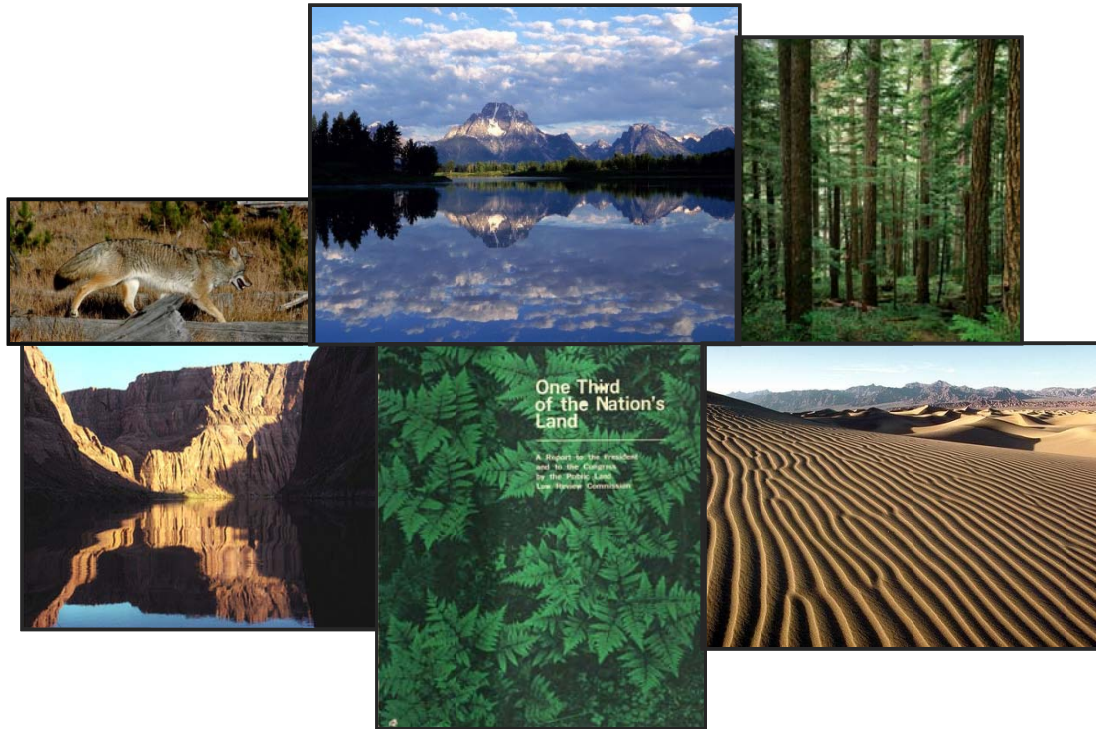


## Martz Summer Conference 2010



# The Past, Present, and Future of Our Public Lands

Celebrating the 40<sup>th</sup> Anniversary of the Public Land Law Review  
Commissions' Report — *One Third of the Nation's Lands*

June 2-4, 2010

UNIVERSITY OF COLORADO LAW SCHOOL  
Wolf Law Building — Wittemyer Courtroom  
Boulder, Colorado

**CLE credits: 19 General, 1.2 Ethics**

We gratefully acknowledge the support sponsors:



Rocky Mountain Mineral Law  
Foundation Grants Program



Note: Alcohol will be served as part of the Wednesday night reception and is part of the registration fee.

## Wednesday, June 2

**8:30 a.m.** Welcome - **Mark Squillace**, Director – Natural Resources Law Center, Univ. of Colorado Law School

### Session 1: The History and Evolution of Public Land Law Policy

**8:45 a.m.** **An Historical Perspective on Public Lands Policy and 1970 Public Land Law Review Commission Report**

Speaker: **Charles Wilkinson**, Moses Lasky Professor of Law, University of Colorado Law School: **GOVERNING THE PEOPLES' LANDS: Some Thoughts on the Ideas, Events, People and Places that Created the Laws**

Commentator: **Patty Limerick**, Professor of History and Director of the Center of the American West, University of Colorado-Boulder

**9:45 a.m.** BREAK

**10:15 a.m.** **Point/Counterpoint: Two Economic Perspectives on Public Lands Policy**

Speakers: **Thomas Power**: Consulting Economist, Power Consulting; Research Professor & Professor Emeritus – Economics Dept, University of Montana (Missoula, MT)

**Terry Anderson**, Exec. Director, Property & Environment Research Center (Bozeman, MT)

**11:15 a.m.** **Reminiscing About the Public Land Law Review Commission (PLLRC)**

**John Carver**, 1970 Federal Power Commission Liaison to the PLLRC and Professor Emeritus, Sturm College of Law, University of Denver (Denver, CO)

**Jerry Haggard**, Counsel to the PLLRC (Phoenix, AZ)

**12:00 p.m.** **BBQ LUNCH ON THE PLAZA** (Sponsored by the Environmental Law Society of the University of Colorado Law School)

