



# GEORGIA BOARD OF LANDSCAPE ARCHITECTS

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Welcome to the inaugural issue of your Board of Landscape Architects newsletter. In this issue, Board Chair Becky Kirk shares some tips on keeping yourself compliant with the laws that govern our practice (you'd be surprised at some of the recurring issues we see); Chad Baker clears up the often-muddy subject of state waters and shares some excellent resources, and our Citizen-member, Jaydee Ager, speaks with authority on one of our best shade plants, the oakleaf hydrangea. I hope you find this content informative and useful in your practice.

Each of us is honored to serve each of you, and all the citizens of our State by ensuring that all practitioners of Landscape Architecture comply with the standards set forth in our law. Please let us know how we can serve you better.

With best wishes for your continued success,

Tim Lake, Sr., PLA, ASLA

# NAVIGATING JURISDICTIONAL WATERS IN GEORGIA

by Chad Baker

I remember being in a meeting many years ago and a client made the comment, “Good grief, a cup of water sitting on a property line that has a leak in it is considered Waters of the State! How will I ever develop my property?” While that statement was meant to over-exaggerate the fact, it provoked in me the curiosity to understand why it mattered. The client felt his property rights took a back-seat to the “rights” of the vegetation, wildlife, and water on his land. Transforming conflict into cooperation is something we are called to do every day, not only as people, but as professionals. As a registered landscape architect in the State of Georgia, it’s important to understand what role federal, state, and local agencies play in protecting Georgia’s natural resources, specifically jurisdictional waters like streams and wetlands.

In the case of permitting impacts to jurisdictional waters, our role as a project manager requires that we assemble, engage, and manage a team of subject matter experts including attorneys, surveyors, wetland scientists, engineers, archaeologists, investors, civil servants, and special interest groups. Navigating the process of impacting jurisdictional waters is not for the faint of heart or the impatient; the process is a regulatory obstacle course requiring creativity, strategic thinking, and technical expertise.



It goes without saying, but I’ll say it anyway; most land planning projects include the challenge of maximizing the Owner’s return on investment (more lots, more square footage, more parking), while also protecting valuable, natural resources impacted by development. Landscape architects were born for this challenge! Our commitment to protect the public health, safety, and welfare requires that impacts to jurisdictional waters be made cautiously and legitimately.

Below are some questions to consider with links to agency websites. Consider these links a mere “drop-in-the-bucket” to the unlimited supply of resources available to educate ourselves and our clients regarding impacts to jurisdictional waters.<sup>1</sup> Does my project propose to impact a wetland, State Water or Water of the U.S? How does Section 404 of the Clean Water Act, Section 10 of the Rivers and Harbors Act of 1899, and Section 103 of the Marine Protection, Research and Sanctuaries Act relate to my project? What role does the U.S. Army Corps of Engineers, the U.S. Environmental Protection Agency, and the U.S. Fish and Wildlife Service play in reviewing and approving my project. Click on these links to learn more:

<https://www.epa.gov/cwa-404/section-404-permit-program>

<https://www.epa.gov/npdes/npdes-frequent-questions>



2. What is a “State Water” in Georgia? Does my project propose to impact the 25’-wide State Waters Buffer on warm streams, or the 50’-wide State Waters Buffer on cold streams? Provided below is a link that will provide information for protecting our buffers with minimal impacts.

[http://epd.georgia.gov/sites/epd.georgia.gov/files/related\\_files/site\\_page/Buffer\\_Variance\\_Rules\\_and\\_Definitions\\_Sep2013.pdf](http://epd.georgia.gov/sites/epd.georgia.gov/files/related_files/site_page/Buffer_Variance_Rules_and_Definitions_Sep2013.pdf)

3. What is NPDES? Under what conditions are any proposed impacts authorized under a “Nationwide General Permit”? Based on my project type, size, and proposed impacts do I need an “Individual Permit”, instead? What is compensatory mitigation and will my client be required to provide mitigation for any impacts associated with the project?

<http://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/>

[http://www.usace.army.mil/Portals/2/docs/civilworks/regulatory/comp\\_mitig\\_finalrule\\_qa.pdf](http://www.usace.army.mil/Portals/2/docs/civilworks/regulatory/comp_mitig_finalrule_qa.pdf)

4. I know there are many rules and laws that protect Georgia’s natural resources while also allowing for growth and development on private property. Where can I go to review them and learn more?

