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The Past, Present, and Future of Our Public Lands: Celebrating the 40th Anniversary of the Public Land Law Review Commission's Report, One Third of the Nation's Land (Martz Summer Conference, June 2-4)

2010

6-2-2010

AGENDA: The Past, Present, and Future of Our Public Lands: Celebrating the 40th Anniversary of the Public Land Law Review Commission's Report, One Third of the Nation's Land

University of Colorado Boulder. Natural Resources Law Center

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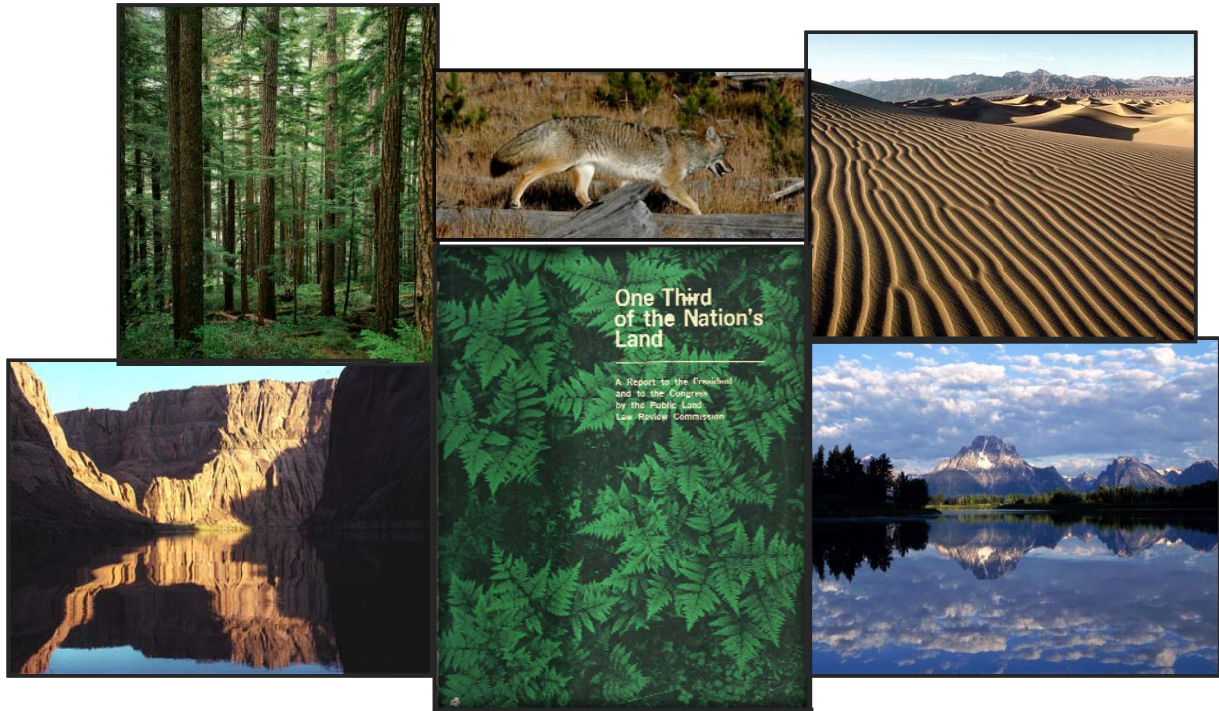
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University of Colorado Law School



Martz Summer Conference 2010



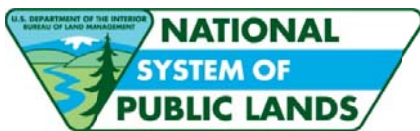
The Past, Present, and Future of Our Public Lands

Celebrating the 40th 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

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THE
WILDERNESS
SOCIETY

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, 2ND FLOOR*)

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 Decision-
making 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)

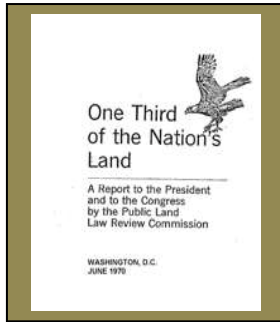
Speakers: **Alan Gilbert**, Senior Advisor to Secretary Salazar, Southwest and Rocky Mountain Regions,
U.S. Department of the Interior (Lakewood, CO)

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 40th 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 40th 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 21st 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.



2010 MARTZ SUMMER CONFERENCE Moderators, Panelists & Speakers

Mike Anderson

Senior Resource Analyst
Wilderness Society
Pacific Northwest Region
Seattle, Washington

Terry Anderson

Executive Director
Property and Environment Research Center
(PERC)
Bozeman, MT

Sarah Bates

Center for Natural Resources & Environmental
Policy
University of Montana
Missoula, MT

David Bernhardt

Brownstein Hyatt Farber Schreck
Washington,

William Boyd

Associate Professor of Law
University of Colorado Law School
Boulder, CO

Marcilynn Burke

Deputy Director, Programs and Policy
Bureau of Land Management,
U.S. Department of the Interior
Washington, DC

Rick Cables

Regional Forester
U.S. Forest Service – Rocky Mtn Region
Golden, CO

John Carver

*1970 Federal Power Commission Liaison to
the PLLRC*
Professor Emeritus, Sturm College of Law
University of Denver, CO

Anne J. Castle

Assistant Secretary for Water and Science
Department of the Interior
Washington, DC

Joe Feller

Visiting Professor of Law (Arizona State)
University of Colorado Law School
Boulder, Colorado

Rob Fischman

Professor at Indiana University–Bloomington's
Maurer School of Law and the School of
Public and Environmental Affairs
Bloomington, IN

Scott Fitzwilliams

Forest Supervisor
White River National Forest
Glenwood Springs, CO

Roger Flynn

Founding Director and Managing Attorney
Western Mining Action Project
Lyons, CO

David Getches

Dean and Raphael J. Moses Professor of
Natural Resources Law
University of Colorado Law School
Boulder, CO

Mike Gheleta

Office of the Solicitor
US Department of the Interior
Rocky Mountain Region
Lakewood, CO

Alan J. Gilbert

Senior Advisor to the Secretary of the Interior
for the Southwest and Rocky Mountain
Regions
U.S. Department of the Interior
Lakewood, CO

Robert Glicksman

J.B. & Maurice C. Shapiro Professor of
Environmental Law
George Washington University Law School
Washington, DC

Scott Groene

Executive Director
Southern Utah Wilderness Alliance
Moab, UT

Jerry L. Haggard

*Member of legal staff for the 1970 Public Land
Law Review Commission*
Phoenix, AZ

Greg Hobbs

Justice
Colorado Supreme Court
Denver, CO

Norman James

Fennemore Craig
Phoenix, AZ

Robert Keiter

Wallace Stegner Professor of Law, University
Distinguished Professor, and Director of the
*Wallace Stegner Center for Land,
Resources, and the Environment*
University of Utah S.J. Quinney College of Law
Salt Lake City, UT

Sarah Krakoff

Professor of Law and Associate Dean for
Research
University of Colorado Law School
Boulder, CO

