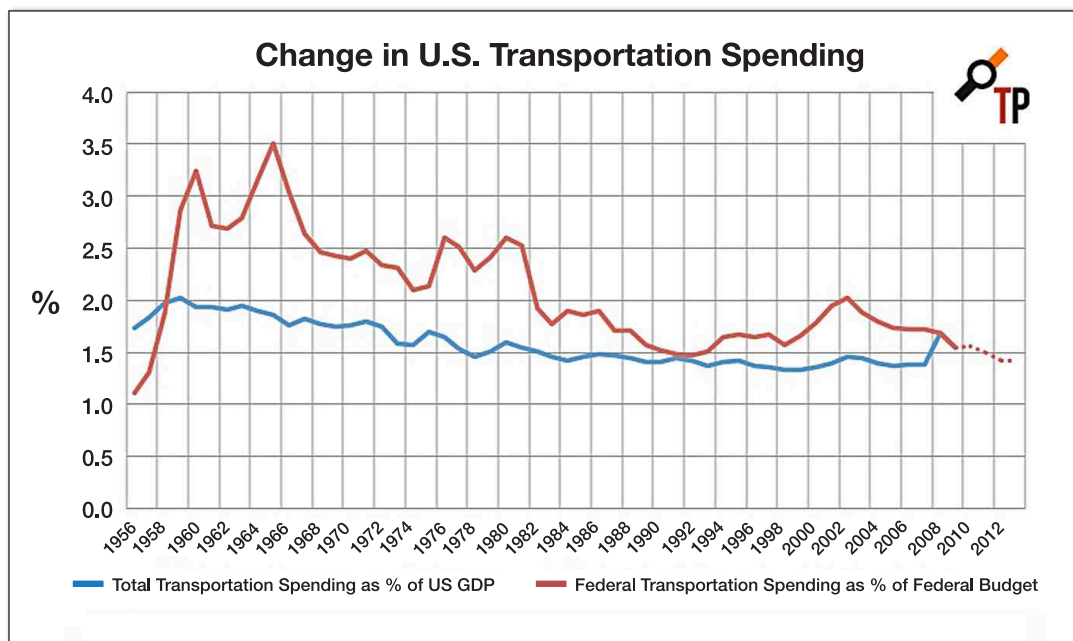
Former Ventura mayor Bill Fulton and Community Development Director Jeff Lambert are quoted discussing a project to build over the Highway 101 freeway that separates downtown Ventura from the Pacific ocean. They just as

well could have been discussing California's high-speed rail project:

"People fall into two traps with this project, Fulton said: those who see it as a *pie in the sky* idea that will never happen and those who will sit back and wait for what they see as inevitable...' Neither camp is right, he said. 'You have to be very proactive and aggressive in making this happen. It's a complicated, expensive thing to do.' "

"Whether it would have to be further depressed, what structures would be ultimately included, and even what decade it would be built in would all affect the cost, Lambert said. 'It really is possible if we break it into bite-sized pieces. If we don't dream, we'll never get there.' "

—Arlene Martinez, "Freeway 'cap' could reunite downtown with the ocean," *Ventura County Star*, July 7, 2012 ■



Congress passes major transportation bill, preserving the status quo, *The Transport Politic*, <http://bit.ly/NfELY>

"Bay Area airports, stadiums, and housing built just a few feet over the highest tides on landfill, could flood within decades. It's not just ocean water that is to blame. Major earthquakes can lead to some coastal areas sinking in the short term and causing sea levels to climb, possibly by as much as a meter." —G.W. Schulz, <http://bit.ly/NoR94t>

# Plan-it sustainably

## Living Future's Living Cities – explorations of a positive end game

By Scott T. Edmondson, AICP, Katja Irvin, AICP, Sustainability Committee Co-directors

The International Living Future Institute (ILFI: <http://bit.ly/MRIhDm>) recently won the Buckminster Fuller Challenge 2012 (<http://bit.ly/MC32TN>) for its innovative framework known as the Living Building Challenge (LBC) 2.0 (<http://bit.ly/OSyJfE>) — “a visionary path to a regenerative future.” LBC 2.0 guides the planning and design of regenerative places at the site, building, and city/region scales. It takes LEED to the next level — to ultimate sustainability — and can be used by projects to reduce their environmental energy impacts to net zero (e.g., eliminate them) or positively transform the environment (e.g., restore the regenerative life support cycles of the biosphere and local bioregion). As such, it is a planning innovation worth following if not testing.

