



**RMLUI 2020 HOME STUDY PROGRAM**  
**WESTERN SPACES**

## **WESTERN PLACES/WESTERN SPACES CONFERENCE**

### **HOT, DRY, AND CROWDED: PLANNING FOR THE FUTURE**

The West of the future will be warmer and more populous, and as a result, will face significant challenges with respect to our water supplies, our ability to withstand unpredictable weather patterns and extreme storm events, and our capacity to preserve our economy and our quality of life while adapting to the coming changes. The climate is changing, but we *can* do something about it.

Land use planning, water planning, and disaster mitigation are just a few of the tools available to help prepare for an uncertain future. We can work now to prepare our communities and landscapes for the impacts we are sure to experience. We can use design to create places that are more sustainable and adaptable. We can use integrated water and land use planning to help stretch dwindling water supplies. We can use our natural systems to create more resilient communities that are cooler and more connected. And we can work to ensure that the communities of our future are more equitable, affordable, and inclusive.

For RMLUI's 29<sup>th</sup> Western Places/Western Spaces conference, we will be looking at the ways in which we can use design, planning tools, and creative approaches to better plan for a future that will be different from the known past. The Babbitt Center for Land and Water Policy is partnering with us to develop a track focused on integrating land use and water planning. In addition, we will consider how our built environments, using mixed use design, transportation infrastructure, and even building codes, can help reduce our impact on climate change and create a more comfortable and sustainable living environment. We will explore how our natural systems and outdoor spaces can be designed for greater resilience, cooler micro-climates, and more water-wise landscaping. We also will focus on rural resilience and how to adapt sustainability innovations and new technologies to small towns and rural communities. Finally, we will consider how climate change is likely to affect our natural resources—from our recreational playgrounds to our economic engines—and discuss ways in which our land use strategies can or should adapt in anticipation of changes across our Western landscapes.

### **HOME STUDY PROGRAM: WESTERN SPACES**

Sessions from the conference are recorded for use in RMLUI's Home Study Program. This course, *Western Spaces*, looks at the influences of land management in the West. Whether we are looking at ways to mitigate the impacts of climate change, manage storm water runoff, or create public recreational spaces, it is important to consider the ways we manage our local and regional landscapes.

## **Colorado's New Oil and Gas Paradigm**

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This session will explore the recent changes to the way Colorado regulates oil and gas, including a re-balancing of authority between the state and local governments and the impact of changes to the composition and regulations of the Colorado Oil and Gas Conservation Commission. Oil and gas attorneys will discuss the limits of this new authority, how local governments are using their new powers, and some of the legal challenges that could arise.

### **Moderator:**

#### **Wayne Forman**

Shareholder, Brownstein Hyatt Farber Schreck

Wayne Forman's practice encompasses a wide array of land and water matters, including water law, land use, condemnation and environmental law and litigation.

During his 35-year career, Wayne has helped navigate complex water and land use issues for public entities and private companies throughout the Rocky Mountain region. His case work has included water rights litigation, easement litigation, oil and gas disputes, defense of environmental enforcement actions and defense of challenges to land-use entitlements.

### **Speakers:**

#### **James Martin**

Partner, Beatty & Wozniak

Jim Martin joined Beatty & Wozniak, P.C. in June of 2013. He specializes in administrative and regulatory law, legislation and strategic planning for a wide range of companies in the oil and gas, renewable energy, and utilities fields. Previously, Jim was the Executive Director of the Colorado Department of Natural Resources under Governor Ritter, and has also been the Executive Director of the Colorado Department of Public Health and Environment. In both capacities, he served on the Oil and Gas Conservation Commission. Previously, he served on the Air Quality Control Commission, as well as other boards and commissions. Earlier in his career, Jim worked for Congressman and then Senator Tim Wirth for seven years, both in the nation's capital and in Colorado, and was involved in a number of high-profile resource and energy issues. He also has worked with non-governmental organizations (NGOs) and started his legal career advising four Columbia River treaty tribes on their fishing and water rights claims.

#### **Domenic Martinelli**

City Planner, City of Commerce City Department of Community Development

Domenic is a Planner for the City of Commerce City, CO, a suburb of approximately 55,000 residents. As a Planner, Domenic wears many different hats including working with the development community from initial concept all the way to final approval on a number of proposed residential, commercial, and industrial projects, evaluating long range growth and development of the city from a land use perspective, and working directly with City Council and other elected officials on a variety of topics. Domenic also handles Oil and Gas issues for the city, which involves working with operators on a frequent basis regarding proposed facilities, evaluating surface use impacts, and conducting a variety of community and industry meetings. Domenic graduated from the University of Arizona with a Bachelors degree in Regional Development, and a Masters degree in Planning. In his free time, Domenic enjoys running marathons, hiking, snowboarding, and generally being outdoors.

