

The Rocky Mountain Land Use Institute Presents  
the 24th Annual RMLUI Conference

# WESTERN PLACES

BUILDING FAIR & RESILIENT COMMUNITIES

# WESTERN SPACES



**MARCH 12-13, 2015**

University of Denver Sturm College of Law • Denver, Colorado

**PROGRAM GUIDE**

**Natural Resources**

**RMLUI**  
ROCKY MOUNTAIN  
LAND USE INSTITUTE



UNIVERSITY of  
**DENVER**

STURM COLLEGE OF LAW

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# **WESTERN PLACES/WESTERN SPACES BUILDING FAIR AND RESILIENT COMMUNITIES**

Across the West, communities large and small are grappling with change. Our largest cities are thriving, but gentrification is making urban living unaffordable for many. As suburban communities transition towards more compact development and public transit, they are starting to lose the small town appeal that attracted so many. Rural communities struggle to balance their wild and rustic roots in the face of a changing economy. Set against a backdrop of increased risks associated with long-term drought, violent storms, flooding, and wildfire, the West is embracing its latest challenges.

The 2015 RMLUI Conference focuses on the innovative ways cities and towns across the West are building more resilient, equitable, and vital communities. The theme addresses how we can meet the many challenges of the future—including threats posed by climate change, a modern economy, and demographic shifts—while better addressing issues of social and environmental justice. The featured track focuses on resilience. In the wake of fires, flood, and on-going drought, communities across the West are thinking about resilience in many different contexts as they work both to rebuild and to mitigate future risks.

## **ABOUT THE ROCKY MOUNTAIN LAND USE INSTITUTE**

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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**

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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

The West is home to abundant natural resources, from peaks to plains, forests to farms. This track looks at two big issues facing Western communities: oil and gas development and water.

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## TOOLS YOU CAN USE TO MANAGE OIL AND GAS DEVELOPMENT

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### DESCRIPTION

Towns, cities, and counties hosting oil and gas development deal with a variety of opportunities and challenges felt at the local level. These issues have become increasingly pressing in recent years as advances in technology have brought a surge in unconventional oil and gas development to new areas. This session will explore the diverse approaches that local jurisdictions are taking in response to the challenges presented by oil and gas development. Participants will walk away with an overview of the tools available to local jurisdictions, detailed insight into a handful of promising approaches, and information about how to explore further.

### SPEAKER INFORMATION

#### MODERATOR:

**Tushar Kansal**

Associate, Consensus Building Institute  
Washington, DC

Tushar Kansal is an Associate at the Consensus Building Institute (CBI), a nonprofit, non-partisan organization that helps communities, companies, governments, and organizations resolve disputes and collaboratively solve complex challenges. As part of this work, Mr. Kansal has been exploring how local governments can effectively take advantage of the opportunities and respond to the challenges presented by oil and gas development. He is currently writing a guide for local governments around these issues, to be published by the Lincoln Institute of Land Policy. In addition to oil and gas, his recent projects have included helping an island fishing community in Chesapeake Bay contend with erosion and sea level rise, assisting the multi-stakeholder group leading the implementation of the Extractives Industry Transparency Initiative in the U.S., and supporting state agencies and local governments in Florida as they develop a shared vision for restoring the Caloosahatchee River.

#### SPEAKERS:

**Brad Mueller**

Director of Community Development, City of Greeley  
Greeley, CO

Brad Mueller, AICP, is head of the Community Development Department for Greeley, a city of over 100,000 located along Colorado's Front Range. As Director, Mr. Mueller oversees planning, building, natural resources, and code enforcement functions. He has a Masters Degree in City and Regional Planning from Cornell University in New York. His specialty is in land use planning, with an emphasis on zoning, regional planning, and interdisciplinary coordination. Mr. Mueller has over 15 years experience in local government, having reviewed over 250 planning proposals, including master planned communities, transit-oriented development, and downtown development. He has spearheaded various comprehensive and economic development plans.

**Matt Sura**

Attorney, Matthew Sura LLC  
Boulder, CO

Matt Sura is an attorney specializing in the representation of land owners, mineral owners, communities, and local governments in their negotiations and legal disputes with the oil and gas industry. Mr. Sura recently served

as a local government representative on Governor Hickenloopers' Oil and Gas Task Force. He and his family live in Boulder, Colorado.