One of LBC 2.0's distinguishing features is a set of 20 “net-zero” performance parameters that are now feasible using existing science, technology, and practices, along with a small dose of ongoing innovation to further improve practicality. These extremely ambitious goals call for ultra-efficient, nontoxic buildings and places that generate all of their own energy onsite using renewable sources; capture and treat all of their own water; are constructed of nontoxic, sustainably sourced materials; use only previously developed sites; and are beautiful and inspiring to their inhabitants.

Motivated by the idea that the future we imagine shapes human behavior and the prevalence of dystopian images of our urban future in our culture (think Blade Runner), the ILFI conducted the Living City Design Competition in 2010, <http://bit.ly/NqR1nl>. It engaged top international design and planning talent in applying LBC 2.0 principles to the city scale. Their results (<http://bit.ly/NG0wNg>) showcase a positive urban future adapted to local conditions. One local application, Berkeley+Bay (<http://bit.ly/Myel13>) shows how LBC 2.0 could be applied in the City of Berkeley and points toward a challenging larger regional application in the future. Such visioning is a first step in making the big, bold, transformative moves required for practical, smart urban sustainable development that planners can implement to begin creating the regenerative cities we need.

Raising the bar to “net-zero” is a key strategic move for the built environment and economy. It will spur the innovation needed to plan and develop regenerative buildings and places. Through the required innovation, it transforms sustainability from an added cost into a profit path that will invent the ecological-economy required for a sustainable society. In this way, sustainable

development changes from pie-in-the-sky utopianism to enviro-capitalism (<http://bit.ly/zuJFrh>) where sustainability solutions are smart business and smart planning.

Although LBC 2.0 is not a recipe for a fully sustainable global society, it portends a huge step forward for a large component — the built environment. LBC 2.0 is the 21<sup>st</sup> century realization of the 20<sup>th</sup> century vision for regenerative planning and design, with roots in the pioneering work of Buckminster Fuller, Ian McHarg, John Todd, and others. When combined with a strategic approach, as evidenced through the ILFI consolidation of the Cascadia Green Building Council, LBC, The Natural Step, Network USA, and Ecotone Publishing (<http://bit.ly/MRIhDm>), LBC 2.0 is poised to become a major driver of sustainability throughout the built environment, economy, and society. As such, planners' collaboration with ILFI and use of LBC 2.0 for innovative sustainability planning can leverage and extend LBC 2.0 to simultaneously accelerate its positive impact and advance Planning's sustainability agenda for creating regenerative places from site to city to regional scales, <http://bit.ly/QjJrNq>.

### Resources for Measuring Sustainability

- Newly crafted City of Dubuque Indicators (<http://bit.ly/NqSyKp>) and sustainability principles <http://bit.ly/NqSDhj>
- The Rockford, Illinois region is developing an ambitious sustainability plan, <http://bit.ly/OSCeN6>
- Green homes sell for 9 percent more <http://bit.ly/OU5Z05>

### Sustainability Committee Web Site

- **Explore** more resources for innovative sustainability planning, <http://bit.ly/NqSUKg>
- **Read** the Committee's inaugural Update <http://bit.ly/OivxWA>
- **Subscribe** to the Committee's email list <http://bit.ly/MVdpQh>
- **Collaborate** in ways that fit your time and interests <http://bit.ly/Oh7sxp>

NEW URL FYI: APA Sustaining Places

<http://www.planning.org/sustainingplaces/index.htm>, <http://bit.ly/QjJrNq> ■



**Despite threats of its demise, the California HSR lives on.** California's high-speed rail project is on a roller-coaster. Proposition 1A, the initiative that approved \$9.95 billion in bonds to fund HSR, passed with only 52.7 percent of the vote. A field poll last November reported that Californians want a re-vote and 59 percent would reject the current plan. Cities like Palo Alto have gone 180 degrees, from initial strong support to calls for its "termination."

Because it receives joint state and federal funding, HSR underwent a NEPA review that required the analysis of several alternatives at an equal level of detail in an excruciating public process. Combined with CEQA's detailed mitigation requirements, one could argue that the environmental review process had a strong hand in many changes to the project over the last few years.