Patty Limerick

Faculty Director and Chair of the Board for the
Center of the American West and Professor
of History
University of Colorado
Boulder, CO

Guy Martin

Perkins Coie
Washington, DC

Ann Morgan

Vice President for Public Lands
The Wilderness Society
Denver, CO

Greg Mumm

Executive Director
BlueRibbon Coalition
Rapid City, SD

William Myers III

former Solicitor–U.S. Dept of Interior
Holland & Hart
Boise, ID

Martin Nie

Professor of Natural Resources Policy, College
of Forestry & Conservation
University of Montana
Missoula, MT

Clay Parr

Parr Brown Gee & Loveless
Salt Lake City, UT

Tom Power

Research Professor and Professor Emeritus in
the Economics Dept., University of Montana
Principal, Power Consulting
Missoula, MT

Jim Rasband

Dean — J.Reuben Clark Law School
Brigham Young University
Provo, UT

Jim Riley

President and Chief Executive Officer
Intermountain Forest Association
Coeur d'Alene, ID

Stephen Saunders

Founder and President
The Rocky Mountain Climate Organization
Denver, CO 80206

Karin Sheldon

Executive Director
Western Resource Advocates
Boulder, CO

Harris Sherman

Under Secretary for Natural Resources and
Environment
U.S. Department of Agriculture
Washington, DC

Paul Smyth

Associate Solicitor for the Division of Mineral
Resources
Department of the Interior's Office of the
Solicitor
Washington, DC

Mark Squillace

Director, Natural Resources Law Center and
Professor of Law
University of Colorado Law School
Boulder, CO

Todd True

Managing attorney of the Northwest Office
Earthjustice
Seattle, WA

Rebecca W. Watson

Welborn Sullivan Meck Tooley
Denver, CO

Charles Wilkinson

Moses Lasky Professor of Law
University of Colorado Law School
Boulder, CO

Moderator & Presenters' BIOS

Mike Anderson — is the Senior Resource Analyst for The Wilderness Society and is one of the nation's leading experts in national forest law and policy. He has an undergraduate degree from Yale University and a law degree from the University of Oregon. Mike has worked for The Wilderness Society since 1985 and has been stationed in The Society's Pacific Northwest regional office in Seattle since 1989. His responsibilities include conducting interdisciplinary research, analyzing legislative and regulatory proposals, and coordinating The Wilderness Society's litigation activities. Mike is also an enthusiastic participant in two award-winning collaborations – the Lakeview Stewardship Group in Oregon and the Skokomish Watershed Action Team in Washington. He is the co-author of *Land and Resource Planning in the National Forests* (Island Press 1987) and has written numerous articles, citizen's guides, and reports on national forest management and other public land issues.

Terry Anderson — is the Executive Director of PERC—the Property and Environment Research Center—a non-profit institute dedicated to improving environmental quality through property rights and markets, the John and Jean DeNault Senior Fellow at the Hoover Institution, Stanford University; and professor emeritus at Montana State University.

In an age of growing environmental concerns, resource economist Terry Anderson is defining a new course for achieving environmental quality. He believes that market approaches can be both economically sound and environmentally sensitive. Anderson's work helped launch the idea of "free market environmentalism" with the publication of his book by that title, coauthored with Donald Leal. Government subsidies often degrade the environment, he points out, and private property rights encourage resource stewardship by harnessing market incentives to individual initiative for protecting environmental quality. His broad-ranging ideas have provided a refreshing and stimulating look at complex and seemingly intractable environmental problems.

Anderson is the author or editor of more than 30 books including *The Not So Wild, Wild West* with P.J. Hill (Stanford University Press 2004) which was awarded the 2005 Sir Antony Fisher International Memorial Award and *Greener Than Thou: Are You Really an Environmentalist* with Laura Huggins (Hoover Institution Press 2008), which was a runner up for the same award in 2010. Anderson has published widely in both professional journals, including the *Journal of Law and Economics* and *Economic Inquiry* and the popular press, including the *Wall Street Journal*, the *Christian Science Monitor*, and *Fly Fisherman*.

During his career at Montana State University, Anderson won several outstanding teaching awards and is now professor emeritus of economics. He is also the John and Jean DeNault Senior Fellow at the Hoover Institution. He received his B.S. from the University of Montana in 1968 and his Ph.D. in economics from the University of Washington in 1972. Anderson is an avid outdoorsman accomplished at big game hunting, bird shooting, fishing, skiing and hiking. He enjoys international travel with his wife, Monica, especially when it involves sporting activities.

Sarah Bates — has written and spoken extensively on western water law and policy over the past two decades through university research appointments, conservation advocacy positions, and consulting work. She currently works with the Center for Natural Resources and Environmental Policy (formerly the Public Policy Research Institute) at the University of Montana, and maintains an active legal consulting practice. Bates is a graduate of the University of Colorado Law School (1988), where she subsequently returned to serve as the associate director of the Natural Resources



Moderator & Presenters' BIOS — *continued*

Law Center from 1991-93. She serves on the governing board of the Montana-based Clark Fork Coalition and recently completed two terms as a member of the advisory board of the Ruckelshaus Institute of Environment and Natural Resources at the University of Wyoming. Her most recent book (co-edited with Larry MacDonnell) is "The Evolution of Natural Resources Law and Policy," published by the American Bar Association in 2009.

David Bernhardt — is a Shareholder in the DC office of Brownstein Hyatt Farber and Schreck, where he focuses on counseling, litigation, and transactions involving federal environmental, energy and natural resource matters. Prior to re-entering private law practice, Mr. Bernhardt was appointed by President Bush to hold several high ranking positions within the U.S. Department of the Interior, and to serve as the U.S. Commissioner to the International Boundary Commission between the U.S. and Canada.

In 2006, Mr. Bernhardt was unanimously confirmed by the U.S. Senate to serve as the Solicitor of the Department of the Interior. Prior to serving as Solicitor, he held several positions including: Deputy Solicitor, Deputy Chief of Staff, Counselor to the Secretary of the Interior, and Director of the Office of Congressional and Legislative Affairs.

As Solicitor, Mr. Bernhardt provided advice and counsel on a wide range of legal and policy matters to each of the agencies that make up the Department of the Interior – the U.S. Fish and Wildlife Service, the Bureau of Land Management, the Bureau of Reclamation, the Bureau of Indian Affairs, the National Park Service, the Minerals Management Service, the Office of Surface Mining and the U.S. Geological Survey. Throughout his tenure at Interior, he played a lead role in many of the Department's most difficult and important matters including playing a significant role in the development of multiple land use plans and offshore energy leasing programs; leading efforts to work with Congress and throughout the administration to make certain areas within the OCS and onshore available for conventional and alternative energy development; and co-Chairing the DOI's Energy Coordination Council, whose purpose was to facilitate the implementation the Energy Policy Act of 2005.

Prior to serving within the Department of the Interior, Mr. Bernhardt was an associate at Brownstein from 1998-2001. Before joining Brownstein in 1998, he served as Legislative Director and Rules Committee Associate in the U.S. House of Representatives for Congressman Scott McInnis. Mr. Bernhardt grew up in Rifle, Colorado.

