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MOVING BEYOND RECESSION: WHAT’S NEXT?

As the nation emerges from the Great Recession, the West is poised to lead the way in economic and population growth. Both Colorado and Arizona expect to add a million people each decade until 2050, with other Western states growing at similar rates, if not in equal numbers. Although newcomers will tend to congregate in the region’s metropolitan areas—where the populations will also be older and more diverse—smaller, high-amenity communities will also experience significant growth. This growth will create demand for new housing, transportation and transit options, educational and economic opportunities, as well as water, energy, and other natural resources. These demands will, in turn, increase pressure on our governmental and policy institutions to help support this growth in a way that protects the quality of life that attracts people to the region in the first place.

The 2014 RMLUI Annual Land Use Conference will focus on how we can approach issues of growth as we come of out the Great Recession. What can we learn about the mistakes of the past to make sure that the next boom results in the right kind of growth? How will our master planned communities do things differently this time around? How will we build new communities and retrofit existing neighborhoods while ensuring access to transit, to jobs, to schools, and to outdoor recreation? How do we ensure that our new forms of development are equitable and ecologically responsible? What are the best ideas about how to make the next boom an opportunity to create enduring communities for the future? And how do we ensure that financing is available to support smarter growth?

ABOUT THE ROCKY MOUNTAIN LAND USE INSTITUTE

The Rocky Mountain Land Use Institute seeks to elevate the law, policy and practice of sustainable development in the West to promote nature-friendly, prosperous and equitable communities. Through innovative research, education and professional development programs and its renowned annual conference, the Institute trains and connects students and professionals across disciplines, sectors and regions to build the sustainable development field while creating new possibilities for the future of the West’s landscapes and livelihoods.

ABOUT THE STURM COLLEGE OF LAW

The University of Denver Sturm College of Law is a top 100 law school with nationally ranked programs in environmental and natural resources law, legal writing, clinical training, international law, trial advocacy and tax law. At the heart of the law school’s mission is the integration of skills and professional identity with a balanced curriculum. Our goal is to graduate practice-ready, client-focused students who understand and embrace the responsibilities of legal practice, both as a representative of the client and as a professional committed to improvement of the law and the community.
NATURAL RESOURCES

Credits available from this track:
AICP: 9.0 CM, 1.5 Law
CLE: 11.0 General

The Dollars and Sense of Watershed Ecosystem Services
1.5 Hours (90 minutes)

If you’re in the Denver metro area, chances are good that the water in your coffee this morning came from our forested watersheds hours away from the metro area. This session explains the concept of ecosystem services related to water provision, including an overview of international watershed ecosystem services practices, a description of regional watershed and forest management practices, and highlights a local collaborative partnership between Denver Water and the USFS. Attendees will gain an appreciation for the nexus between forest health and urban area drinking water supplies and a glimpse into the new markets for ecosystem services.

Panelists:
Moderator:
Devon Buckels, AICP
Program Director, Colorado State Forest Service
Broomfield, CO
Devon Buckels, AICP, is currently working for the U.S. EPA and the Colorado State Forest Service as the Coordinator for the South Platte River Urban Waters Partnership, leading a group of over 50 organizations working across governmental and disciplinary boundaries to protect and restore lands and waters in the South Platte River watershed. Her work in the public, private and non-profit sectors has focused on creating healthy and sustainable communities. Buckels has a master's degree in Urban and Regional Planning from the University of Colorado at Denver, and a Certification in Sustainability Leadership and Implementation from the Daniels College of Business.