**Matthew Sura**

Partner, Western Environmental Law Partners

Matt Sura is an oil and gas attorney who represents local governments, communities, and landowners in their negotiations and disputes with the oil and gas industry. Matt served on the Governor's Oil and Gas Taskforce during 2014-2015 and has participated in nearly every state rulemaking involving oil and gas development since 2007. Matt is the co-author of "Protecting Source Water in Colorado During Oil and Gas Development.:

[http://www.oilandgasbmps.org/docs/CO186\\_ProtectingSourceWaterAugust2016.pdf](http://www.oilandgasbmps.org/docs/CO186_ProtectingSourceWaterAugust2016.pdf)

**Learning Objectives**

- Develop a legal understanding of the new oil and gas law.
- Understand the changes to the relative powers of state and local governments in CO to regulate oil and gas.
- Learn how local governments are exercising their new-found authorities.

**How Green Is My Infrastructure: What You Need to Know about the Law**

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This panel of planners and lawyers will go beyond the basics of green infrastructure and its use in community planning to discuss key aspects of the law surrounding local green infrastructure programs including the authority local governments have to adopt green infrastructure requirements and case law regarding implementing regulations. The panel will begin with a discussion of state and federal enabling authority for local green infrastructure legislation and then cover recent case law concerning the power local governments have to implement such provisions and potential legal limits. This part of the session will summarize sources of enabling authority and relevant court decisions in plain language. In the second part of the session the panel will explore specific local ordinances and other regulatory actions that can and have been used to implement green infrastructure strategies. This part of the panel will focus on ordinances and other implementing legislation already adopted at the local level.

**Moderator:****Jonathan Rosenbloom**

Professor of Law, Vermont School of Law

Jonathan Rosenbloom is a visiting professor of law at Vermont Law School and Dwight D. Opperman Distinguished Professor of Law at Drake Law School. He is the author of numerous articles on local sustainability, author of the book *Remarkable Cities and the Fight Against Climate Change: 43 Recommendations to Reduce Greenhouse Gases and the Communities That Adopted Them*, co-author of two textbooks and co-editor of two books. His scholarship explores issues relevant to local governments and sustainability, with a particular focus on land use. He is a former US Circuit Court clerk, attorney for the federal government and a large law firm, and commissioner on the Des Moines Plan and Zoning Commission. He is also the founding director of the Sustainable Development Code, a model land use code providing local governments with the best sustainability practices in land use. Jonathan has degrees from the Rhode Island School of Design, New York Law School, and Harvard Law School.

## **Speakers:**

### **Chris Duerksen**

Senior Advisor, Clarion Associates

Mr. Duerksen is a land-use attorney who has drafted numerous local ordinances including those related to implementing local green infrastructure programs such as landscaping regulations and natural area protection standards. He conceived and implemented the Sustainable Development Code project while chairman of the board at the Rocky Mountain Land Use Institute.

### **Craig Richardson**

Director, Clarion Associates

Craig Richardson is a planner and lawyer and Director at Clarion Associates, with over thirty years of practice experience. He has substantial experience in the drafting and design of green building practice and resiliency requirements in local government land development codes. A recent development code project in which he served as project manager and director, the Norfolk Zoning Ordinance, received the Award of Excellence in Sustainability from national APA in 2019.

## **Learning Objectives**

- Provide potential sources of enabling authority for local green infrastructure regulatory programs.
- Provide an understanding of potential legal limits to local implementing regulations.
- Provide examples of local implementing ordinances actually adopted and being implemented.

## **Nature-Based Solutions to Our Region's Most Wicked Problems**

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Green infrastructure planning and implementation at landscape and regional scales is increasingly demonstrating the power and possibility of nature-based solutions in addressing some of the biggest challenges facing rapidly growing places like Metro Denver. The panelists will present two local case studies—the High Line Canal Conservancy's Stormwater Transformation and Enhancement Program and the Metro Denver Nature Alliance's emerging Regional Vision for People + Nature—and others from Atlanta, Georgia and Kansas City, Missouri. Using these examples, we will explore opportunities to develop resilient and thriving regions in the face of climate change and its variable impacts and continued urban growth.