<https://epd.georgia.gov/existing-rules-and-corresponding-laws>

Many of the items listed below must be prepared or procured in order to satisfy the application requirements for impacts to jurisdictional waters regulated by federal, state, and local permitting agencies. Consider including the procurement and performance of these resources in your project schedule and budget.

- Site Investigation Report (SIR)
- Updated Boundary & Topographic Survey
- As-Built Utility& Infrastructure Plans
- Conceptual Site & Grading Plans
- State Water's Determination
- Stream & Wetland Delineation
- Cultural Resources Assessment
- Phase 1 Environmental Assessment
- Title Search showing ownership & 3rd-party property interests, i.e. easements, etc.
- Review & Summary of Local Ordinances & Development Regulations
- Alternatives Analysis showing feasibility of alternate sites or alternate development schemes

*Chad is a registered landscape architect serving as a Senior Project Manager in the Project and Development Services Division of JLL. Chad manages consultant and contractor teams responsible for designing, permitting, bidding, and constructing capital reinvestment projects for clients with a multi-site portfolio.*





## HYDRANGEA QUERCIFOLIA

by Jadee Ager

One of our finest southeastern native plants, Oakleaf Hydrangea is a fine choice for many landscaped environments. It offers four season appeal. The soft green color and velvety texture of emerging *Hydrangea quercifolia* foliage in early spring—is a visual and textural delight in the garden! You don't need a calendar to know when it is Mother's Day in Georgia. The oakleaves will bloom just in time. And then your clients will be rewarded with a wonderful fall foliage display, with many of the burgundy-purple leaves persistent through the winter. Even the naked winter stems show off their scaling multicolored bark, which sometimes looks like peaches and cream paper curls.

Oakleaf hydrangea performs well throughout our state, from the Piedmont to the Coastal Plain.

There are many selections which are improvements on the species. 'Alice' is very floriferous but could reach 12' heights. 'Snow Queen' is large and robust and offers many doubled flowers, held strongly upright. For smaller oakleaves in the 3-4 feet range, consider 'Sikes Dwarf' or 'Pee Wee'. 'Ruby Slippers' is especially appealing for how rapidly the creamy white blooms turn a ruby red color, and retain that color over a very long period. 'Gatsby Pink' and 'Amethyst' are similar.

Oakleaves are very adaptive, but seem to fare best in a somewhat shaded location. Full sun can be tolerated by this shrub, but they will require more water to look their best in our hot Georgia summers.

In its natural habitat, oak leaves tend to be an understory plant, or found on the edge of a wooded location. Morning sun in a moist (not wet) environment is ideal. Therefore their late spring to early summer bloom display can really light up a shaded location. Perhaps the blooming shrubs are most appreciated when they are backed by evergreen or deciduous woods or taller evergreen shrubs.

Oakleaves are a low maintenance shrub. Once established, this tough native is almost bullet proof. The only oakleaf kryptonite is "wet feet", which won't be tolerated even for short periods. Root rot may develop. Moist, yes, wet—NO.

This author once saw huge specimens of *Hydrangea quercifolia* thriving nicely on a high, sandy clay bluff, with a western exposure, overlooking the Apalachicola River, in blazing hot sun. This gave a new perspective on how tough this native shrub is. Don't baby it!

Pollinators are busy when the oakleaf is in bloom. Our Georgia State Butterfly, the Eastern Tiger Swallowtail, can often be seen nectaring on the blooms. Leaves below the creamy white panicles will be showered with the excess pollen from the many insect visits.

Oakleaves bloom on previous season's growth, so any necessary pruning should be performed immediately after flowering. You don't want to sacrifice your maximum bloom potential. Therefore mature size should be considered carefully for your site requirements. Choose a dwarf variety if needed.

Otherwise, go big, and let the oakleaf romp, displaying its beautiful cascading growth habit. Some varieties are more upright, some more sprawling. Be diligent and research the growth habits of the many *Hydrangea quercifolia* varieties. Choose those which suit your size needs and include them in your plans.