### Session 2: Land Use Planning on the Public Lands (Chapters 3, 4, and 13 of the Commission Report)

**1:00 p.m.** **The Evolution of Planning on Public Lands**

Reviewer, Moderator, & Commentator: **Ann Morgan**, Vice President, Wilderness Society (Denver, CO)

**Land Use Planning on BLM Lands:** **Marcilynn Burke**, BLM Deputy Director–Programs and Policy, U.S. Dept of the Interior, (Washington, DC)

**Forest Service Planning:** **Rick Cables**, Regional Forester, U.S. Forest Service – Rocky Mountain Region (Golden, CO)

**Planning on National Wildlife Refuges and National Parks:** **Rob Fischman**, Professor of Law and of Public and Environmental Affairs, Indiana Maurer School of Law, (Bloomington, IN)

**2:30 p.m.** BREAK

**3:00 p.m.** **Keynote Speaker: Harris Sherman**, Undersecretary of Agriculture for Natural Resources and the Environment (Washington, DC)

Introduction: **David Getches**, Raphael Moses Professor of Law and Dean, Univ of Colorado Law School

### Session 3: Extractive Resources

**4:00 p.m.** **Timber Management on the Public Lands** (Chapter 5 of the Commission Report)

Reviewer, Moderator, & Commentator: **Martin Nie**, Professor–Natural Resources Policy, College of Forestry & Conservation, University of Montana (Missoula, MT)

Speakers: **Mike Anderson**, Senior Resource Analyst, The Wilderness Society–Pacific NW Region (Seattle, WA)

**Jim Riley**, President, Intermountain Forestry Association, Couer D’Alene, ID

**5:15 p.m.** DINNER ON YOUR OWN

Note: Alcohol will be served as part of the Wednesday night reception and is part of the registration fee.

**Thursday, June 3, 2010**

### **Session 3: Extractive Resources** — *continued*

**8:30 a.m. Grazing on the Public Lands** (*Chapter 6 of the Commission Report*)

Reviewer, Moderator, & Commentator: **Sarah Krakoff**, Professor of Law and Associate Dean for Research, University of Colorado Law School (Boulder, CO)

Speakers: **Joe Feller**, Professor of Law, Arizona State Univ. Law School; visiting Professor at University of Colorado Law School  
**William Myers III**, Partner, Holland & Hart; former Solicitor–U.S. Dept of Interior (Boise, ID)

**9:45 a.m. BREAK**

**10:15 a.m. Mining and Mineral Development on the Public Lands** (*Chapter 7 of the Commission Report*)

Reviewer, Moderator, & Commentator: **Clay Parr**, Partner, Parr Brown Gee & Loveless (Salt Lake City, UT)

Speakers: **Roger Flynn**, founding Director of the Western Mining Action Project (Lyons, CO) and Adjunct Professor, University of Colorado Law School

**David Bernhardt**, Partner, Brownstein Hyatt Farber Schreck (Washington, DC) and former Solicitor for U.S. Dept of Interior

**Paul Smyth**, Associate Solicitor, Energy and Resources, U.S. Department of the Interior

**11:45 a.m. LUNCH ON YOUR OWN**

### **SESSION 4: Water Resources**

**1:00 p.m. Water Management on the Public Lands**

(*Chapter 8 of the Commission Report*)

Reviewer, Moderator, & Commentator: **Michael Gheleta**, U.S. Dept of Interior, Office of the Solicitor (Lakewood, CO)

Speakers: **Anne Castle**, Asst. Secretary for Water and Science, U.S. Dept of Interior (Washington, DC)

**Gregory Hobbs**, Justice, Colorado Supreme Court (Denver, CO)

**Sarah Bates**, Senior Fellow with the Center for Natural Resources and Environmental Policy, University of Montana (Missoula, MT)

### **Session 5: Wildlife and Recreational Resources on the Public Lands**

**2:15 p.m. Public Lands Recreation** (*Chapter 12 of the Commission Report*)

Reviewer, Moderator, and Commentator: **Robert Keiter**, Wallace Stegner Professor of Law, University of Utah SJ Quinney College of Law (Salt Lake City, Utah)

Speakers: **Scott Groene**, Executive Director, Southern Utah Wilderness Alliance (Moab, UT)

**Scott Fitzwilliams**, Forest Supervisor, White River National Forest (Glenwood Springs, CO)

**Greg Mumm**, Executive Director, Blue Ribbon Coalition (Rapid City, SD)

**3:30 p.m. BREAK**

**4:00 p.m. Wildlife on the Public Lands** (*Chapter 9 of the Commission Report*)

Reviewer, Moderator, and Commentator: **Karin Sheldon**, Executive Director, Western Resource Advocates (Boulder, CO)

Speakers: **Norman James**, Director, Fennemore Craig, PC (Phoenix, AZ)

