



GETCHES-WILKINSON CENTER

for Natural Resources, Energy, and
the Environment at Colorado Law

Seventh Annual Clyde O. Martz Winter Symposium



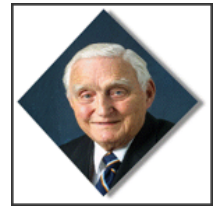
A Green New Deal for Public Lands?

Friday, February 28th, 2020
Wolf Law Building, Wittemyer Courtroom
University of Colorado School of Law



COLORADO LAW
UNIVERSITY OF COLORADO **BOULDER**

7th Annual Martz Winter Symposium



Clyde O. Martz was a father of natural resource law in the United States. He was an exemplary teacher, mentor, counselor, advocate, and a professor of natural resources law for 15 years at Colorado Law. Professor Martz was one of the founders of the Rocky Mountain Mineral Law Foundation and of the Law School's Natural Resources Law Center, which later became the Getches-Wilkinson Center for Natural Resources, Energy, and the Environment. In 1951, he assembled and published the first natural resources law casebook, combining the previously discrete subjects of water law, mining law, and oil and gas law.

In 1962, Professor Martz joined the law firm of Davis Graham & Stubbs. During his tenure at Davis, Graham & Stubbs, he took periodic leaves of absence to serve as the Assistant Attorney General of the Lands and Natural Resources Division of the U.S. Department of Justice (1967-69), a Colorado Special Assistant Attorney General (1971-75), and as the Solicitor of the Department of the Interior (1980-81). He retired from the firm in the late 1990s and passed away in 2010 at the age of 89.

The Martz Natural Resources Management Fund was established in memory of natural resources law pioneer Clyde Martz and supports innovative programming at Colorado Law on best practices in natural resources management.

Symposium Introduction

For the 7th Annual Martz Winter Symposium we are joined by legal scholars, political appointees, and practitioners across a range of specialties to address the new legal challenges facing public lands law. Managing public lands for a diverse population, impacts on local communities, recreational disputes, and potential litigation all have broad practical import for policymakers, litigators, the outdoor recreation industry, and those who enjoy our public lands.

The Getches-Wilkinson Center is hosting the 2020 Martz Winter Symposium in collaboration with the *Colorado Law Review* and the *Colorado Natural Resources, Energy & Environmental Law Review*. It is our hope that these dialogues and the forthcoming law review articles will generate solutions that can be implemented by practitioners on the ground and will inform future lawyers entering the field.

Friday, February 28th

Martz Winter Symposium

8:00 Registration and Continental Breakfast

8:45 Welcome by GWC Executive Director Alice Madden

9:00-10:15

New Concepts for Public Lands: Climate, Equity, and Diversity

The nation's public lands, which comprise roughly one third of the United States, are sites of intense controversy as well as occasional consensus. Some debates recur with different accents, such as arguments for and against privatization and/or for and against greatly enhanced environmental protection. Consensus seems to adhere around iconic landscapes, such as National Parks. Yet even there, previous frameworks may be missing the mark in terms of some of the most pressing issues facing public lands today. Our panelists will address challenges to the future of public lands that require fresh approaches, even if the problems themselves are not new. Questions will include: How should we manage public lands in light of climate change? How can public lands be managed to include a more diverse population? Can public lands be sites of equity and inclusion?

Moderator

Michael Connor

Partner, Wilmer Cutler Pickering Hale and Dorr LLP

Former Deputy Secretary of the US Department of the Interior

Confirmed Speakers

Steve Feldgus

Deputy Staff Director & Senior Energy and Minerals Policy Advisor

House Natural Resources Committee

Robert Keiter

Wallace Stegner Professor of Law

Director, Wallace Stegner Center of Land, Resources, and the Environment

University of Utah

Oriana Sandoval

CEO

Center for Civic Policy

Alan Spears

Senior Director for Cultural Resources

National Parks Conservation Association

**10:15-10:45 Morning Networking Break
(Refreshments provided in Boettcher Hall)**

10:45-12:00

Public Lands and Livelihood: Beyond the Jobs v. Environment Debate

Whether to protect public lands from resource extraction often hinges on views about economic benefits to surrounding communities. Can economic wellbeing and livelihood be seen as harmonious with protective public lands management rather than in tension with it? This panel will explore versions of this question from the perspective of Native nations, rural communities, and other constituencies.