Speakers:
Kate Hamilton
Independent Consultant, Governors' Climate and Forest Task Force
Boulder, CO
Katherine Hamilton is a consultant specializing in environmental markets and innovative investment in conservation. In this capacity, she is currently a Strategic Advisor for the Governors Climate and Forests Task Force and Ecosystem Marketplace. Hamilton previously served as Director of Forest Trends’ Ecosystem Marketplace, where she co-authored numerous pieces on carbon markets, water, and ecosystem services. She has also held positions with Yale Environmental Law and Policy Center, Natural Capitalism Inc., and The International Council for Science. She holds a Master of Environmental Management from Yale University and a bachelor’s degree from the University of Michigan. She is currently a fellow with Colorado State University’s Center for Collaborative Conservation.
Don Kennedy
Environmental Scientist, Denver Water
Denver, CO
Don Kennedy has worked for Denver Water as an Environmental Scientist for more than 28 years where his main focus is watershed wildfire protection within Denver Water’s water collection system. After several catastrophic wildfires prompted Denver Water to take a more proactive approach to watershed management, Kennedy led the development of the From Forests to Faucets Partnership. By cultivating relationships with federal, state and local governmental agencies, academia, non-governmental organizations and the private sector, he has helped facilitate a collaborative approach to forest watershed management. Kennedy oversees environmental compliance and facility relicensing, and manages stream improvement, wetland restoration and land reclamation projects.

Travis Warziniack
Economist, US Forest Service
Fort Collins, CO
Dr. Travis Warziniack is a research economist with the US Forest Service Rocky Mountain Research Station. His work focuses on valuation of ecosystem services, particularly forests’ role in providing safe clean drinking water to municipal users. He also works on national water supply and demand models for long run climate change planning. Prior to working at the Research Station, Warziniack was a professor of environmental economics at the University of Heidelberg, Germany and served as a consultant for AngelouEconomics, where he developed regional economic development strategies. He received his PhD from the University of Wyoming in 2008.

Water Supply Challenges and Solutions for the Rocky Mountain West
1.5 Hours (90 minutes)

The panel will explore the challenges and solutions to obtaining new water supplies for metropolitan areas across the West, including new water storage, agricultural water transfers, management of reuse water and land use controls as a means to achieve reliable water supplies. Included is a discussion of the first-ever Colorado state water plan required by Governor Hickenlooper’s 2013 Executive Order. The panel will also discuss methods to effectively extend existing supplies by, among other things, reducing water demand and conserving water.

Panelists:
Moderator:
Wayne Forman
Shareholder, Brownstein Hyatt Farber Schreck, LLC
Denver, CO
Wayne Forman represents clients in all aspects of Colorado water law, land use litigation, condemnation and environmental law and litigation. He represents private and public clients throughout Colorado on water rights matters and has extensive experience in land use litigation and water quality and wetlands matters. Wayne's clients include a national homebuilder, a natural gas exploration and development company, real estate developers, special districts and ranch owners.
Speakers:
James Eklund  
Director, Colorado Water Conservation Board  
Denver, CO  
As director of the Colorado Water Conservation Board (CWCB), James Eklund leads the state’s water policy and planning efforts and the development of the Colorado Water Plan. Prior to the CWCB, Eklund was senior deputy legal counsel to Governor John Hickenlooper, where he focused on key legislative and legal matters pertaining to water and natural resources. While at the State Attorney General’s office, Eklund provided legal expertise on many issues central to water policy and planning in Colorado. He represented the Colorado Department of Natural Resources, CWCB and the State Engineer’s Office in compact negotiations, provided counsel related to compliance with the Endangered Species Act and water quality laws, and worked in several roles to protect state interests on the Colorado River.

Grady Gammage  
Attorney, Gammage & Burnam, PC; Senior Research Fellow, Arizona State University Morrison Institute for Public Policy (invited)  
Phoenix, AZ  
Grady Gammage, Jr. is a part time academic, a practicing lawyer, an author, a sometime real estate developer, and a former elected official. In his academic role, Gammage is a Senior Fellow at ASU’s Morrison Institute, where he focuses on urban growth and development, quality of life, and local economic issues. As a lawyer, he has represented real estate projects ranging from master planned communities to sprawling subdivisions to high rise buildings and intense urban mixed use redevelopment. As a real estate developer, he built an intense, urban mixed use project in the City of Tempe which won three architectural awards and has been widely acclaimed.