William Boyd — is an associate professor at the University of Colorado Law School and a fellow of the Renewable and Sustainable Energy Institute (RASEI). Professor Boyd received his Ph.D. from the Energy & Resources Group at UC-Berkeley and his J.D. from Stanford Law School. After law school, Professor Boyd clerked for Judge Diana Gribbon Motz of the U.S. Court of Appeals for the Fourth Circuit, followed by serving as the American Association for the Advancement of Science Congressional Science Fellow and Counsel on the Democratic minority staff of the U.S. Senate Committee on Environment & Public Works. He then practiced energy, environmental and climate change law with the firm of Covington & Burling LLP in Washington DC. He continues to be actively involved in legislative and regulatory debates on energy and climate change at state, national, and international levels.

Marcilynn Burke — is the Bureau of Land Management's Deputy Director for Programs and Policy under Director Bob Abbey. To serve in this position, she has taken a leave of absence from the University of Houston Law Center (UHLC) in Texas, where she is an Associate Professor of Law. Burke's expertise in renewable energy, endangered species, and other land management



Moderator & Presenters' BIOS — *continued*

issues benefits the BLM as it works to support the Department of the Interior's clean energy, treasured landscapes, and other natural resource and land use priorities.

At UHLC, she taught law courses on land use and its management, natural resources, and property. Burke also served as one of the co-directors for UHLC's Center for Environment, Energy and Natural Resources. Before joining the faculty at UHLC, she served as visiting assistant professor of law at the Rutgers School of Law in Camden, N.J., and subsequently, at Seattle University School of Law for its "Summer in Alaska" program. Burke was previously with the law firm of Cleary, Gottlieb, Steen & Hamilton in Washington, D.C., where she focused on environmental law, antitrust, and civil and criminal litigation. She clerked for the Honorable Raymond A. Jackson of the Eastern District of Virginia.

Burke is a member of several professional associations, including the Association of American Law Schools, American Bar Association, Bar Association of the District of Columbia, New York State Bar Association, and the Society of American Law Teachers (SALT). She received her bachelor's degree in International Studies from the University of North Carolina at Chapel Hill where she was elected to Phi Beta Kappa. She obtained her law degree from Yale Law School where she was an editor for both the *Yale Journal of Law and Feminism* and the *Yale Journal of International Law*.

Rick Cables — — became Regional Forester of the Rocky Mountain Region in January 2001. As Regional Forester he is responsible for the administration of over 22 million acres in 17 National Forests and 7 National Grasslands, and cooperative efforts with state and private landowners in Colorado, Kansas, Nebraska, South Dakota and eastern Wyoming.

Cables was born in Pueblo, Colorado, graduated from Northern Arizona University Forestry School in 1976, and began his forestry career on the Kaibab National Forest in Northern Arizona.

After serving on several National Forests in New Mexico and Arizona, he became District Ranger on the Apache-Sitgreaves National Forest. He then served two years in the Washington Office before he was selected to attend the U.S. Army War College in Carlisle, Pennsylvania in 1989-1990. In 1990, Cables was promoted to Forest Supervisor of the White Mountain National Forest in New Hampshire and Maine. In 1995, he became the Forest Supervisor of the Pike and San Isabel National Forests and Comanche and Cimarron National Grasslands in Colorado and Kansas. Before becoming Regional Forester of the Rocky Mountain Region, Cables was Regional Forester of the Alaska Region, covering the Tongass and Chugach National Forests.

John A. Carver, Jr. — is *Professor Emeritus* of Sturm College of Law at the University of Denver and served as Federal Power Commission Liaison to the PLLRC. He was born in Preston, Idaho on April 24, 1918. He attended public schools in Preston, Pocatello and Boise, Idaho, and earned an A.B. from Brigham Young University in 1939. He went on to earn a law degree from Georgetown University in 1947. Carver returned to Boise to practice law, and served as Assistant Attorney General for the state of Idaho from 1947 to 1949. In 1957 he went to work for Senator Frank Church of Idaho as an administrative assistant, a position he held until 1960 when he was nominated by President-elect John F. Kennedy to the post of Assistant Secretary of the Interior for Public Land Management. In his capacity as Assistant Secretary, Carver oversaw the Bureau of Indian Affairs and the National Park Service. In 1965 he was promoted to Under Secretary of the Interior. In the fall of 1966, President Lyndon B. Johnson chose to replace Carver as Under Secretary, and instead nominated him to be a commissioner on the Federal Power Commission (FPC). Carver remained with the FPC until 1972, when he left government service to become a



Moderator & Presenters' BIOS — *continued*

professor of law at the University of Denver in Colorado. Carver married Ruth O'Connor, with whom he had three children. He now resides in Littleton, Colorado.

The collection of Carver's papers from his positions as Assistant Secretary of the Interior for Public Lands Management (1961-1964), Under-secretary of the Interior (1965-1966), and Commissioner on the Federal Power Commission (1966-1972) are available online at jfklibrary.org.

Anne Castle — Anne Castle was confirmed as Assistant Secretary for Water and Science on June 19, 2009. She was nominated by President Obama for the position on March 31, 2009. In this capacity, Castle oversees water and science policy and has responsibility for the U.S. Bureau of Reclamation and the U.S. Geological Survey.

Before joining Interior, Castle practiced law for 28 years in Denver, Colorado with the Rocky Mountain based law firm of Holland & Hart LLP. She specialized in water issues, including litigation and multi-party negotiations, water related transactions, and advice on water policy and strategy. Her clients spanned a wide spectrum of water users and suppliers, from small and large municipal water and wastewater treatment providers to farmers and ranchers, water and conservation districts, and operators of commercial facilities. She was elected in 2001 to chair the law firm's management committee and served in that position until 2004. She also chaired the firm's natural resources law department.

In 2007 Colorado Governor Bill Ritter appointed Castle to the South Platte River Basin Task Force, which examined the water crisis in this northeastern Colorado basin, and its challenges for water users and provided recommendations for legislative changes that continue to be explored. She also was the chair and an elected member of the Board of Directors of the Genesee Water and Sanitation District from 1989 to 2002. Castle was twice appointed to the Colorado Ground Water Commission by former Colorado Governor Roy Romer and served from 1994 to 2002.

During her legal career, Castle was continually involved in organizations providing legal representation to those who could not afford to pay. She served on the board of Colorado Legal Services for over 25 years, and was on the board of the Colorado Legal Aid Foundation and the Colorado Lawyer Trust Account Foundation for many years. She was listed in *Best Lawyers in America* for water law in 2007 and 2008. The Women's Vision Foundation selected Castle for its prestigious *Woman of Vision* award in 2008, recognizing positive, enlightened leadership and active promotion of the advancement of women within the law firm and in the community. She was also featured in the November 2008 issue of *Law Practice* magazine in its leadership profile series.

Castle received a Bachelor of Science degree in applied mathematics, with honors, from the University of Colorado, College of Engineering, in 1973. Her J.D. in 1981 was also from the University of Colorado where she was Order of the Coif.

