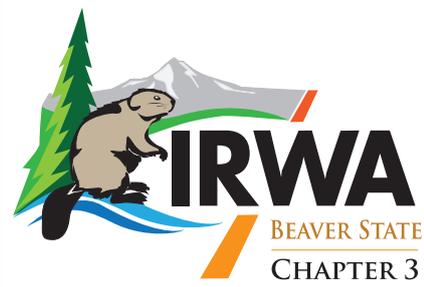


The Award Winning Beaver Tales



June 2014

Newsletter for Beaver State Chapter 3 serving Oregon and SW Washington since 1950

Chapter 3 meeting Friday June 13th at Ernesto's

Board Meeting: 10:30am
Meeting: 12:00pm
Speaker: 12:15pm

8544 SW Apple Way
Portland, Oregon 97225
LUNCH: \$14

KOONTZ VS ST. JOHN'S RIVER WATER MANAGEMENT DIST. SUPREME COURT SAYS TAKINGS THROUGH LAND USE PERMITS CAN BE COMPENSABLE.



At IRWA Chapter 3's June luncheon, our speaker will be Jaci Margeson, Attorney for BPA. Jaci has been working as an attorney in the Right of Way field for years, and is a longtime supporter of our chapter. At our next lunch meeting, she is going to explain the impact of this latest court ruling, and how it could change what we do. The case is *Koontz v. St. John's River Water Management District*, 570 U.S. ___ (2013), if you want to study up.

What do you think? You want to develop your property. It has wetlands. You go to the county for permits, and they say you must mitigate the environmental effects of disturbing the wetlands. Ok, so you offer to donate a conservation easement over 75% of your land. This idea was rejected, with the agency saying you have to make a smaller development and donate the rest of the property to the county as a conservation easement. Or they would let you make improvements to another wetland area that the county owns several miles away. Is this fair? Is it constitutional? Is the government taking your property without compensation?

In 2013, the U.S. Supreme Court said yes, it is a taking without compensation and unconstitutional under the 5th Amendment. A government entity cannot unreasonably restrict a property through police power without just compensation. How will this impact our industry?

CONGRATULATIONS



POY
Matt Gossett

EOY
Oregon Dept of
Transportation

IRWA Chapter 3

Please RSVP
Diane McLaughlin at
dianemcirwa@hotmail.com

June Lunch
Jackpot is \$75
Good Luck!

IRWA Events

2014 IRWA Conference
June 22-25

Chapter Events

Education Classes

June 12-13
Alternative Dispute Resolution

July 14-16
SR/WA Study Session

September 9
Conflict Management

October
*Computing Replacement
Housing Payments*

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Hello Chapter 3!

I hope all the attendees of the joint Oregon Department of Transportation and IRWA Beaver State Chapter 3 Right of Way Symposium had a great time and learned a lot. I'd like to thank all of our knowledgeable speakers, all those behind the scenes people who put this together and, of course, all of you who attended and made this event great. Thank you!

This is my last article to you as President and it's a tough one to write. If you get the opportunity to become president, and I hope you do, it's an exciting time to try and add a little of yourself to the soul of Beaver State Chapter 3. Almost all of the things I wanted to do at the beginning of my time have been accomplished and that's a great feeling. The Board has worked diligently to streamline processes, communicate more effectively (internally, within the Region and with the Association), target the classes you need for your designation and, obtain the best speakers available, all in an effort to help you become the best right of way professional you can be.

As I mentioned in my last article, all of this hard work is paying off; Chapter 3 is one of three finalists for the Chapter of the Year Award (among other things), which will be announced at the annual Education Conference in Hartford, CT June 22-25, 2014. Even if we DON'T win, it's still an amazing honor and we should all feel proud to be a part of this incredible chapter.

One of the things the Board has been wanting to do in recent years is establish a more concrete identity for ourselves and, to become a

little less Portland-centric. At the Symposium, we unveiled our new chapter logo; a trio of member-suggested, meaningful images which certainly represent our Chapter internally and now, externally as well. I think the logo is powerful if I may say so myself. The beaver, which represents Oregon; the evergreen trees, which represent Washington and; iconic Mt. Hood which bridges and ties those images together, is one of the best chapter logos out there.