Moderator

Scott Hardt

Partner, Davis Graham and Stubbs LLP

Confirmed Speakers

Ann Eisenberg

Assistant Professor of Law

University of South Carolina

Jessica Shoemaker

Associate Professor of Law

University of Nebraska-Lincoln

Rebecca Tsosie

Regents Professor of Law; Faculty Co-Chair, Indigenous Peoples Law and Policy Program

Special Advisor to the Provost for Diversity and Inclusion

University of Arizona

12:00-12:45 Lunch

(Lunch provided in Schaden Commons, 2nd floor - West side)

12:45-2:00

Symposium Armchair Discussion

This moderator led discussion will incorporate different viewpoints regarding the legal issues facing the future of public lands management, drawing on the experience of experts from previous administrations.

Moderator

Robert Anderson

*Charles I. Stone Professor of Law and Director, Native American Law Center
University of Washington*

Confirmed Speakers

John Leshy

*Harry D. Sunderland and Distinguished Professor of Law Emeritus
University of California Hastings, College of Law
Solicitor, Department of the Interior, 1993-2001*

Rebecca Watson

*Wellborn, Sullivan, Meck, and Tooley P.C.
Former Assistant Secretary for Lands and Minerals Management US Department of the Interior*

2:00-3:15

Recreation and Public Lands: Beyond the Hiker v. Off Road Vehicle Debate

Recreation disputes on public lands often involve motorized versus non-motorized uses. These conflicts are not going away, but they hardly capture the full scope of concerns about who accesses the public lands for recreation and how. This panel will address how different demographic groups (based on race, ethnicity, age, and generation,) raise new and interesting questions about who the public lands are for and how to manage them.

Moderator

Mark Squillace

*Raphael J. Moses Professor of Law and Associate Dean for Faculty Affairs and Research
University of Colorado*

Confirmed Speakers

Jose Gonzales

*Founder and Director Emeritus, Latino Outdoors
Partner, Avarna*

Sarah Krakoff

*Moses Lasky Professor of Law
University of Colorado*

Teresa Martinez

*Executive Director
Continental Divide Trail Coalition*

**3:15-3:45 Afternoon Networking Break
(Refreshments provided in Boettcher Hall)**

3:45-5:00

New and Old Tools for the Future of Public Lands

The concluding panel will consider how new and existing laws and policies can address the full scope of public lands issues raised throughout the day. To what extent can litigation under existing laws still serve the public, and the public lands? Does the National Environmental Policy Act need revision, or just revival? Are public trust concepts viable? If so, in their current form or do we need an expanded understanding of public trust? Panelists will address these and related questions.

Moderator

Phil Hanceford

*Conservation Director, Agency Policy and Planning
The Wilderness Society*

Confirmed Speakers

David Adelman

*Harry Reasoner Regents Chair in Law
University of Texas at Austin*

Sharon Buccino

*Senior Director, Land Division, Nature Program
Natural Resources Defense Council*

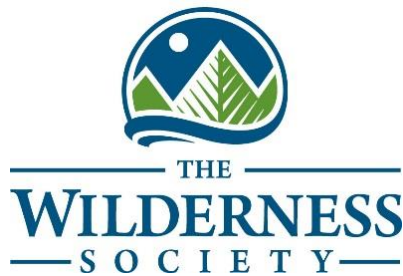
Alexandra B. Klass

*Distinguished McKnight University Professor
University of Minnesota*

Heidi McIntosh

*Managing Attorney
Earthjustice*

Symposium Sponsors



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Special Thanks to Our Supporters

This symposium is made possible through the generous support of donors who sponsored this year's Martz Winter Symposium and those who have invested in our Clyde O. Martz Endowed Fund for Natural Resources Management (including Brian Dolan and Davis Graham and Stubbs LLP). The Martz Natural Resources Management Fund was established in the memory of natural resources law pioneer Clyde Martz and supports innovative programming at Colorado Law in best practices in natural resources management.

We would also like to extend a special thank you to the students of the *Colorado Law Review* and the *Colorado Natural Resources, Energy & Environmental Law Review* for all their efforts and support in the development of the Seventh Annual Martz Winter Symposium.



UNIVERSITY OF COLORADO LAW REVIEW