Joe Feller — is a Professor of Law at Arizona State University, where he has taught Water Law, Natural Resources Law, Environmental Law, and Property since 1988. Before undertaking the study of law, Professor Feller earned a Ph.D. in physics from the University of California at Berkeley and taught physics at Columbia University. After graduating from Harvard Law School in 1984, Professor Feller served as a law clerk to Judge Joseph Sneed on the United States Court of Appeals for the Ninth Circuit and as an attorney for the United States Environmental Protection Agency. Since June, 2008, Professor Feller has been on leave from Arizona State and serving as Senior Counsel for the National Wildlife Federation in Boulder, Colorado, and an adjunct



Moderator & Presenters' BIOS — *continued*

professor at the University of Colorado Law School, where he teaches the Natural Resources Litigation Clinic.

Professor Feller's work focuses on public land management and water use in the western United States. He has represented environmental interests in litigation before administrative boards, federal district courts and courts of appeal, and the U.S. Supreme Court. Professor Feller is also an avid runner, hiker, photographer, and cross-country skier, and he served as a coach for the Brazilian national cross-country ski team in 2008.

Rob Fischman — is a professor at both the Indiana University –Bloomington's Maurer School of Law and the School of Public and Environmental Affairs. Before joining the Indiana faculty in 1992, he taught at the University of Wyoming College of Law and served as Natural Resources Program Director and Staff Attorney at the Environmental Law Institute in Washington, DC. He has taught in the environmental law programs at both Vermont Law School and Lewis and Clark School of Law. Professor Fischman has also been a senior research scholar at Yale Law School. He has written on public land management, endangered species recovery, environmental impact analysis, and global climate change. Fischman's books include *The National Wildlife Refuges: Coordinating a Conservation System through Law* and *Federal Public Land & Resources Law*. His current research projects include judicial treatment of adaptive management and science policy problems of animal migration conservation. Professor Fischman received his J.D. and M.S. from the University of Michigan in 1987 and his A.B. from Princeton in 1984.

Scott Fitzwilliams — became the Forest Supervisor of the 2.4 million acre White River National Forest in September, 2009. Prior to coming to Glenwood Springs, he was the Deputy Forest Supervisor on the Willamette National Forest in Eugene, Oregon from 2006 - 2009. Scott worked five years as the Recreation, Lands and Minerals Staff Officer on the 17 million acre Tongass National Forest in Sitka, Alaska from 2001-2006. Scott was District Ranger on the Little Missouri National Grassland in Dickinson, North Dakota from 1998-2001. Prior to being a District Ranger, Scott worked on the Bridger-Teton National Forest in Jackson Hole, Wyoming from 1992-1998 as the Public Affairs Officer and Acting Jackson District Ranger. Scott started his Forest Service career in the Rocky Mountain Region where he worked as an intern in the Regional Office in Lakewood, Colorado.

Throughout his 18 year career with the Forest Service, Scott has had a variety of national and regional assignments in the natural resource management field. These include the lead for the National Climate Change Communication team, Alaska Wilderness advisory group, Chair of the Interagency Grizzly Bear Communications Committee and most recently, a participant of the Colorado Bark Beetle Cooperative.

Scott has a Bachelors Degree in Political Science from the University of Wisconsin (1987) and Masters Degree in Environmental Planning and Policy from the University of Colorado at Denver (1992).

Scott was born and raised in Wisconsin and is spends his free time doing a variety of outdoor activities including camping, hiking, skiing, fishing hunting and coaching kids sports. Scott and his wife Lisa have an 8 year old son Sam.

Roger Flynn — is the founding Director and Managing Attorney of the Western Mining Action Project (WMAP). Founded in 1993 and based in Lyons, Colorado, WMAP is the nation's only non-profit public interest law firm specializing in hardrock mining. He is also an Adjunct Professor at the University of Colorado School of Law (since 2002) and the University of



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Wyoming College of Law (since 2004), teaching courses in Natural Resources Law and Mining and Mineral Development Law. WMAP represents conservation groups, local communities, and Native American groups and Tribes before state and federal courts on project-specific mining litigation, administrative permitting disputes, and litigation over state and national mining regulations. Roger is also a primary legal advisor to the conservation community on national and state legislative and regulatory reform efforts. His most recent law journal article, *New Life for Impaired Waters: Realizing the Goal to “Restore” the Nation’s Waters Under the Clean Water Act*, was published by the WYOMING LAW REVIEW in 2010. Roger’s other publications include: *Daybreak on the Land: The Coming of Age of the Federal Land Policy and Management Act of 1976*, VERMONT LAW JOURNAL, 2005; *The Right to Say No: Federal Authority Over Hardrock Mining on Public Lands*, JOURNAL OF ENVIRONMENTAL LAW AND LITIGATION, 2001; and *The 1872 Mining Law As An Impediment To Mineral Development On The Public Lands: A 19th Century Law Meets The Realities Of Modern Mining*, LAND AND WATER LAW REVIEW, 1999. Roger received his J.D. from the University of Colorado in 1991 and his B.S. in Industrial Engineering from Lehigh University in 1984.

David Getches — is Dean, University of Colorado School of Law and Raphael J. Moses Professor of Natural Resources Law —. In his more than three decades of teaching at Colorado Law, Getches has become known as a national authority on natural resources, water, and Indian law issues. He became dean in 2003. Prior to joining the faculty in 1979, he was the founding Executive Director of the Native American Rights Fund and spent several years in private practice. Professor Getches has had a prolific academic career. He has written casebooks, as well as books intended for a more general audience, and has published numerous articles and book chapters, including some written in Spanish and French. He served as the Executive Director of the Colorado Department of Natural Resources from 1983 to 1987, and was special consultant to the Secretary of the Interior in 1996. His most recent research looks at the United States Supreme Court’s Indian law decision-making, changing patterns of governance in water law, the law of the Colorado River, and indigenous water rights issues in Latin America.

Mike Gheleta — is an attorney with the U.S. Department of the Interior Solicitor’s Office, working out of the Rocky Mountain Regional Office in Colorado. Mr. Gheleta recently rejoined the federal government after four years with Denver-based law firm Brownstein Hyatt Farber Schreck. In his current position with the Interior Department, Mr. Gheleta represents the Bureau of Land Management on legal issues concerning the federal public lands. Mr. Gheleta previously served for 14 years with the U.S. Department of Justice, where he represented a broad range of public officials and agencies, including the President, Secretary of the Interior, and Interior bureaus of Forest Service, Army Corps of Engineers, CEQ and EPA, among others. In that capacity, he handled litigation and negotiations across the country concerning public lands and water resources, including federal-reserved water rights, reclamation projects, and state water law, as well as interstate and international water disputes. Mr. Gheleta is the Chair of the Natural Resources Law Center’s Advisory Board, and graduated from the CU Law School in 1988.

Alan Gilbert — is the Senior Advisor to the Secretary of the Interior for the Southwest and Rocky Mountain Regions. He is Secretary Salazar’s representative in Colorado, Utah, Arizona and New Mexico. As the Secretary’s representative, Alan works closely with governments, agencies, organizations and citizens throughout those states to address matters across the broad jurisdiction of the Department of the Interior. Mr. Gilbert is based in Lakewood, Colorado.