**Kirby Wynn**

Oil and Gas Liaison, Garfield County  
Rifle, CO

Kirby Wynn is Garfield County's Oil and Gas Liaison. In that role, he works with residents, industry, and government agencies to address questions and concerns related to energy development activity in Garfield County. He addresses topics ranging from odor, traffic, noise, and water quality concerns related to oil and gas permitting. Most of the quality of life questions and concerns coming into the County government from citizens make their way to his office. Mr. Wynn's role is to connect with people, identify issues related to oil and gas development and facilitate understanding and resolution those issues. High priorities for him are fostering effective communication and problem solving among stakeholders relative to oil and gas development issues.

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## LAND USE AND COLORADO'S WATER PLAN

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### DESCRIPTION

The need for more integration of water supply planning into land use planning has become more apparent in recent years as the Statewide Water Supply Initiative (SWSI) has illustrated a looming gap between supply and demand across the state. This presentation will highlight the need for training of water and land use professionals together, incentives for integration of water and land use, as well as the creation of partnerships to facilitate cross-pollination between these two planning sectors.

### SPEAKER INFORMATION

**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 is heading up the development of the Colorado Water Plan. Prior to leading CWCB, Mr. Eklund was senior deputy legal counsel to Governor John Hickenlooper, where he focused on key legislative and legal matters, often pertaining to water and natural resources including state water rights, the reorganization of state wildfire responsibilities and groundwater concerns in the South Platte River Basin. While at the State Attorney General's office from 2006 to 2010, he 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 with other western states, the federal government and Mexico. He 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. Mr. Eklund is a fifth-generation Coloradan from the Western Slope.

**Kevin Reidy**

State Water Conservation Specialist, Colorado Water Conservation Board  
Denver, CO

Kevin Reidy is the State Water Conservation Technical Specialist. He received his Bachelor of Science from Colorado State University in Recreation Resources Management. After CSU, he went into the Peace Corps where he worked in Honduras, Central America in the Parks and Wildlife Program. While in Honduras, he worked with a number of environmental organizations, the Honduran National Forest Service, and local rural communities

to help manage the Pico Bonito National Park. After Honduras, he ended up in Madison, Wisconsin where he completed his Master of Science degree in Forest Ecology and Management. Mr. Reidy worked for Aurora Water for seven years as the Water Conservation Supervisor overseeing all aspects of the water conservation division. Presently, he is the State Water Conservation Technical Specialist at the Colorado Water Conservation Board and has worked in this position since 2009. He provides technical and financial assistance to water providers across Colorado for water efficiency planning and implementation works on long range statewide water supply and demand forecasting and develops statewide water conservation policy through research and projects.

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## **ENDANGERED OR NOT? COLORADO COUNTY APPROACHES TO GUNNISON AND GREATER SAGE GROUSE PROTECTION**

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### **DESCRIPTION**

In western Colorado, Garfield, Montrose and Gunnison Counties are intimately engaged in unique conservation strategies in an effort to preclude the placement of the Greater and Gunnison Sage Grouse on the endangered species list. These species occur in areas where recreation, grazing and natural resource development are prevalent and also serve as significant economic drivers for the region, state and US. This session will describe local efforts to navigate complicated public policy, species conservation and recovery, and socio-economic issues inherent in pending Endangered Species Act listing decisions at the local, state and federal levels.

### **SPEAKER INFORMATION**

#### **MODERATOR:**

##### **Fred Jarman**

Director of Community Development, Garfield County  
Glenwood Springs, CO

Fred Jarman, AICP, holds a B.A. in Political Science from Emory & Henry College, a Masters in Community and Regional Planning from the University of Oregon, and is currently completing a MBA from Colorado State University. He was awarded his membership in the Institute of Certified Planners in 2003. He is currently the Director of the Garfield Community Development Department and provides local, state and federal land use policy assistance to the Board of County Commissioners. In addition to providing technical review assistance on a wide variety of energy related infrastructure projects in Colorado's Piceance Basin, he recently co-authored the County's Greater Sage Grouse Conservation Plan in March 2013.

#### **SPEAKERS:**

##### **Mike Pelletier**

GIS Manager, Gunnison County  
Gunnison, CO

Mike Pelletier earned a Bachelor's degree in Economics and a Master's in Urban Affairs & Planning from Virginia Tech. He worked for several years in the renewable energy field before beginning a planning career that has included the locations across Colorado: City of Grand Junction, Town of Berthoud, City of Glenwood Springs, and Gunnison County. He currently is the GIS Manager for Gunnison County, where he enjoys the opportunity to focus on the analytical side of land use issues and land conservation activities.