This Chapter represents all of Oregon and southwest Washington state which is a massive geographic area. Beginning with Regina Thompson's time as President, the Chapter will be holding at least one luncheon outside of Portland, this time in Salem. Look for more information as to where and when in upcoming newsletters.

Moreover, and again, tying into what it takes to be one of the best chapters in the Association, Chapter 3 makes another bold move by broadcasting our luncheon speakers to all of our members. We do this because we want to make sure we're reaching out to ALL of our members throughout this massive area so they can participate even if they're sitting in La Grande or Klamath Falls. Chapter 3 is the first chapter to do this in the entire Association and I'm proud to be working closely with the Association to promote this innovation.

To make sure you're able to dial in to this event, please make sure that all of your contact information is up to date on the Association's website, under the Membership tab then, My Information. As this is a first time event for any chap-



Matt Gossett, President

ter, I'm hoping for the best but, we're preparing for the worst. You know how new technology can be!

Our new Board was sworn in at the Symposium by none other than incoming International President Lee Hamre, SR/WA, R/W-RAC, R/W-URAC, which was quite an honor. I have a tremendous amount of faith in all of the incoming officers and know that this chapter has many more years of leading the way within the Association.

It has been the highest honor for me serving as President of this incredible Chapter.

Thank you!

Matt Gossett

"Member Spotlight"

Tara Heesacker

Washington County Right of Way Supervisor

If an IRWA member happens to hear Leslie Finnigan singing, "Me and My Shadow," when she spots Tara Heesacker, they should know that there is good reason.

No, it is not Leslie's voice.

Rather, it is how Tara got started in our business. As the Chapter 3 Spotlight member for June explains, "the Right of Way world piqued my curiosity in 1999, and I shadowed Leslie Finnigan, during her time in Washington County's Right of Way Section. Following that, I worked with Rod Bliss and got my start in Right of Way through a developmental position. Even before I officially became an Agent, I was a member of IRWA Chapter 3 and growing through numerous IRWA courses."

Working for Rod Bliss, Heesacker stayed pretty close to home. She calls herself a "city girl, raised in Hillsboro," but adds she's grown to love country living in the foothills of the coast range, just outside of Banks, with Dave, her husband of nearly 23 years.

"There, we've raised two kids (well, almost – last one graduates high school in early June), three dogs, various cats (because I hate mice) and countless guinea pigs (it was a weaker moment). Our oldest, Tyler, is about to finish his 2nd year down at Oregon Tech in Klamath Falls and our baby girl, Emma will have graduated high school by the time this newsletter goes to print. We're almost officially "empty nesters" as Tyler plans to return to OT and Emma is headed north to Seattle Pacific University this Fall. I'm looking forward to a break from scouting events and soccer games so I can develop some new hobbies.



Tara actually started working for Washington County in late 1991, and joined the Department of Land Use and Transportation in mid-1992 working in the Office of the Director. "Looking back, I realize how valuable it was to develop that big-picture perspective of how our department fit into the bigger Washington County scheme and enjoyed being part of "early years" in our Major Streets Transportation Improvement Program. It was a very humbling experience to volunteer my time as a cold-caller for the MSTIP educational effort prior to voter approval of MSTIP3.



After learning with Finnigan, she began as a Right of Way agent on Rod Bliss' team at Washington County. She credits job-relevant education, credentialing and networking with our colleagues through the IRWA as always being a valued part of our county's right-of-way program. As an agent at the County, we wear many hats. We are involved in appraisal, review, negotiation and relocation. I've always loved this work as it is a wonderful balance of math, science, psychology and communication. My goal is to be a negotiator that's not afraid to walk with pride down the sparkly new sidewalks our projects build. If I've done my job right, I'm greeted with smiles, not snarls.



In 2009, Heesacker decided to finish her degree at Linfield. (She writes in - Go Wildcats!) and says she learned it's much tougher, but far more rewarding, to be an experienced adult student. As she puts it, "Finding that "right" balance between family, work and school is challenging but rewarding."