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Immediately prior to his current appointment, Alan was a partner in the law firm of Holme Roberts & Owen, LLP in Denver, Colorado. He practiced environmental and appellate law and litigation and more generally assisted clients to solve problems with state, federal, and local governments and agencies. Before joining HRO in 2006, Alan was Deputy Chief of Staff to then-U.S. Senator Salazar. In that role he was responsible to the Senator for legislative issues ranging from judicial nominations to tort reform. Mr. Gilbert served as the Solicitor General of the State of Colorado from 2000 to 2005.

Mr. Gilbert received his J.D. from the University of Michigan Law School and an Sc.B. in mechanical engineering from Brown University.

Robert Glicksman — is the J.B. & Maurice C. Shapiro Professor of Environmental Law at the George Washington University Law School. A graduate of the Cornell Law School, Professor Glicksman is a nationally recognized authority on environmental, natural resources law, and administrative law. He is the co-author of two casebooks, *Environmental Protection: Law and Policy* (Aspen Publishers) and the just-published *Administrative Law: Agency Action in Legal Context* (Foundation Press); the 4-volume treatise, *Public Natural Resources Law* (West); the monograph, *Risk Regulation at Risk: A Pragmatic Approach* (Stanford University Press); and *Modern Public Land Law in a Nutshell* (West). He has written extensively on both public lands and climate change topics, with recent works covering climate change and federalism, ecosystem resilience, climate change and dramatic weather events, and reinvigoration of the multiple use-sustained yield statutes. Professor Glicksman also has addressed public lands questions as a member of the Board of Directors and a Member Scholar for the Center for Progressive Reform.

Scott Groene — is the Executive Director of the Southern Utah Wilderness Alliance, a non-profit dedicated to protecting the heart of the Colorado Plateau with offices in Moab and Salt Lake City, Utah; Washington, DC; and Chicago, IL. After graduating from the University of Colorado Law School in 1986, he served as a lawyer representing those living below the poverty line in southeastern Utah, including the Navajo Nation. He's served as Chief of Staff for former Utah Representative Wayne Owens in Washington, DC, and as the Director of the National BLM Wilderness Campaign. He's worked on numerous legislative campaigns including the successful Cedar Mountains wilderness legislation in 2006, and the Zion-Mojave wilderness legislation enacted in 2009. He lives in Moab, Utah.

Jerry Haggard — received a B.S. Degree in geology from the University of Kansas in 1959 and a J.D. Degree from the American University Washington College of Law in 1964. That led him to join the legal staff of the Public Land Law Review Commission, supervising the legal studies of nonfuel minerals, oil and gas, oil shale and coal, and to prepare the legal study of geothermal steam, on public lands. He joined the legal staff of the PLLRC in 1967 and completed the work on those studies in 1969.

During this time with the PLLRC, he participated in the meetings of the Commission at which those subjects were discussed and attended regional meetings of the Commission at which testimony was received from the public and governmental representatives.

At the completion of the Commission's work, Mr. Haggard entered private law practice in Phoenix, Arizona and has continued to assist clients in public, state and private land matters primarily in the areas of transactions, land acquisitions and permitting for mining developments



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Justice Greg Hobbs — took office as a member of the Colorado Supreme Court on May 1, 1996.

He practiced water, environmental, land use and transportation law for 25 years prior to appointment by Governor Roy Romer. He is a co-convenor of the western water judges educational project, *Dividing the Waters*; Vice President of the Colorado Foundation for Water Education; and the author of *In Praise of Fair Colorado: The Practice of Poetry, History, and Judging* (Bradford Publishing Co. 2004); *Colorado Mother of Rivers, Water Poems* (Colorado Foundation for Water Education 2005); and *The Public's Water Resource, Articles on Water Law, History, and Culture* (Continuing Legal Education in Colorado, Inc. 2007). His Law degree is from the University of California, Berkeley (1971) and his B.A., History, University of Notre Dame (1966). He served in the Peace Corps with his wife, Bobbie, in South America, 1967-68.

Norman James — is a director of the Fennemore Craig law firm in Phoenix, Arizona. His practice

emphasizes natural resources and environmental law, including the Endangered Species Act, NEPA and the Clean Water Act, and public utility regulation. Mr. James was lead counsel for the petitioners in *National Association of Home Builders v. Defenders of Wildlife*, 551 U.S. 664 (2007), which held that ESA section 7(a)(2) applies only when there is discretionary federal control over the proposed action. Other notable cases include *National Ass'n of Home Builders v. Norton*, 340 F.3d 835 (9th Cir. 2003), which resulted in the delisting of the pygmy-owl in Arizona, and *Arizona Cattle Growers' Ass'n v. Fish and Wildlife Service*, 273 F.3d 1229 (9th Cir. 2001), which set aside incidental take statements restricting livestock grazing because there was no evidence that listed species would actually be “taken” in violation of ESA section 9.

Mr. James served previously as a vice chair and newsletter editor of the ABA SEER Endangered Species Committee, and also has served on the Section's Forest Resources and Hard Minerals Committees. He received his undergraduate degree from Stanford University and his law degree from the University of Utah.

Robert Keiter — is the Wallace Stegner Professor of Law, University Distinguished Professor, and

Director of the Wallace Stegner Center for Land, Resources, and the Environment at the University of Utah S.J. Quinney College of Law. He holds a J.D. degree with honors from Northwestern University and a B.A. with honors from Washington University. He has taught at the University of Wyoming, Boston College, and Southwestern University, and served as a Senior Fulbright Scholar at Tribhuvan University in Kathmandu, Nepal. Professor Keiter teaches Natural Resources Law and Constitutional Law. His books include *Keeping Faith With Nature: Ecosystems, Democracy, and America's Public Lands* (2003), *Reclaiming the Native Home of Hope: Community, Ecology, and the West* (1998), and *The Greater Yellowstone Ecosystem: Redefining America's Wilderness Heritage* (1991). He has also written numerous book chapters and journal articles on the public lands and natural resource law, many addressing the topic of ecosystem management. His current board service includes the National Parks Conservation Association, Rocky Mountain Mineral Law Foundation, Greater Yellowstone Coalition, and the Sonoran Institute.

Sarah Krakoff — is Professor of Law and Associate Dean for Research at Colorado Law,

specializes in American Indian Law and Natural Resources Law. She is the author of articles on tribal sovereignty, climate change and its effects on American Indian tribes, public lands, and environmental ethics. Her casebook, *American Indian Law: Cases and Commentary*, co-authored with Bob Anderson, Philip Frickey and Bethany Berger, is a widely used teaching text. Before coming to Colorado, Professor Krakoff worked for DNA-Peoples' Legal Services on the Navajo Nation (1993-1996), where she represented Navajo school children in civil rights cases. Professor



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Krakoff clerked for Judge Warren Ferguson on the Ninth Circuit Court of Appeals from 1992-93. She received her J.D. from U.C. Berkeley in 1991 and her B.A. from Yale University in 1986.