James L. Lochhead  
CEO and Manager, Denver Water Department  
Denver, CO  
Jim Lochhead is recognized as one of the nation’s foremost water rights and natural resources attorneys. He is the former executive director of the Colorado Department of Natural Resources. He also was a shareholder at Brownstein Hyatt Farber Schreck, where he worked on issues relating to water rights, interstate water matters, Endangered Species Act, public lands and natural resources, zoning, land use and real estate development. Lochhead received both his bachelor’s degree in environmental biology and his law degree from the University of Colorado.

Air Quality and Oil and Gas Drilling: Has Colorado Gotten It Right?  
1.5 Hours (90 minutes)

In February 2014 the state of Colorado is poised to adopt new regulations regulating emissions of both urban air pollutants and greenhouse gases from oils and gas drilling sites. This panel will provide a post-mortem analysis of the rules from a variety of perspectives.
Panelists:

**Moderator:**
Will Toor  
Director, Southwest Energy Efficiency Project  
Boulder, CO
Will Toor serves as the director of the transportation program at the Southwest Energy Efficiency Project (SWEEP). Prior to working at SWEEP, Toor was elected to the Board of County Commissioners of Boulder County, Colorado. He spearheaded the effort to create and adopt a countywide Sustainable Energy Plan, the BuildSmart green building code, the EnergySmart program, and the ClimateSmart Loan Program. Previously, Toor served as Mayor of Boulder, Colorado, represented both the City of Boulder and Boulder County on the Denver Regional Council of Governments (DRCOG), was appointed by Governor Bill Ritter to serve on the state Transportation Funding and Implementation blue ribbon panel, the Governor’s Climate Action Panel, and the Regional Air Quality Council.

Speakers:

**Kate Fay**  
Senior Advisor, Noble Energy, Inc.  
Kate Fay is an internationally known expert in environmental and energy policy management with over 30 years’ experience. In 2013, Fay joined Noble Energy as Senior Advisor on Environmental and Regulatory Policy. Previously, Fay was the EPA Region 8 Senior Advisor for Energy and Climate, where her portfolio included developing strategies that address the environmental implications of the extensive energy development. Prior to that, Fay served as Energy Manager for the Colorado Department of Public Health and Environment, President of Terra Firma Strategies, and as an associate with Sierra Research. She holds a degree from the University of California, Berkeley in natural resources economics and public policy, is a graduate of the Denver Community Leadership Forum, and was a 1996 German Marshall Fund Environment Program Fellow.

**Pam Milmoe**  
Air Quality & Business Sustainability Coordinator, Boulder County Public Health  
Pamela Milmoe is the Air Quality and Business Sustainability Coordinator for Boulder County Public Health overseeing indoor and outdoor air quality, and business sustainability. Since 2002, Ms. Milmoe has brought an unprecedented degree of local government involvement to rulemakings before the Air Quality Control Commission resulting in emission controls for power plants, oil and gas production, and cement kilns. Prior to joining Boulder County, Ms. Milmoe was a senior manager for E Source, a national energy research and consulting firm, and for the U.S. Environmental Protection Agency for 17 years in the Offices of Water, Policy, and the Administrator.

**Matt Sura**  
Attorney, Law Offices of Matt Sura  
From 1996-2008 Matt Sura worked for a community organization based out of Grand Junction, Colorado. During his time on the Western Slope, Sura worked with numerous communities that were struggling with the oil and gas development that was occurring in their region. He became an attorney so he could better help communities mitigate the impacts of oil and gas development. Sura’s practice emphasizes oil and gas, real estate, administrative, and natural resources law.
Governor’s Task Force on Wildfire Insurance and Forest Health: Lessons Learned
1.5 Hours (90 minutes)

In the wake of the devastating 2012 wildfire season, Governor John Hickenlooper created the Task Force on Wildfire Insurance and Forest Health and asked the group to identify ways to encourage activities, practices and policies that would reduce the risk of loss in wildland-urban interface (WUI) areas and provide greater customer choice and knowledge of insurance options. The Task Force issued a report containing recommendations that will require homeowners to share in the burden of the risk and to promote changed behaviors through a combination of legal requirements, increased awareness, and incentives. On this panel, Task Force members will reconvene to look back at the process of producing the recommendations, and to discuss what recommendations have been adopted and are being implemented.