Governor Brown recently tried to circumvent the environmental review process to expedite the project's start in the Central Valley (<http://bit.ly/MEGMME>). However, Central Valley farmers and Madera County filed an environmental lawsuit, pointing to the significant but unavoidable impacts of the project in their region (see below). While HSR Authority heads have resigned over such controversies, both Governor Brown and President Obama have remained supportive, with the President demanding that CHSR's Central Valley section move ahead in order to maintain federal funding.

## Fight from Central Valley

<http://lat.ms/MrCTGC>

"Central Valley farm groups filed a major environmental lawsuit [on June 1] against the California bullet train project, while Orange County transportation leaders urged state officials to shelve the \$68-billion proposal until improvements can be made to the existing passenger rail system." —Dan Weikel and Ralph Vartabedian, "Bullet train hit with a double blow," *Los Angeles Times*, June 2, 2012.

## Feds still in support of HSR

<http://bit.ly/MEj9jE>

"Support for high-speed rail in Congress has ebbed to a definitive low since Republicans came to power in the House in 2010. However, Federal Railroad Administrator

Joseph C. Szabo has said, '32 states are now moving ahead with 153 rail-development projects. This year alone, 44 projects in 16 states — representing close to \$3 billion in federal funding — are underway or set to break ground.'" —Keith Laing, "DOT official: Obama support of high-speed rail 'remains as strong as ever,'" *The Hill's Transportation*, June 4, 2012.

## HSR spurs budgeting debate

<http://bit.ly/LcCt6S>

"Government budgets and household budgets are not the same. Progressive economists have been railing against this false analogy for years, with Paul Krugman leading the charge. It looks so simple: Halt the train, save the budget. And it's wrong. The Golden Gate Bridge was built during the Depression. So was Boulder Dam. So was the Central Valley Project. They created immediate economic stimulus through their construction and created lasting economic value over decades by providing a vital service, whether that's moving cars, moving water, or creating and moving power." —Robert Cruikshank, "HSR is infrastructure, not a house," *California High Speed Rail Blog*, June 9, 2012.

## Train faces environmental challenges

<http://lat.ms/M6r2SW>

"The California bullet train is promoted as an important environmental investment for the future, but over the next decade the heavy construction project would potentially harm air quality, aquatic life, and endangered species across the Central Valley. Among the most difficult issues will be air quality, which is regulated across eight counties by the San Joaquin Valley Air Pollution Control District. The rail authority will also cross up to 100 bodies of water controlled by the Army Corps of Engineers." —Ralph Vartabedian, "Environmental objections in path of bullet train," *Los Angeles Times*, June 11, 2012.

## Jerry Brown backs away from exemption

<http://bit.ly/LjdkLz>

"Gov. Jerry Brown backed away from a fight with environmentalists [on June 20], abandoning a plan to exempt the \$68 billion California bullet train project from environmental laws. Brown's decision removed

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political roadblocks to environmental lawsuits aimed at stopping the bullet train. But the move also might shore up legislative support for the project.” —Lance Williams, “Brown backs away from bullet train fight,” *The Bay Citizen*, June 21, 2012.

### One more step

<http://bit.ly/Ok1Kwt>

“The California Assembly on July 5 approved legislation that would authorize the state to begin selling about \$4.5 billion in state bonds for the nation’s first high-speed rail system, taking an initial step toward the ambitious \$68 billion project that Gov. Jerry Brown hopes will be a part of his legacy.” —Juliet Williams, “California Assembly approves high-speed rail,” *San Jose Mercury News*, July 6, 2012.

### HSR makes San Diego transit a winner

<http://bit.ly/PN2Y30>

“Gov. Jerry Brown’s expected signature on a high-speed rail bond measure will help lower the local price tag for several transit improvements designed to make commuting by train easier. The region is counting on an immediate \$100 million, in addition to millions more in the future, to keep three key transit projects on track according to Gary Gallegos, executive director of the San Diego Association of Governments.” —Michael Gardner, “SD region gets \$100M in high-speed rail money,” *U-T San Diego*, July 9, 2012.

### Japanese study raises concerns

<http://lat.ms/PhrGLg>

“A new UCLA economic analysis of Japan’s Shinkansen bullet train and its impact on the growth of cities along its route calls into question claims by state officials that California’s high-speed rail project will create up to 400,000 permanent jobs. A spokesman for the rail authority did not directly comment but offered a list of other studies by transit agencies, railroad groups, and the authority’s own consultants that predict high-speed transportation projects would spur economic growth.” —Ralph Vartabedian, “UCLA study of Japan’s bullet train raises questions about California project,” *Los Angeles Times*, July 13, 2012.