##### **Jon Washbusch**

Government Affairs Director, Montrose County  
Montrose, CO

Jon Washbusch, AICP, holds a B.S. in Environmental Planning from Northern Arizona University and a Master's in Public Administration from University of Colorado Denver. He served for seven years as the Senior Planner

and Planning Services Manager for Montrose County before moving into his current role as Government Affairs Director. In this role, Mr. Waschbusch deals extensively with public lands and natural resource issues. Working to advance local interests within intergovernmental processes (including ESA listings) is a primary focus of the government affairs program.

**Jim Cochran**

Wildlife Conservation Coordinator, Gunnison County  
Gunnison, CO

Jim Cochran is a wildlife biologist with over 40 years experience in both the U.S. and Canada. He graduated from Colorado State University (B.S. and M.S.), and has been coordinating the Wildlife Conservation Program for Gunnison County since 2005.

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## **THE NEW GOLD RUSH: USING RECLAIMED WATER AS AN INNOVATIVE TOOL FOR COMMUNITY RESILIENCY**

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### **DESCRIPTION**

Back in the day, people came to Colorado looking for gold; now people are looking for water. As the population across the West continues to grow, water shortages and drought remain a growing concern. This session will address how reclaimed water can become an integral part of the water supply for Colorado's growing population and its food production capabilities. Panelists will address the use of reclaimed water in urban and rural settings, the economic impacts of reclaimed water, and address concerns of using reclaimed water for food production.

### **SPEAKER INFORMATION**

#### **MODERATOR:**

**Rusty Collins**

Denver County Extension Director, Colorado State University  
Denver, CO

Rusty Collins is the Director of the Denver County CSU Extension office and has worked for Extension for six years. His office offers programming throughout Denver for Nutrition Education, 4-H Youth Development, Horticulture, Community Development and Urban Agriculture. In his role as County Extension Director, Mr. Collins is the liaison between Denver County and Colorado State University Extension. His expertise is in facilitating meetings, convening community conversations about emerging topics, and working with groups to increase their capacity and multiply their impact. He has facilitated events and meetings for groups as diverse as the Denver Sustainable Food Policy Council, the Colorado Bark Beetle Cooperative, My Denver Recreation, the Urban Waters Partnership, Denver Forestry and Natural Areas, and the South Platte Enhancement Board. Mr. Collins serves as an Ex-Officio member of the Denver Sustainable Food Policy Council, a member of the Colorado Food Guild, and a member of the Steering Committee for the Colorado Food Systems Advisory Council.

#### **SPEAKERS:**

**Damian Higham**

Recycled Water Specialist, Denver Water  
Denver, CO

Damian Higham is a recycled water specialist in Denver Water's Planning division. He is involved in the planning and implementation of capital projects, regulatory development, customer marketing and conversion and compliance assurance. Additionally, he has served as the President of the WaterReuse Association's Colorado Section and is the chair of the Joint Reuse Committee of the Rocky Mountain Sections of AWWA and WEA. He obtained his B.S. in chemical engineering from Montana State University and has been an active member in the water community since 2000.

**Carmine Iadarola**

President, AquaSan Network, Inc.  
Greenwood Village, CO

Carmine Iadarola has served as President of AquaSan Network, Inc. for 30 years, and is an adjunct professor at University of Colorado. He has developed projects that provide over 3000 AF of water and over 1000 MW of gas, wind, and solar energy in Colorado and around the world. Mr. Iadarola's current work is focused on addressing the use of recycled water in the Denver Metropolitan area.

**Dawn Thilmany McFadden**

Professor of Agribusiness & Agribusiness Extension Economist, Colorado State University  
Fort Collins, CO

Dawn Thilmany McFadden is a Professor of Agribusiness and Agribusiness Extension Economist with Colorado State University, and specializes in analyzing markets and consumer behavior surrounding local, organic and other value-added food market segments. She is on the leadership team of the CSU Extension Food Systems work team and provides guidance to the Colorado Food Systems Advisory Council. She has served on Boards and in leadership positions with the Agricultural and Applied Economics Association, the Western Agricultural Economics Association, as well as several USDA agencies and regional research committees. She has published over 70 journal articles on consumer behavior, agricultural markets and food systems, and presented to over 200 Extension audiences on the same issues and managerial topics.