Patty Limerick — is the Faculty Director and Chair of the Board of the Center of the American West at the University of Colorado, where she is also a Professor of History. She graduated from the University of California at Santa Cruz in 1972 and received her Ph.D. in American Studies from Yale University in 1980. From 1980 to 1984, she was an Assistant Professor of History at Harvard. In 1984, Limerick moved to Boulder to join the History Department of the University of Colorado. In 1985 she published *Desert Passages*, followed in 1987 by her best-known work, *The Legacy of Conquest*, an overview and reinterpretation of Western American history that has stirred up a great deal of both academic and public debate. Limerick is a prolific essayist, and many of her most notable articles, including "Dancing with Professors: The Trouble with Academic Prose," were collected in 2000 under the title *Something in the Soil*.

In 1986, Limerick and CU Law Professor Charles Wilkinson founded the Center of the American West, and since 1995 it has been her primary point of affiliation. During her tenure, the Center has published a number of books, including the influential *Atlas of the New West* (1997), and a series of reports on compelling Western issues, including *What Every Westerner Should Know about Energy* (2003), *Cleaning Up Abandoned Mines* (2006), and *What Every Westerner Should Know About Energy Efficiency and Conservation* (2007). Limerick and staff are currently working on a book about the role of the Department of Interior in the West, based on the "Inside Interior" series of interviews hosted by the Center between 2004 and 2006; and on an illustrated history of the Denver Water Board. Her *Lover's Guide to the West: Living With Energy* has been completed and premiered on Rocky Mountain PBS on April 15, 2010.

Guy Martin — is a partner in the DC office of Perkins Coie and a leader of its Natural Resources Practice Group. He has worked on natural resources and energy issues as a Congressional staff member, as director of the first state office for Alaska in Washington, DC, as Commissioner of Natural Resources for the State of Alaska, as Assistant Secretary of the Interior for Land and Water, and as a private attorney. He was a founding member of the Natural Resources Law Center 25 years ago, and is now back on the board of advisors again. He has been involved, in one way or the other, in most of the major land and resources issues in the West and in Alaska throughout his career, including many western water issues, the Alaska Native land Claims Settlement Act, and the Alaska Lands Conservation Act. As an attorney, he now serves as the national counsel to the Western Urban Water Coalition, an organization of the general managers of the West's largest urban water utilities. In terms of first-hand involvement, the topic he will moderate at the 2007 summer conference of the NLRC, the Elwha River Restoration Act, is no exception to his record. Guy was at ground zero on this issue as counsel for the FERC license holder for the Elwha dams and, by necessity, one of the key originators of the concept of federal takeover and removal of the two dams, and the federal legislation to accomplish this result. .

Ann Morgan — is the Vice President for Public Lands at The Wilderness Society where she advocates for wise stewardship on the lands managed by the Bureau of Land Management (BLM) and the Forest Service. Ann served as a BLM State Director for over eight years managing millions of acres of federal lands and resources in Colorado and Nevada. In addition to managing federal resources, Ann worked for the Washington State Department of Natural Resources managing the State's aquatic lands and resources. She has worked at the University of Colorado Natural Resources Law Center researching and teaching public land law and in private industry in



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engineering and construction project management. She has a Bachelors of Science from the University of California Berkeley and a Masters in Business Administration from Golden Gate University.

Greg Mumm — is the Executive Director of the BlueRibbon Coalition (BRC), a nationally recognized grassroots recreation group with members in all 50 states. The non-profit group advocates for responsible recreational access on public lands and waters.

Greg is an avid outdoor enthusiast and Off Highway Vehicle (OHV) advocate. He served on the BRC Board of directors for seven years prior to assuming his current position with the organization in the fall of 2005. Among other efforts, Mr. Mumm has served as the Land Use Chair for the international Toyota Land Cruiser Association, is a past president of the Black Hills Regional Multiple Use Coalition, a founding member and past-president of the South Dakota Off Highway Vehicle Coalition, as well as having served in many other capacities in other volunteer OHV organizations.

William Myers — has extensive experience in natural resources and public land law, having rejoined the firm in 2003 after serving as the Solicitor of the U.S. Department of the Interior. As Solicitor, Mr. Myers was the chief legal officer and third-ranking official in the Department. He supervised an office of over 300 attorneys in 19 locations nationwide. He advised the Secretary and subordinate officials on appellate and trial matters as well as policy and administrative issues. He also worked closely with the Department of Justice and other federal agencies. Interior's jurisdiction covers approximately 20 percent of nation's surface estate and a significant amount of the nation's minerals.

Mr. Myers first joined Holland & Hart's Boise office in 1997. He advised clients on utilization of federal lands, environmental compliance, legislative matters, and litigation. Mr. Myers also served as Deputy General Counsel for Programs at the U.S. Department of Energy in the first Bush administration. He directed the work of agency attorneys in the areas of international energy, civilian nuclear energy, DOE contracts and regulatory intervention. Prior to DOE, he served as an Assistant to the Attorney General in the U.S. Department of Justice. Mr. Myers began his tenure in Washington, D.C. as legislative counsel to U.S. Senator Alan Simpson of Wyoming, specializing in energy and natural resources issues. Prior to that, he practiced law in Wyoming. Mr. Myers is admitted to practice in Idaho, Wyoming, Colorado and the District of Columbia as well as various federal courts including the United States Supreme Court.

Martin Nie — is professor of natural resources policy in the College of Forestry and Conservation at the University of Montana. His research focuses on federal lands, resources and wildlife policy. He has a particular interest in environmental governance, conflict, planning and various strategies and tools used in conservation. Nie's latest book is *The Governance of Western Public Lands: Mapping Its Present and Future* (2008). His research and writing can be found online at <http://www.cfc.umt.edu/>. When not thinking about public lands, he likes to take pictures, hike, backpack, ski, float, hunt, and fish on them.

Clay Parr — is a shareholder in the Salt Lake City law firm of Parr Brown Gee & Loveless. He holds a master's degree in geology from the University of Utah and a J.D. degree from the University of Utah College of Law where he served as Managing Editor of the Law Review and achieved membership in the Order of the Coif. After his graduation in 1968, he practiced for two years with a law firm in Anchorage, Alaska and then spent five years as corporate counsel with The Anaconda Company in



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Salt Lake City, Tucson, and New York City. Since returning to private practice in Salt Lake City in 1975, he has engaged in all aspects of natural resources law with emphasis in recent years in international mining transactions. For many years he taught mining law as an adjunct faculty member at the University of Utah College of Law. Mr. Parr is past President of the Rocky Mountain Mineral Law Foundation and has chaired the Hard Minerals Committee of the Natural Resources Section of the American Bar Association. He has served as Vice Chairman of the Utah Energy Conservation and Development Council and as a member of the State Board of Parks and Recreation. In the community service area, he has served as Chair of the Coalition for Utah's Future. Mr. Parr has given numerous papers and presentations at various institutes and seminars.

Tom Power — is currently a Research Professor and Professor Emeritus in the Economics Department at The University of Montana where he has been on the faculty since 1968 and served as Chairman from 1978 to 2007. He is also a principal in Power Consulting. He specializes in natural resource and regional economic development issues. Professor Power has published six books in those fields in addition to two-dozen book chapters and over a hundred papers, reports, and monographs. He regularly testifies before state and federal regulatory agencies on energy policy, natural resource development, environmental protection, and local economic development. He is a regular commentator on economic issues on Montana Public Radio and in the national press.