### Did HSR save Central Valley Democrats?

<http://on.wsj.com/MXI1kd>

“The [HSR] project’s godfather is Democratic Congressman Jim Costa, who as a state senator in the 1990s wrote legislation creating California’s High-Speed Rail Authority and helped plan the 500-mile route between San Francisco and Anaheim. As soon as he took office, President Obama tried to help the state with \$2.4 billion in stimulus money. A year and a half later, the White House offered an additional \$900 million, provided that the \$3.3 billion sum be spent in the sparsely populated Central Valley. That is, in the congressional districts of Mr. Costa and fellow Blue Dog Democrat Dennis Cardoza.” —Allysia Finley, “How insider politics saved California’s train to nowhere,” *The Wall Street Journal*, July 13, 2012.

### Rail shows bold vision of future

<http://bit.ly/MESkQ2>

“Deputy Secretary John Porcari was in San Francisco as Governor Jerry Brown signed a funding bill that will set California’s high-speed rail line in motion. California’s approach also includes investments in local rail lines that will allow San Francisco, Los Angeles, and San Diego to connect more easily with the Central Valley line. Big ideas don’t come out of thin air. They are born when a group of people come together and think boldly about the future.” —Ray LaHood, “From coast to coast, America is becoming a high-speed rail nation,” *Fastlane*, the official blog of the U.S. Secretary of Transportation, July 20, 2012.

*Janet Palma, MS, AICP, works in Environmental Health Services for the San Francisco Department of Public Health and is Principal at J. Palma & Associates, an environmental planning concern. She serves on the City of San Leandro Board of Zoning Adjustments as the At-Large member and on APA California–Northern’s Board of Directors as Planning Commissioner Representative. (Disclosure: Ms. Palma is a sub-subcontractor to URS Corporation, working on visual resources for the Bakersfield-to-Palmdale section of the proposed high-speed rail line.) ■*

## BOARD MEMBER DIRECTORY

<b>Director</b> Hanson Hom, AICP	(408) 730-7450	<a href="mailto:hansonapa@gmail.com">hansonapa@gmail.com</a>
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<b>Administrative Director</b> Justin Meek, AICP	(831) 430-6796	<a href="mailto:justin.meek@gmail.com">justin.meek@gmail.com</a>
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<b>AICP Director</b> Don Bradley, AICP	(650) 592-0915	<a href="mailto:dr.donbradley@comcast.net">dr.donbradley@comcast.net</a>
<b>Awards Program Directors</b> Andrea Ouse, AICP Eileen Whitty, AICP	(650) 238-0015 (510) 287-1109	<a href="mailto:andrea.ouse@lsa-assoc.com">andrea.ouse@lsa-assoc.com</a> <a href="mailto:ewhitty@ebmud.com">ewhitty@ebmud.com</a>
<b>Communications Director</b> Erik M. Balsley, AICP	(415) 592-4769	<a href="mailto:balsley@alum.mit.edu">balsley@alum.mit.edu</a>
<b>CPF Liaison</b> Hing Wong, AICP	(510) 464-7966	<a href="mailto:hingw@abag.ca.gov">hingw@abag.ca.gov</a>
<b>Ethics Review Director</b> Colette Meunier, AICP	(707) 748-4453	<a href="mailto:Colette.Meunier@mindspring.com">Colette.Meunier@mindspring.com</a>
<b>International Director</b> Rob Eastwood, AICP	(408) 299-5792	<a href="mailto:rob.eastwood@pln.co.santa-clara.ca.us">rob.eastwood@pln.co.santa-clara.ca.us</a>
<b>Legislative Director</b> Alexandra M. Barnhill	(510) 273-8768	<a href="mailto:abarnhill@bwsllaw.com">abarnhill@bwsllaw.com</a>
<b>Membership Director</b> Florentina Craciun	(818) 438-0634	<a href="mailto:florentina.craciun@urs.com">florentina.craciun@urs.com</a>
<b>Planning Commissioner</b> Janet Palma, AICP	(510) 390-3984	<a href="mailto:janetpalma@comcast.net">janetpalma@comcast.net</a>
<b>Planning Diversity Director</b> Miroo Desai, AICP	(510) 596-3785	<a href="mailto:mdesai@ci.emeryville.ca.us">mdesai@ci.emeryville.ca.us</a>
<b>Professional Development Director</b> Tania Sheyner, AICP	(415) 896-5900	<a href="mailto:tsheyner@esassoc.com">tsheyner@esassoc.com</a>
<b>Section Historian</b> Juan Borrelli, AICP	(408) 793-4384	<a href="mailto:juan.borrelli@sanjoseca.gov">juan.borrelli@sanjoseca.gov</a>
<b>Student Representatives</b> Ruth Miller Veronica Flores	(770) 312-9295 (415) 997-9562	<a href="mailto:ruthm@berkeley.edu">ruthm@berkeley.edu</a> <a href="mailto:veronicagrace.flores@gmail.com">veronicagrace.flores@gmail.com</a>
<b>Sustainability Directors</b> Scott T. Edmondson, AICP Katja Irvin, AICP	(415) 992-6473 (408) 569-8214	<a href="mailto:scott-e@sustainability2030.com">scott-e@sustainability2030.com</a> <a href="mailto:Katja.irvin@sbcglobal.net">Katja.irvin@sbcglobal.net</a>
<b>University Liaison</b> Emy Mendoza	(510) 326-1919	<a href="mailto:emymendoza@earthlink.net">emymendoza@earthlink.net</a>
<b>Webmaster</b> Ronny Kraft, AICP	(650) 508-6367	<a href="mailto:kraft.ronny@gmail.com">kraft.ronny@gmail.com</a>
<b>Young Planners Group Directors</b> Avalon Schultz, AICP Natalie De Leon	(510) 504-9563 (408) 313-2662	<a href="mailto:Avalon.schultz@gmail.com">Avalon.schultz@gmail.com</a> <a href="mailto:natdeleon@sbcglobal.net">natdeleon@sbcglobal.net</a>