## **Moderator:**

### **Dana Coelho**

Director, Metro Denver Nature Alliance

Dana Coelho is Director of the Metro Denver Nature Alliance. Dana previously served on the Metro DNA Steering Committee as a representative from the USFS, where she was Urban & Community Forestry Program Manager for the Rocky Mountain Region. In that capacity she worked alongside five state coordinators from CO, WY, SD, NE, and KS to build vibrant local community forestry programs; co-led the Western Urban & Community Forestry Network; helped found the Denver Urban Field Station, and actively participated in the National Urban Forest Technology & Science Delivery Team. She will discuss leveraging stewardship capacity to achieve outcomes that would otherwise be impossible with finite resources, and to create communities that are stronger, healthier, greener, and more resilient.

## **Speakers:**

### **Cathy McCague**

Program Manager, Highline Canal Conservancy

Cathy joined the High Line Canal Conservancy after spending 13 years with EnviroIssues, a leading public involvement and communications firm in Seattle. While there, Cathy honed in her facilitation and project management skills while working on various natural resource and transportation projects including facilitating the Hanford Advisory Board. As program manager, Cathy works with local jurisdictions and community citizens to help advance smart water approaches for preserving and enhancing the Canal for future generations. A native of Colorado, Cathy received her Bachelor of Arts in Political Science from Colorado State University and obtained a Master of Public Policy degree from University of Denver. She shares her passion for the Canal with her husband and three boys as they are fortunate to have the Canal as their backyard!

### **Chandi Aldena**

Project Manager, The Trust for Public Lands

I believe great parks and public lands are for everyone. As a landscape designer and park advocate, I want to address the lack of diversity, inclusion, and equity in our public parks from neighborhood parks to national parks. I am passionate about working with communities to engage them in making parks more equitable through conversation and the design process. My interest in a participatory design process has led me to seek projects that directly engage the local community. At The Trust for Public Land I work with communities across Colorado to create great parks, open spaces, green alleys and other urban landscapes that connect people to nature.

### **Claudia Browne**

Resource Specialist, Biohabitats

Claudia Browne is a Water Resources Specialist/Ecologist working to increase the resiliency of natural and human systems to climate change and other environmental stresses through ecological restoration and conservation planning including watershed and habitat management.

### **Gordon Robertson**

Director of Park Planning & Design, City and County of Denver

Gordon Robertson is the Director of Denver Parks and Recreation Planning, Design and Construction. He provides strategic and operational leadership for the city's planning division and the oversight of all capital planning and project management services for the department. Since joining Denver Parks and Recreation in 2007, Gordon has led the growth of the division from 14 staff and a capital budget of \$10 million, to 31 staff and a capital budget of over \$40 million annually. Robertson initiated and has helped lead the City's River Vision effort aimed at restoring the S. Platte River into an ecologically functioning and healthy waterway and improving its use as a recreational amenity, with over \$75M invested to date from multiple partner funding sources. Prior to his role in Denver Parks and Recreation, Robertson was the Parks Planning Manager for the City of Arlington, Texas and a Senior Parks Project Manager for the Lower Colorado River Authority in Austin, Texas.

## Learning Objectives

- What is green infrastructure? Define and share examples from multiple scales and across disciplines.
- How are nested and collaborative approaches to conservation, growth, and land management planning demonstrating success? Explore outcomes from multiple scales and stages of development and implementation.
- What legal and policy tools are available to incentivize and implement regional and landscape scale green infrastructure?

## Progress by the Numbers: Determining the Impact of Water and Land Use Integration

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How do we know if a community has achieved the successful integration of water and land use? This session will share the results of a year-long, stakeholder-driven project that engaged water utilities and land use planners from across Colorado to identify metrics that local governments and State officials can use to measure the effectiveness of water and land use integration. We will discuss how these metrics will provide interpretable data and trends to guide elected officials and catalyze action within communities, while also being consistent across communities in order to gain a picture of progress across Colorado.

### Moderator:

#### Waverly Klaw

Associate Director for Resilient Communities and Watersheds, Sonoran Institute

Waverly Klaw, AICP, joined the Sonoran Institute in 2019 as an Associate Director of Resilient Communities and Watersheds. She leads the Institute's Colorado-based initiatives, including its water and land use metrics project, Growing Water Smart program, and climate resilience work. She was formerly a senior planner for the State of Colorado Department of Local Affairs and served as a program manager for River Network. Waverly's experience enables her to bridge the gap between statewide goals and local desires for integrating water and land use.

### Speakers:

#### Stu Feinglas

Retired Water Resources Specialist, City of Westminster

Stu Feinglas has been working with water and energy utilities since 1982 in demand planning, conservation and data analysis. Stu implemented the first tap fee program to base tap fees on projected water use. The collected water use data was further analyzed and used in water and wastewater demand and revenue projections as well as utility sizing and infrastructure planning.