**Todd True**, Managing Attorney, Northwest Office, EarthJustice (Seattle, WA)

**5:15 p.m. RECEPTION IN BOETTCHER HALL AND PLAZA** (*in case of rain -- LAW SCHOOL CAFÉ, 2<sup>ND</sup> FLOOR*)

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**Friday, June 4, 2010**

**8:30 a.m.**     **Dedication of the Gary Bryner Award for Public Service in  
Natural Resources Policy** — **Mark Squillace**, Director – Natural Resources Law  
Center, Univ. of Colorado Law School

**8:45 a.m.**     **The Moral and Ethical Dimensions of Decision-making on  
Public Lands: National Monuments and Beyond**

Speaker:     **Jim Rasband**, Dean of the J.Reuben Clark Law School. Brigham Young Univ. (Provo, UT):  
*Second Thoughts about the Antiquities Act: Does the Process for Public Land Decisionmaking  
Have an Ethical Dimension*

Commentator: **Mark Squillace**, Director – Natural Resources Law Center, Univ. of Colorado Law School

**9:30 a.m.**     **BREAK**

## **Session 6: The Public Lands and Energy — and Climate Change**

**10:00 a.m.**     **The Role of Public Lands in the Energy and Climate Debates**

Reviewer, Moderator, & Commentator: **William Boyd**, Associate Professor of Law, University of  
Colorado Law School (Boulder, CO)

Speakers: **Stephen Saunders**, President, Rocky Mountain Climate Organization (Denver, CO)

**Rebecca Watson**, Welborn Sullivan Meck Tooley (Denver, CO); former Assistant  
Secretary for Lands and Mineral Management of U.S. Dept of Interior

**Robert Glicksman**, J.B. and Maurice C. Shapiro Professor of Environmental Law, George  
Washington University Law School (Washington, DC)

**11:15 a.m.**     **Imagining a New Public Land Law Review Commission**

Reviewer, Moderator, & Commentator: **Guy Martin**, Partner, Perkins Coie (Washington, DC)

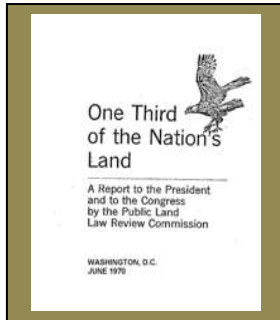
Speakers: **Alan Gilbert**, Senior Advisor to Secretary Salazar, Southwest and Rocky Mountain Regions,  
U.S. Department of the Interior (Lakewood, CO)

**Ann Morgan**, Vice President, The Wilderness Society (Denver, CO)

**Charles Wilkinson**, Moses Lasky Professor of Law, University of Colorado Law School

**12:30 p.m.**     **ADJOURN**

## Celebrating the 40<sup>th</sup> Anniversary of *One Third of the Nation's Lands*



In 1964 Congress established the Public Land Law Review Commission to review the public land laws of the United States and to determine whether revisions were necessary. The Commission was comprised of six members appointed by the President, six by the U.S. Senate and six by the U.S. House. Congressman Wayne Aspinall of Colorado served as chair. In 1970, the Commission issued its report – ***One Third of Our Nation's Lands***. This influential report became a blueprint for much future public lands legislation including, most notably, the Federal Land Policy and Management Act and the National Forest Management Act.

As we celebrate the 40<sup>th</sup> Anniversary of this seminal document, it is time to reflect on the need for a new Commission and a new report to address the challenges for our public lands in the 21<sup>st</sup> century. The NRLC's 2010 Martz summer conference will offer a venue to consider this important idea.

### About the NRLC Martz Summer Conference

Since 1980, the University of Colorado Law School has convened an annual summer conference on leading issues in natural resources law and policy. The summer conference was instrumental in the decision to establish the Natural Resources Law Center in 1982, and the Center has hosted the summer conference ever since.

The NRLC's popular summer conference is renowned for its success in bringing together the leading lawyers and policy-makers of the day to engage a sophisticated audience in an informed discussion and debate over natural resources policy. The NRLC summer conference regularly attracts prominent national speakers.

In 2009, the NRLC named its summer conference to honor Clyde Martz. Over his long and distinguished career, Clyde Martz has worn many hats. He began his career as a law professor at the University of Colorado, where he wrote the first casebook on natural resources law, at a time when it was not even recognized as a distinct field of study. Eventually, Clyde left teaching to practice law with the law firm of David, Graham, and Stubbs, where he remained for most of his remarkable career. On two occasions, however, Clyde left practice to enter public service, first to serve as the Assistant Attorney General for Land and Water Resources during the Lyndon Johnson Administration, and subsequently to become the Interior Solicitor during the Jimmy Carter Administration. Beyond his many professional accomplishments, Clyde was a leading promoter of the field of natural resources law. He was a founder and one of the first presidents of the Rocky Mountain Mineral Law Foundation, and he was the chair of the committee that led to the founding of our own Natural Resources Law Center. Naming the summer conference in honor of Clyde reminds us of the important role that the Center has to play in the national debate over natural resources policy. We hope you will join us in shaping that debate.