Dave, Emma, Tyler and Tara Heesacker



...continued on page 4

July Lunch Meeting : Wind Energy in Oregon



Andrea Hamberg is the Health Impact Assessment Program Coordinator. She has agreed to share with us some findings the State of Oregon has made regarding the good and bad sides of Wind Energy. The study is known as The Strategic Health Impact Assessment on Wind Energy Development in Oregon. It describes the available scientific evidence and provides health-based recommendations in five key areas that could be affected by a wind energy development: noise, visual impacts, air pollution, economic effects and community conflict." Andrea will discuss the findings of this study share the positive and negative impacts on this growing industry on our community. especially to the winners.

Member Spotlight Continued...

"In 2012, I accepted the challenge of Supervisor for the County's Right-of-Way Section. I have the privilege of working alongside some great right-of-way professionals who have a wide range and depth of right-of-way related backgrounds totaling over 80+ years. That background is what helps our team keep up with our high volume of capital projects. What I love is that there's always something to learn...it never gets old around here!"

When not deep in Right of Way, the Heesackers may be deep in the woods. "Our family is always in search of the-next-best-waterfall. Good hikes along the journey are a bonus. (See photo of our family hiking to Ramona Falls up on Mount Hood last year.) As empty-nesters, I hope to be able to knock the dust off our waterfall guidebook, visit some more falls and write a few more personal comments in the margins. Love the tattered, dog-eared pages of that book.

Whether by tent or RV, we enjoy winding down in the out-of-doors. Although I'm more of a RV-style camper, my husband and Eagle Scout son, have introduced me to freedom of less beaten paths that can be explored through backpacking and tent camping. Something I hope to do more of as an empty-nester.

One year, however, they turned away from the forest. In what Tara terms, their "most memorable adventure, in 2005, the family had the opportunity to live the life of a Lighthouse Keeper at the New Dungeness Lighthouse in Sequim, WA. "Our kids were early elementary age which was the perfect age! As a keeper, we toured eager visitors up to the top of the Coastguard's operating light tower (74 steps!) and performed daily chores to keep up the light station. Visitors arrive either by water (across the Dungeness Bay) or via 5-mile hike (each way) through the Dungeness National Wildlife Refuge encompassing the Dungeness Spit."

She recalls the best part being the solitude and staying in the historic (yet well maintained) keeper's house. And the most challenging part was realizing the only way off the station was by helicopter, hike or waiting for the shuttle vehicle to arrive at low-tide the next Saturday morning. "Quick trips to the store were not an option," she said. "Rationing soda toward the end of our stay was something new for us! However, the up-close views of passing barges and cruise ships on the Strait of Juan de Fuca along with the wildlife that calls the refuge home were priceless." For more information, check out <http://www.newdungenesslighthouse.com/>.

"About six years later our family "hiked" back out light station and climbed to the top of the light tower for old time's sake! Brought back lots of good memories..."





Chapter 3 2014 Education Schedule

| Course Date | Course # | Course Name | Facilitator | Location |
|-------------------|----------|---|-----------------------|--------------------------|
| June 16 & 17 | C203 | Alternative Dispute Resolution | Carol Brooks, SR/WA | Double Tree Hotel, Salem |
| July 14, 15 & 16 | SR/WA | SR/WA Study Session | Joe Pestinger, SR/WA | Double Tree Hotel, Salem |
| September 9th | C213 | Conflict Management | Carol Brooks, SR/WA | Radisson, Portland |
| October 8th & 9th | C504 | Computing Replacement Housing Payments | Brad Thomas | Double Tree Hotel, Salem |
| November 18 & 19 | C506 | Advanced Business Relocation Assistance | Leslie Beaird R/W-RAC | Radisson, Portland |

Please watch Chapter 3's and IRWA's websites for more information about these classes as it becomes available. To register, please visit irwaonline.org.

Respectfully submitted by Seth Hemelstrand, Chapter 3 Education Chair, 5/8/14.



Brandi M. Christie - PacifiCorp
 Sharon M. Matlock - PacificCorp
 Brent C. Leslie – CRGT Inc.



Above: ODOT Employee's being sworn in by IEC Pres-Elect Lee Hamre, SR/WA, R/W-RAC, R/W-URAC at the Spring Symposium.



Left: ODOT Employee's posing for a picture after ODOT won IRWA Chapter 3 Employer of the Year Award.