#### Liesel Hans

Water Conservation Manager, Fort Collins Utilities

Dr. Liesel Hans is a behavioral economist driven by topics in water, energy and the environment. She is currently the Water Conservation Manager at the City of Fort Collins Utilities. She and her stellar team provide education, information and incentives to help people do more with less.

**Sarah Martin**

Planner, Brendle Group

Sarah is a Sustainability Planner at the Brendle Group. Sarah enjoys working at the intersection of complex, environmental, economic, and social issues to identify solutions to some of our most intractable problems. She especially loves to make connections and work through challenging matters by bringing key players together and facilitating productive dialogues. Sarah has applied her passion for facilitation and problem-solving to a number of fields, including: ecosystem resilience management, transportation planning, land use planning, and water resource management. Recently, Sarah helped to draft the Growing Water Smart Metrics Guidebook, which presents a suite of recommended metrics for assessing and monitoring the state of integrated land use and water planning in Colorado. In her free time, Sarah enjoys rock climbing, biking, and taking in the region's stellar mountain views.

**Christy Wiseman**

Land Use & Water Planner, Colorado Department of Local Affairs

Christy Wiseman is the Land Use and Water Planner for the CO Department of Local Affairs' Division of Local Government. As part of this role, she works with the Babbitt Center for Land and Water Policy to manage the Colorado Water and Land Use Planning Alliance. Previously, she was a long range land use planner with Boulder County. She holds a B.S. degree in Environmental Geography from Ohio University and a Master of City and Regional Planning degree from Ohio State University. Christy uses she/her pronouns. Christy is based in Boulder, CO.

**Learning Objectives**

- Understand metrics for measuring the impact of water & land use int at the community & state level.
- Become familiar with water and land use-related data needs and who owns what data.
- Determine effective uses for these metrics, both with the public & internally for decisionmaking

**Putting Stewardship on the Map: Using Mapping Tools to Build Partnerships**

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The Stewardship Mapping and Assessment Project (STEW-MAP) answers the question: who takes care of our environment? Panel members used STEW-MAP to survey civic groups who conserve, manage, monitor, transform, educate on and/or advocate for the environment across Denver. It is both a study of the area's civic environmental stewardship resource and a publicly available online database and visualization tool to support a range of practical applications. We discuss how partners from government, universities, and non-profits have used STEW-MAP in the Denver Metro to understand and strengthen the civic capacity to care for the natural resources of Denver's neighborhoods.

**Moderator:****Travis Warziniack**

USDA Forest Service, Research Economist

Travis Warziniack is a research economist with the USFS Rocky Mountain Research Station. His work focuses on climate change and forests' role in providing water and in sustaining regional economies. Travis is the team lead for the Denver Urban Field Station. He will discuss the Denver Urban Field Station, a new collaborative among researchers, governments, and non-profits, and how the Field Station has used STEW-MAP to build a cohesive team interested in urban forestry in arid and semi-arid landscapes.



## **Speakers:**

### **Austin Troy**

University of Colorado Denver, Professor and Chair of Urban and Regional Planning Department  
Austin Troy is Professor and Chair at the University of Colorado Denver in the Department of Urban and Regional Planning. Additionally, he is Principal and Co-founder of Spatial Informatics Group, LLC, a consulting company that works on complex environmental management challenges. His research addresses issues at the intersection of urban planning and environmental sustainability, with a particular focus on the role of green infrastructure in cities. He will discuss how to use STEW-MAP and stewardship network data to complement biophysical and geographic information on green infrastructure, to improve outcomes for a wide range of applications.

### **Dana Coelho**

Director, Metro Denver Nature Alliance

Dana Coelho is Director of the Metro Denver Nature Alliance. Dana previously served on the Metro DNA Steering Committee as a representative from the USFS, where she was Urban & Community Forestry Program Manager for the Rocky Mountain Region. In that capacity she worked alongside five state coordinators from CO, WY, SD, NE, and KS to build vibrant local community forestry programs; co-led the Western Urban & Community Forestry Network; helped found the Denver Urban Field Station, and actively participated in the National Urban Forest Technology & Science Delivery Team. She will discuss leveraging stewardship capacity to achieve outcomes that would otherwise be impossible with finite resources, and to create communities that are stronger, healthier, greener, and more resilient.

## **Learning Objectives**

- Become familiar with the STEW-MAP databases and maps
- Use STEW-MAP to leverage stewardship capacity
- Lessons learned for effective partnerships