James Rasband — is Dean and Hugh W. Colton Professor of Law at Brigham Young University's J. Reuben Clark Law School. He received his B.A. from Brigham Young University in 1986 and his J.D. in 1989 from Harvard Law School. Dean Rasband joined the BYU law school faculty in 1995. Before becoming dean, he served as Associate Academic Vice President for Faculty in the university administration.

Prior to entering law teaching, Dean Rasband served as a law clerk to Judge J. Clifford Wallace of the U.S. Court of Appeals for the Ninth Circuit and practiced law in Seattle, Washington where his practice focused on Indian treaty litigation and endangered species act issues. He has taught courses in public lands and natural resources law, water law, torts, and international environmental law. He has also published a number of articles and book chapters on a variety of natural resource topics, with a particular focus on the public trust doctrine, the Antiquities Act, and wilderness issues. He is a co-author, along with James Salzman at Duke and Mark Squillace at Colorado, of *Natural Resources Law and Policy*, a casebook published by Foundation Press.

Jim Riley — Mr. Riley is the President and Chief Executive Officer of Intermountain Forest Association (IFA) headquartered in Coeur d'Alene, Idaho. The Association represents Idaho and Montana forest products business in local, state, and national professional and policy forums. IFA is known for developing and advancing innovative solutions to environmental issues associated with public and private forestlands. IFA's focus is on advancing scientifically based forestland policies that promote active management compatibly with environmental stewardship. Among IFA's accomplishments under Mr. Riley's leadership are:

- Initiation of voluntary enrollment conservation programs for private forest landowners in Idaho and Montana with endangered fish species concerns.



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- Development of a Citizens Management Committee program, supported by a coalition of environmental, labor, and business groups, to manage reintroduced grizzly bear populations in the Selway-Bitterroot Mountains of Idaho.
- Organization of an ad hoc working coalition of local and national environmental and business interests to develop recommendations on Endangered Species Act reform.
- Advisor to the Governor and State Legislature on the development and implementation of the Idaho Governor's Office of Endangered Species.
- Development and implementation of land stewardship contracting approaches to management of federal forest lands.
- Completion of the community based "Flathead Common Ground" forest management plan for portions of the Flathead National Forest in Montana.

Mr. Riley has served in his capacity with the Intermountain Forest Association since 1986, during which time he has held leadership positions with several other organizations including:

- Founding member and Trustee of the Forest Industry Labor Management Committee
- Member of the Idaho Forest Products Commission
- Member of the University of Idaho Policy Analysis Group
- Executive Committee of the US Coalition for Fair Lumber Imports
- Board of Directors of the National Forest Products Association
- Founding Board Member of the American Forest Resources Alliance
- Board of Directors of the American Forest and Paper Association
- Board of Directors and Executive Committee, American Forest Resource Council
- Member of the Pend Orielle Lake Watershed Advisory Group
- Member Collaborative Conservation Advisory Board – Alliance for the West
- 2002 Campaign Steering Committee for Idaho Senator Larry Craig
- Board of Directors – Idaho Association of Commerce and Industry

Mr. Riley has provided expert testimony on forest resource policy issues to numerous Congressional Committees and Members of Congress, and has helped advance numerous federal forest policy initiatives including the Healthy Forest Restoration Act of 2003. He provides business expertise to IFA members and leads a professional staff of five, with offices in Coeur d'Alene and Boise, Idaho and Rapid City, South Dakota. Prior to starting IFA, he served as the chief executive of the Intermountain Forestry Services in Ogden, Utah and a senior program manager for the National Forest Products Association in Washington, DC. Mr. Riley completed his graduate and undergraduate studies in Forest management and Economics at Utah State University. He currently resides in Hayden Lake, Idaho where he is active in community and family activities.

Stephen Saunders — is the founder and president of the Rocky Mountain Climate Organization, which works to reduce climate disruption and its effects in the interior West. In an earlier career in government and politics, Stephen served as the Deputy Assistant Secretary of the Interior over the National Park Service and the U.S. Fish and Wildlife Service. He also was national policy director in the 2004 presidential campaign of Governor Howard Dean, executive director of a leadership office in the U.S. House of Representatives, member of the professional staffs of the House Committee on Appropriations and Senate Committee on Environment and Public Works, and advisor to Senator Gary Hart, Congressman Tim Wirth, and Congressman David Skaggs, all of Colorado. Stephen is a graduate of the University of Denver College of Law.



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Karin Sheldon — is Executive Director of Western Resource Advocates in Boulder, Colorado. WRA is a non-profit environmental organization dedicated to protecting the land, water, and natural resources of the Rocky Mountain region. Prior to joining WRA, Ms. Sheldon was Professor of Law, Associate Dean for the Environmental Law Program, and Director of the Environmental Law Center at Vermont Law School. Her areas of specialty were natural resources and environmental law.

Ms. Sheldon serves on the Advisory Board of the Natural Resources Law Center at the University of Colorado Law School and the Board of Directors of Defenders of Wildlife. She is the Chair of the Board of EarthWorks. She has also been a member of the Board of Directors of the Environmental Law Institute, and the Hubbard Brook Research Foundation. She received her AB in Political Science from Vassar College and her J.D. from the University of Washington School of Law.

Harris Sherman — is the Under Secretary for Natural Resources and Environment of the U.S. Department of Agriculture. Before joining USDA, Sherman served from 2007 until 2009, as the Executive Director of Colorado's Department of Natural Resources, under Governor Bill Ritter. During that time he also served as Director of Compact Negotiations for the Colorado Interbasin Commission, Chair of the Colorado Oil and Gas Commission, and Co-Chair of the Governor's Forest Health Advisory Council. Previously, in an earlier point in his career, he also served as Colorado's Department of Natural Resources Director under Governor Richard Lamm. Between his two stints as Department of Natural Resources Director, Sherman was the Managing Partner of the Denver Office of Arnold & Porter, an international law firm, where he specialized in natural resources, water, energy, public lands, and American Indian law.

Sherman is a Colorado native, dedicated to conserving and improving our Nation's natural resources. He received his B.A. degree from Colorado College and his law degree from Columbia University Law School.

Paul Smyth — Paul B. Smyth is the Associate Solicitor for the Division of Mineral Resources in the Department of the Interior's Office of the Solicitor in Washington, D.C. He has served in many other legal capacities at Interior, including Counselor to the Solicitor and Director of the Indian Trust Litigation Office (2007-2009), Deputy Associate Solicitor, Division of Land and Water Resources (1994-2007), Acting Director of Interior's Office of Hearings and Appeals (1993-1994), Deputy Associate Solicitor, Division of Energy and Resources (1987-1993). Mr. Smyth received the Department's Distinguished Service Award in 2008 and Presidential Meritorious Executive Awards in 2002 and 2007. He has practiced law for over 35 years and has broad experience in natural resources, energy and environmental law.