SR/WA Review Study Session & Exam

July 14, 2014 Salem, OR

* PLEASE NOTE: To ensure proper registration & credit, if registering for someone other than yourself, you MUST use their log in information.

Or, to mail or fax:

Course Registration Form (U.S.)

Course Registration Form (Canada)

Start Date: 07/14/2014

End Date: 07/16/2014

No. of Days: 3 days

Class Time: 8:00 a.m. - 5:00 p.m.

Tuition:

- **Early Registration (on or before 6/17/14):** \$500.00 Member / \$645.00 Non-Member (includes \$35 facility fee)
- **Standard Registration (received after 6/17/14):** \$600.00 Member / \$745.00 Non-Member (includes \$35 facility fee)

PLEASE NOTE: Online registration is not available for the SR/WA Review Study Session, as all participants must be verified as current, active candidates for the SR/WA Designation prior to registering.

To register for this session, please submit a completed registration form to Nikki Adams, Course Promotion Coordinator - Online, at IRWA HQ - Fax: (866) 388-7419 / Email: adams@irwaonline.org.

Seminar Description:

This session provides participants with the opportunity to review subject matter from all disciplines within the right of way profession, and also provides the chance to brush up on areas in which they may have limited knowledge or experience. The Comprehensive Exam (United States version) will be administered at the conclusion of the review session, in the afternoon of the third day, and covers the seven (7) core disciplines:

- Engineering
- Law
- Negotiation
- Valuation
- Environment
- Relocation
- Asset Management

FACILITATOR:

Joachim (Joe) Pestinger, SR/WA, is the Principal Partner of A Better Way – MEDIATION, LLP., specializing in right of way and real estate dispute resolutions. Previously the Director of Real Estate Services for the Washington State Department of Transportation where he administered the acquisition, appraisal, title clearance, condemnation, property management, and relocation assistance activities. Mr. Pestinger served on the executive board of the Right of Way and Utilities Committee of the American Association of Highway and Transportation Officials. He has also served on International Right of Way Association's International Transportation, Property Management and Education Committees, and was the lead author for courses # 700, # 801 and this Hot Topic seminar, H006 **Who should take this**

SR/WA Review Study Session & Exam

This three (3) day seminar is designed to prepare Candidates to take the SR/WA Comprehensive Examination by reviewing the seven (7) core disciplines of the right of way profession. It is intended to allow participants to brush up on areas in which they may have limited experience or knowledge. The Comprehensive Exam (United States version) will be administered at the conclusion of the review session, in the afternoon of the third day, and covers the seven (7) core disciplines: Engineering, Law, Negotiation, Valuation, Environment, Relocation, and Asset Management.

COURSE COORDINATOR:

Seth Hemelstrand
PO Box 2354
Salem, OR 97308
Phone: (503) 399-8002
Fax: (503) 399-8003
Email: shemelstrand@ufsrw.com

CLASS LOCATION:

Double Tree Hotel
1590 Weston Court NE
Salem, OR 97301
Phone: (503) 581-7004
Fax: (503) 362-3587

ACCOMMODATIONS:

Please contact the Course Coordinator for suggestions regarding local hotel accommodations.

**Sign Up Before
6/17/14 for \$100 off**

C-213 Conflict Management

September 9, 2014

* PLEASE NOTE: To ensure proper registration & credit, if registering for someone other than yourself, you MUST use their log in information.

Or, to mail or fax:

Course Registration Form (U.S.)

Course Registration Form (Canada)

Start Date: 09/09/2014

End Date: 09/09/2014

No. of Days: 1 day

Course Level: Core

IRWA Credits: 8 QEU / CEU

Class Time: 8:00 a.m. - 5:00 p.m.

Tuition:

- **Early Registration (on or before 8/9/14):** \$250.00 Member / \$315.00 Non-Member (includes \$35 facility fee)
- **Standard Registration (received after 8/9/14):** \$300.00 Member / \$365.00 Non-Member (includes \$35 facility fee)

**Sign Up Before
8/9/14 for \$50 off**

Credentialing

Generalist: An intermediate course that can be applied towards the ARWP, RWP or SR/WA program.

Specialist: An elective for the R/W-AMC, R/W-EC and R/W-NAC programs.