Panelists:

Moderator:
Catherine van Heuven
Partner, Kaplan Kirsch & Rockwell, LLP
Denver, CO
Catherine van Heuven is a Partner in the law firm of Kaplan Kirsch & Rockwell, LLP. Her experience includes a broad range of environmental and land use issues, and her practice focuses on public projects involving federal environmental reviews under the National Environmental Policy Act. Ms. van Heuven also has broad public policy experience. She previously served as the senior legislative assistant on environment, energy, and natural resource issues for former U.S. Senator Paul Simon. She attended many meetings of the Task Force on Wildfire Insurance and Forest Health and was selected to prepare Task Force Report to the Governor.

Speakers:
Kelly Campbell
Vice President of State Government Relations, Property Casualty Insurers Association of America
Westminster, CO
Kelly Campbell is the vice president for the Property Casualty Insurers Association of America (PCI), and serves as the Denver-based regional manager. She manages the legislative and regulatory affairs that impact the property and casualty insurance industry in Colorado, New Mexico, North Dakota, South Dakota, Wyoming and Arizona.

Lisa Dale
Assistant Director, Colorado Department of Natural Resources
Denver, CO
As Assistant Director for Parks, Wildlife and Lands, Lisa Dale works to develop and implement policy regarding parks, wildlife and forestry resources. She advises and coordinates with Colorado Parks and Wildlife, the Colorado State Land Board, the Colorado State Forest Service, and the Governor’s Office. Dale began her career at The Wilderness Society, where she conducted post-doctoral research on the National Fire Plan. She went on to serve as the Director of Governmental Affairs for the Western Forestry Leadership Coalition, then returned to academia where she taught at the University of Denver. In 2010 she came to work for the State of Colorado, initially as the Legislative Program Director for the (then) Division of Wildlife.
Barbara Kelley
Executive Director, Colorado Department of Regulatory Agencies
Denver, CO
Barbara J. Kelley is the Executive Director of the Colorado Department of Regulatory Agencies (DORA), initially appointed by Governor Bill Ritter in November 2009 and reappointed by Governor John Hickenlooper in January 2011. An attorney for nearly 40 years, Kelley was engaged in private practice, with substantial experience in banking and finance matters, including the representation of foreign and domestic banks, bank syndications, commercial and capital market financing transactions. She serves on the Board of Trustees for Mercy Housing Inc. and is a member of the Colorado Attorney Regulation Committee. Kelley was named one of the 2008 Women of Distinction by the Girl Scouts of Colorado and in 2009 was honored as one of the Top Women Lawyers by Law Week Colorado.

Meghan Storrie
Legislative and Policy Advocate, Colorado Municipal League
Denver, CO
As the Legislative and Policy Advocate for the Colorado Municipal League, Meghan Storrie is responsible for advocating municipal interests before the state legislature. Her issues include emergency management, public safety, affordable housing, building codes, lottery-related issues, gaming, historical preservation, and criminal justice. Storrie joined the Colorado Municipal league in 2011.

Land Use Tools for a Water-Smart Future: Training Communities and Building Networks
1.5 Hours (90 minutes)
Land use planning and water planning are too often disconnected in the West. An ongoing partnership between Pace University’s Land Use Law Center, five Front Range communities, and several Colorado organizations is addressing this challenge through a Land Use Leadership Alliance (LULA) training program focused on decreasing the water-footprint of new development. Using a series of workshops, local communities were trained in land use law, provided tools for integrating water efficiency into land use planning processes, and educated on consensus-building techniques. This session will utilize workshop graduates and facilitators to describe lessons learned from the LULA-Colorado program.