Mr. Smyth is a former Trustee of the Rocky Mountain Mineral Law Foundation and served for four years as Budget Officer of the ABA's Section of Environment, Energy and Resources. He was a Section Council Member for three years and a member of the editorial board of the Section's *Natural Resources & Environment* magazine, serving as Executive Editor from 1989-1991. Mr. Smyth chaired the Environmental Law Journal Committee of the Section from 2000-2003. He was an adjunct faculty member at George Washington University School of Law from 1997-2000. Mr. Smyth now serves as a board member of EcoVoce, a non-profit corporation whose purpose is to increase environmental awareness through vocal concerts.



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Mr. Smyth graduated from Boston College Law School in 1974 and Trinity College in 1971. In a reverse-bonus deal, he starred with the 2000 Boston Red Sox Fantasy Team in Ft. Myers, FL, batting .391. He is still an active baseball player.

Mark Squillace — is Professor of Law and the Director of the Natural Resources Law Center at the University of Colorado Law School. He teaches environmental law, water law, administrative law, and advanced natural resources law. Before coming to Colorado, Professor Squillace taught at the University of Toledo College of Law where he was the Charles Fornoff Professor of Law and Values, and at the University of Wyoming College of Law where he served a three-year term as the Winston S. Howard Professor of Law. In 2000, Professor Squillace took a leave from law teaching to serve as Special Assistant to the Solicitor at the U.S. Department of the Interior. In that capacity he worked directly with the Secretary of the Interior, Bruce Babbitt, on variety of legal and policy issues. Professor Squillace previously served as the Director of Litigation for the Environmental Policy Institute in Washington, DC and for three years was Attorney Advisor for the Office of the Solicitor, U.S. Department of the Interior. He is a former Fulbright scholar and the author or co-author of numerous articles and books on natural resources and environmental law including (with J. Rasband & J. Salzman), *Natural Resources Law and Policy* (2nd ed, 2008).

Todd True — is managing attorney of the Northwest Office of Earthjustice (formerly the Sierra Club Legal Defense Fund) which he joined in 1987. Todd represents public interest environmental organizations in litigation under federal and state environmental and natural resource laws. He has litigated numerous cases under both federal and state laws including cases under the federal Clean Water Act, Endangered Species Act, National Environmental Policy Act, and National Forest Management Act and the Washington Shorelines Management Act, Forest Practices Act, and Water Resources Act. He has represented clients before the U.S. Supreme Court, the U.S. Court of Appeals for the Ninth and D.C. Circuits, the U.S. District Courts, and the Washington State appellate and trial courts. Todd is a frequent lecturer on environmental law at law schools and legal education seminars.

Todd is a past-president of the Federal Bar Association of the Western District of Washington, served as a Lawyer Representative to the Ninth Circuit Judicial Conference, was elected to serve on the Court's Judicial Conference Executive Committee, and currently serves on the Circuit's Lawyer Advisory Board. He has been named a super lawyer and one of Washington's Top 100 Lawyers by *Washington Law & Politics* magazine.

Todd graduated from the University of Oregon School of Law in 1981, *Order of the Coif*, and was executive editor of the *Oregon Law Review*. He clerked for The Honorable Betty B. Fletcher of the U.S. Court of Appeals for the Ninth Circuit following graduation.

Rebecca Watson — Rebecca C. Watson is a partner at Welborn Sullivan Meck & Tooley in Denver, CO. She served as the Assistant Secretary for Lands and Minerals Management of the U.S. Department of the Interior during four years of the George W. Bush administration. As Assistant Secretary, she administered the Bureau of Land Management (BLM), Minerals Management Service (MMS), and the Office of Surface Mining (OSM), which together have the responsibility for management of federal energy resources. In that role, she led 12,000 employees and managed a \$1 billion budget. Ms. Watson was honored by the Boone and Crockett Club, the oldest U.S. conservation organization, for her work in conservation while at Interior. Prior to her service in the Interior Department, Ms. Watson served as the Assistant General Counsel for Energy Policy at the U. S. Department of Energy in the George H. W.



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Bush administration. She has been a partner and counsel in two Washington DC law firms, served as Managing Partner for a firm in Helena, Montana, and began her practice in Wyoming.

She is a frequent speaker and author on topics of natural resources, federal environmental law and energy policy. She is a member of the Rocky Mountain Mineral Law Foundation and former appointee to the National Petroleum Council. She serves on the boards of the Independent Petroleum Association of the Mountain States, Jefferson County Open Space Commission, Center of the American West at the University of Colorado, and the Public Land Policy Institute at the University of Montana School of Law. Ms. Watson received her J.D. from the University of Denver Law School, as well as a M.A. and B.A. from the University of Denver. She is admitted to practice in Colorado, Wyoming, Montana and the District of Columbia.

Charles Wilkinson — graduated from Stanford Law School in 1966, practiced with private firms in Phoenix and San Francisco and with the Native American Rights Fund, and is now the Moses Lasky Professor of Law at the University of Colorado. The University has named him Distinguished Professor, one of twenty-five on the CU-Boulder campus.

Wilkinson has written broadly on law, history, and society in the American West. His 13 books include two standard law texts: *Federal Public Land Law* (with Coggins, Leshy, and Fischman) (6th ed., 2007) and *Federal Indian Law* (with Getches and Williams) (5th ed., 2005). He is the co-author of *Land and Resource Planning in the National Forests* (with Anderson) (1987), the definitive legal study of Forest Service planning. Wilkinson has moved beyond legal scholarship to a general audience in books such as *The Eagle Bird* (1992), *Crossing the Next Meridian* (1992), and *Fire on the Plateau* (1999). His most recent book, *Blood Struggle—The Rise of Modern Indian Nations*, was published in 2005 by W.W. Norton.

Wilkinson has received teaching awards from his students at the Oregon, Michigan, and Colorado law schools. The National Wildlife Federation presented him with its *National Conservation Award*. He has served on the boards of The Wilderness Society, Northern Lights Institute, the Western Environmental Law Center, and the Grand Canyon Trust.

Over the years, Wilkinson has taken on many special assignments for the Departments of Agriculture, Interior, and Justice. In December 1997 Agriculture Secretary Glickman appointed him a member of the Committee of Scientists, which resulted in the 2000 Forest Service planning regulations. He served as an expert witness for the United States and the Forest Service, in the Snake River Basin Adjudication in Idaho, in support of federal reserved water rights in the national forests. He served as special counsel to the Interior Department Solicitor for the drafting of the Presidential Proclamation, signed by President Clinton in September 1996, establishing the Grand Staircase-Escalante National Monument in Utah. Wilkinson acted as facilitator in negotiations between the National Park Service and the Timbisha Shoshone Tribe concerning a tribal land base in Death Valley National Park; in 2000 Congress enacted legislation ratifying the resulting agreement. He recently concluded settlements of two major disputes in the State of Washington, serving as mediator in successful negotiations between the City of Seattle and the Muckleshoot Indian Tribe involving city water rights and endangered salmon runs in the Cedar River; and facilitating a settlement over land management between the Olympic National Park and the eight Indian tribes on the Olympic Peninsula.