Course Description:

This course presents specific methods for reaching collaborative solutions and minimizing negative aspects of conflict while maximizing benefits of resolving conflict. During this course, participants will learn how effective conflict management can open doors to healthier workplace relationships and more productive working relationships with both property owners as well as the general public.

Topics:

- What is conflict?
- Nature and consequences of conflict
- The two consequences of conflict
- How to identify "crazy-makers"
- Seven common outcomes of "usual conflict"
- How processes and outcomes separate constructive from destructive controversies
- Why conflict is natural
- Determine your own conflict style — self examination
- Coping with criticism
- Managing interpersonal conflict
- Communication climate: key to conflict management

FACILITATOR:

Carol L. Brooks, SR/WA is the Owner of Cornerstone Management Skills. She is a Master Facilitator with the IRWA, an author, and lectures on conflict management, interpersonal skills and managing success to governmental agencies, the hospitality industry and professional associations. With over 20-yrs experience in public utilities and local public agencies, her expertise includes easement and land acquisition, negotiation, easement valuation, permitting, easement law, project management, and eminent domain support.

Who should take this course:

This course is designed for right of way professionals and individuals who want to better manage their roles in interpersonal conflict and to develop better relationships.

COURSE COORDINATOR:

Dan Benson, SR/WA
PO Box 873459
Vancouver, WA 98687
Phone: (360) 905-2142
Fax: (360) 905-2159
Email: irwadan@gmail.com

CLASS LOCATION:

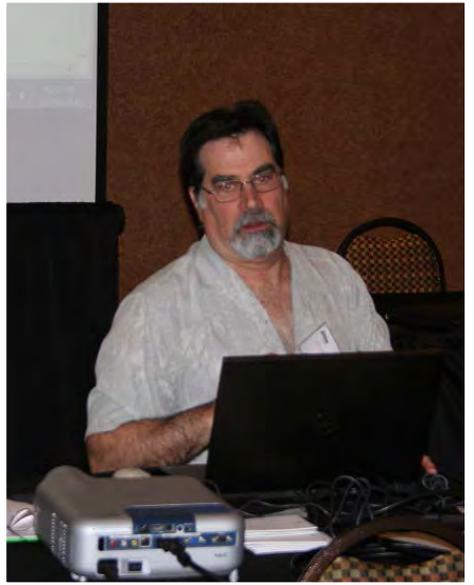
Radisson Hotel
6233 NE 78th Court
Portland, OR 97218
Phone: (503) 408-3672

ACCOMMODATIONS:

Please contact the Course Coordinator for suggestions regarding local hotel accommodations.

2014 Joint ODOT and IRWA Ch 3 Right of Way Symposium *In Pictures*









5th Annual Project of the Year COMPETITION

SUBMISSION GUIDELINES

To enter your project, please follow these steps:

1. SUBMIT A WORD DOCUMENT

Tell your project story with as many details as possible. For judging purposes, it is suggested that you follow the same order as the categories listed below. We accept entries of any length, as long as the four categories are included. For reference, the average submission is 2,000 words.

Note: The bullet points are intended to stimulate your thinking, however, it is not necessary to cover each item if it is not applicable to your project.

a) Background: Provide background details about your project

- Why was this project needed?
- What was the schedule and budget you were provided?
- Where did the funding originate? Did it include public funding?
- Who was impacted during acquisition and construction?
- Who will benefit once the project is completed (who are the customers)?

b) Phases: Describe the phases of the project

- Funding
- Staffing
- Planning
- Approvals
- Community Outreach
- Project Execution (surveying, acquisition, relocation, permitting, environmental, valuation, asset management, etc.)
- Official Launch

c) Challenges: Identify three unique or unusual project issues

- What went wrong?
- Who or what was involved?
- What steps were taken to mitigate the issues?
- Were the issues resolved by the end of the project?

d) Best Practices: Explain your greatest accomplishment and lessons learned

- What went well or better than anticipated?
- Which accomplishment could become a best practice?
- Was there creativity involved that made this project unique?
- In hindsight, what would you have done differently?
- Did you meet the schedule and budget? If so, how? If not, why not?