Hopefully, you will consider inclusion of this outstanding native shrub for your next project. Your clients will be pleased with the four season beauty they enjoy. Mass plantings of *Hydrangea quercifolia* in a naturalized setting are stunning, yet they don't scream for attention. Oak leafs are soothing to the eyes and quietly copacetic. Try 'Ruby Slippers', a National Arboretum introduction, or 'Amethyst', a selection from Mike Dirr. Both are outstanding!

William Bartram wrote of his initial encounter with oakleaf along the banks of the Ocmulgee River in middle Georgia in 1791, "I observed here a very singular and beautiful shrub, which I suppose is a species of *Hydrangea*." The oak shaped leaves fascinated him and he named it thus so. Bartram chronicled his examination of the widespread *Hydrangea quercifolia* as he traveled over much of the southeastern US. Wouldn't Bartram be charmed to see our modern day 'Ruby Slippers'!

*Jaydee Atkins Ager lives and gardens in Hawkinsville-Pulaski County, Georgia. A native Georgian, she is an advocate for the use of southeastern native plants for gardens and landscapes. Jaydee is the appointed Consumer Member on the Georgia State Board of Landscape Architects. She began her Board service on December 18th, 2003.*



## MY DOG ATE IT...

by Becky Kirk

Well, perhaps the reason for a lapsed license has never included that statement, but the real reasons have run the gamut. What stymies your Board of Licensure is why so many practitioners don't take licensure in the State of Georgia more seriously. Everyone wants their Doctor, Dentist, General Contractor, even Nail Technician or Barber licensed and current with their prospective licensing board. We want the security of knowing that they are policed by their peers and required to keep current with trends and advancements in their chosen fields.

So where is the disconnect between what they do and what we do? Landscape Architects find themselves designing that arbor over your head or that deck under your feet. Many are grading, draining and designing storm piping, not to mention erosion control systems. PLA's tackle ADA compliance, traffic and pedestrian circulation on a regular basis. We are a profession concerned with health, safety and welfare. All of us, to varying extents, bear the burden of liability in our areas of chosen practice like any other licensed professional.

Not sure why the knowledge of the importance of licensure is not more widespread, but here is what we do know: the public we serve has a certain expectation that a Professional Landscape Architect, once licensed, should

possess a level of knowledge and competency across a wide range of topics. C.L.A.R.B. tests us on that fact and your Board of Landscape Architects is tasked with upholding the law and rules set forth by the State of Georgia. We'd like to point out three common misunderstandings:

-Your license is renewed every two years – 2016, 2018, 2020, etc. As a licensee, YOU are responsible for keeping your license current, not the Professional Licensing Board staff (PLB), not the Board members. It is imperative for you to keep the PLB staff apprised of any email or address changes.

-You are required to have 12 continuing education contact hours per renewal cycle. Random audits occur every cycle. Your renewal will be held until you submit your documentation to the PLB staff.

-Having a license in Alabama, Florida or any other state does NOT allow you to practice in Georgia. You will be guilty of Unlicensed Practice.

It is a pleasure to serve you on your Board of Landscape Architects. I know I speak for all of us involved either on the Board or on staff.

We are here to serve you, the licensee, and invite you to feel free to contact any of us with questions and comments. Becky Kirk, Board Chair Serving since April 2005

To read and/or download a copy of the Laws governing Landscape Architects, please follow this link:

[http://sos.ga.gov/plb/acrobat/Laws/04\\_Landscape\\_Architects\\_43-23.pdf](http://sos.ga.gov/plb/acrobat/Laws/04_Landscape_Architects_43-23.pdf)

To read and/or download a copy of the Rules governing Landscape Architects, please follow this link:

<http://rules.sos.ga.gov/gac/310>

*Becky Kirk, an Oklahoma State graduate, has been a licensed Landscape Architect for 32 years, 30 of which have been here in Georgia. She has worked predominately in the site development facet of landscape architecture. Currently the Chairperson, she began her service to the Board on April 1, 2005.*

## BOARD MEMBERS:

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- Chad Baker
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## GEORGIA STATE BOARD OF LANDSCAPE ARCHITECTS

237 Coliseum Drive  
Macon, GA 31217-3858  
Phone: 478- 207-2440

<http://sos.ga.gov/index.php/licensing/plb/29>