## Regional Advisory Councils (RACs)

<b>East Bay</b> Joanna Jansen, AICP Andy Waggoner	(510) 848-3815 (510) 604-4089	<a href="mailto:jjansen@planningcenter.com">jjansen@planningcenter.com</a> <a href="mailto:awaggonera@gmail.com">awaggonera@gmail.com</a>
<b>Monterey Bay</b> Elizabeth Caraker, AICP	(831) 372-1314	<a href="mailto:caraker@goldenstateplanning.com">caraker@goldenstateplanning.com</a>
<b>North Bay</b> Kristine Gaspar	(707) 523-1010	<a href="mailto:kristine.gaspar@GHD.com">kristine.gaspar@GHD.com</a>
<b>Peninsula</b> James Castañeda, AICP	(415) 601-9473	<a href="mailto:james.castaneda@me.com">james.castaneda@me.com</a>
<b>Redwood Coast</b> Stephen Avis, AICP	(707) 725-1407	<a href="mailto:savis@ci.fortuna.ca.us">savis@ci.fortuna.ca.us</a>
<b>San Francisco</b> Brian Soland, AICP	(415) 495-6201	<a href="mailto:BSoland@WilburSmith.com">BSoland@WilburSmith.com</a>
<b>South Bay</b> Katja Irvin, AICP	(408) 569-8214	<a href="mailto:katja.irvin@sbcglobal.net">katja.irvin@sbcglobal.net</a>

## NEWSLETTER INFORMATION

### Editorial

<b>Editor</b> Naphtali H. Knox, FAICP	(415) 699-7333	<a href="mailto:knoxnaph@gmail.com">knoxnaph@gmail.com</a>
<b>Associate Editors</b> Theresa M. Alster Erik Balsley, AICP	(408) 981-8346 (415) 592-4769	<a href="mailto:theresamalster@gmail.com">theresamalster@gmail.com</a> <a href="mailto:balsley@alum.mit.edu">balsley@alum.mit.edu</a>

### Advertising Director/Jobs

Scott Davidson, AICP	(510) 697-2280	<a href="mailto:scottdavidson2@comcast.net">scottdavidson2@comcast.net</a>
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### Newsletter Designer

Nancy Roberts	(408) 723-3200	<a href="mailto:tproberts@sbcglobal.net">tproberts@sbcglobal.net</a>
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## ADDRESS CHANGES

Membership Department  
American Planning Association  
205 North Michigan Ave, Suite 1200  
Chicago, IL 60601  
(312) 431-9100  
[www.planning.org](http://www.planning.org)

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