2. INCLUDE A COVER SHEET

On the first page of your submission, please include the following:

- Contact Name
- Email and Phone
- Name of Company/Agency
- Project Name

3. ATTACH GRAPHICS, PHOTOS OR OTHER SUPPORT

To bring your project story to life, it is recommended that you include photos, graphics or documents that showcase some of the unique or complex features. You can either send these as separate attachments (PDF, jpg or eps) or include them in your word document. Be sure to identify each graphic with a caption or description.

4. EMAIL YOUR SUBMISSION

Email to: magazine@irwaonline.org by July 31, 2014.

Upon submitting your project, you will receive an email confirmation of receipt.

INFORMATION

Eligibility: Whether your project is in the works or already completed, any project with a right of way component is eligible. If you entered your project in a previous IRWA competition and did not rank in the Top 10, you can re-enter your project with the new criteria. The competition is open to all members and non-members.

About the judging: Judging will take place in August and the winner and Top 10 will be announced in early September. A panel of subject matter experts will serve as project judges. Each judge will represent a specific industry or discipline, including Asset Management, Environment, Oil and Gas Pipeline, Local Public Agencies, Electrical Utilities, Valuation, Relocation Assistance, Surveying/Engineering and Transportation.

QUESTIONS?

If you have questions about the competition, please contact Barbara Billitzer, Publisher and Editor-in-Chief of Right of Way Magazine at Billitzer@irwaonline.org

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- Community Outreach
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- Documentation & Records Management



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| SUNDAY | MONDAY | TUESDAY | WEDNESDAY | THURSDAY | FRIDAY | SATURDAY |
|--------------------------------------|--------|---------|-----------|---|---|----------|
| 25 | 26 | 27 | 28 | 29 | 30 | 31 |
| June Newsletter Information Deadline | | | | | | |
| 8 | 9 | 10 | 11 | C-203 Alt. Dispute Resolution Salem, OR 8am - 5pm | IRWA CH 3 Board Meeting 10:30am Lunch 12:00pm | 14 |
| 15 | 16 | 17 | 18 | 19 | 20 | 21 |
| 22 | 23 | 24 | 25 | 26 | 27 | 28 |
| 29 | 30 | 1 | 2 | 3 | 4 | 5 |

FRECALENDARSTOPRINT.NET

JUNE

- 1** June Newsletter Information Deadline
- 12-13** C-203 Alternative Dispute Resolution Facilitator: Carol L. Brooks, SR/WA Site: Double Tree Hotel 1590 Weston Court NE Salem, OR Coordinator: Hannah Halpenny Phone: (503) 348-8317 Email: hannah.halpenny@hdrinc.com
- 13** IRWA Chapter 3 Board Meeting and General Meeting at Ernesto's

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| SUNDAY | MONDAY | TUESDAY | WEDNESDAY | THURSDAY | FRIDAY | SATURDAY |
|--------|---|--------------------------------------|-----------|----------|---|----------|
| 29 | 30 | July Newsletter Information Deadline | 2 | 3 | 4 | 5 |
| 6 | 7 | 8 | 9 | 10 | IRWA CH 3 Board Meeting 10:30am Lunch 12:00pm | 12 |
| 13 | 14 | 15 | 16 | 17 | 18 | 19 |
| | SR/WA Review Study Session & Exam July 14 - 16, 2014 Double Tree Hotel, Salem, OR | | | | | |
| 20 | 21 | 22 | 23 | 24 | 25 | 26 |
| 27 | 28 | 29 | 30 | 31 | 1 | 2 |
| 3 | 4 | 5 | 6 | 7 | 8 | 9 |

FRECALENDARSTOPRINT.NET

JULY

- 1** July Newsletter Information Deadline
- 11** IRWA Chapter 3 Board Meeting and General Meeting at
- 14-16** SR/WA Review Study Session & Exam July 14 - 16, 2014 Double Tree Hotel Salem, OR

Note: Must be an approved candidate

Register on or before 6/17/14 to receive a \$100 discount

Exam Fee: \$100.00

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mattinpx@gmail.com

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Nominations and Elections

Sharan Hams-La Duca
sharan.laduca@qwestoffice.net

Asset Property Management

Steve Planchon, SR/WA
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503 286-2216

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