Panelists:
Moderator:
Drew Beckwith
Water Policy Manager, Western Resource Advocates
Boulder, CO
As Western Resource Advocates’ water policy manager, Drew Beckwith works closely with water utilities, state officials, and partner organizations around the Interior West to find sustainable ways to meet human water needs and keep water in rivers. He is responsible for WRA’s Water Program’s research, legislative, and policy initiatives that aim to advance water conservation efforts and non-traditional water supplies.
Speakers:
John Fernandez, AICP
FasTracks/TOD Team Leader, City of Aurora
Aurora, CO
John Fernandez, AICP, is the FasTracks/TOD Team Leader for the City of Aurora Planning Department. The team mission is to work with the Regional Transportation District, landowners, developers and neighborhoods to help maximize the benefit of the region’s massive investment in passenger rail service. Previously, Fernandez served as Manager of the Comprehensive Planning Division of the Aurora Planning Department, for the city of Boulder as Manager of Development Review, and as Planning Director for the city of Glenwood Springs. He has a master’s of urban and regional planning, and a B.S. in Journalism.

Greg Fisher
Manager of Demand Planning, Denver Water
Denver, CO
Greg Fisher is the Manager of Demand Planning for Denver Water. He is responsible for water use forecasting, planning for Denver Water’s conservation program, and managing the utility’s $1.6 billion long-term capital plan. He is responsible for drought planning and response efforts during drought. In his 16 years at Denver Water, he has also served as budget manager and rate analyst in the Finance Division. Fisher is Vice-Chair on the Colorado Water Resources and Power Development Authority, the entity that manages the state revolving fund for water and wastewater projects. He has a bachelor’s degree in economics from Middlebury College.

John Nolon
Professor of Law, Pace University Law School
White Plains, NY
John R. Nolon teaches property, land use, real estate, environmental, and sustainable development law at Pace University Law School, and is Counsel to the Land Use Law Center. He is also an Adjunct Professor at both the Yale School of Forestry and Environmental Studies and Columbia Law School. Nolon received his JD from the University of Michigan, where he was a member of the Barrister’s Academic Honor Society. He received a Fulbright Scholarship to develop a framework law for sustainable development in Argentina, and has served as a consultant to both President Carter’s Council on Development Choices in the 1980s and President Clinton’s Council on Sustainable Development.

It’s What’s Under the Surface that Counts (Or Is It What’s On the Surface?)
1.5 Hours (90 minutes)

While aimed at the exploration and production of oil and gas resources, oil and gas regulations also affect surface development. This panel explores the split mineral and surface estates and their respective obligations to comply with the doctrine of “reasonable accommodation”, the direct and indirect impacts of oil and gas regulations, as well as the need for collaboration in the management of water resources.
Panelists:

Moderator:
Kevin Gallaway
Associate Attorney, Dufford & Brown, PC
Denver, CO

Kevin K. Gallaway is an associate attorney at Dufford & Brown, P.C. He is a graduate of Rutgers University and Seton Hall University School of Law. Gallaway's practice focuses on natural resources law with an emphasis on oil and gas law, title examination, surface and mineral conflicts, lease negotiations, and matters before the Colorado Oil and Gas Conservation Commission.

Speakers:
Chad A. Repko
Landman, Noble Energy, Inc.
Denver, CO

Chad Repko has been working in the oil and industry since 2007 as a Landman. He began working in the industry as a field Landman securing surface rights of way for seismic surveys, building abstracts and leasing. His first in-house role was with Range Resources in 2010 working in the Marcellus and Utica Shale based out of Southwest Pennsylvania. Repko quickly realized how much he missed Colorado after having lived in Southwest Pennsylvania for a little over a year and transferred to Noble Energy as an in-house Landman in 2011.