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Resource Law Notes: The Newsletter of the  
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Spring 2000

### Resource Law Notes Newsletter, no. 49, spring issue, Mar. 2000

University of Colorado Boulder. Natural Resources Law Center

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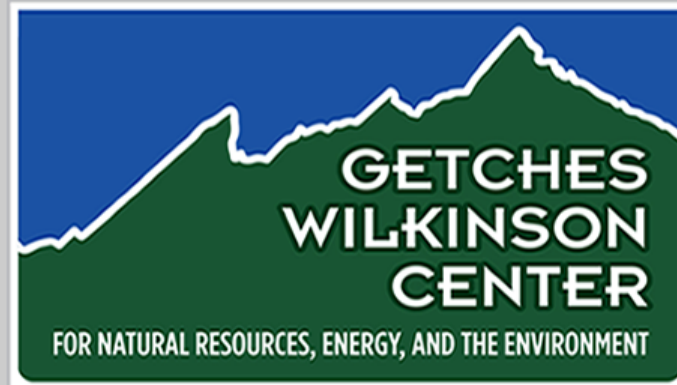
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# RESOURCE LAW NOTES

Natural Resources Law Center

School of Law

University of Colorado at Boulder



Number 49

Spring Issue, March 2000

## 21st Annual Conference "Water and Growth in the West" June 7 - 9, 2000

The twenty-first annual summer conference of the Natural Resources Law Center will focus on *Water and Growth in the West*. The event, scheduled for June 7 - 9, will cover a breadth of issues, including demographics and water-use trends, improved planning and efficient use, implementation of TMDL and ESA requirements, groundwater management, tribal water resources, environmental protection, social costs of water transfers, climatic variability, and related issues. The third day of the event focuses exclusively on Colorado water issues, and is available for separate registration. Optional pre-registration will be open to attendees on June 6 - see accompanying article. The full agenda is enclosed.

The focus of the conference not only reflects the continued salience of water issues in the modern West, but is a recognition that current rates of growth in the region have brought greater urgency and complexity to many longstanding issues. Over the last decade, nine of the ten fastest growing states are located in the West—a trend that is expected to continue. Most of these residents, both old and new, live in the region in part due to the considerable environmental amenities and recreational opportunities. Others are attracted to the strong regional economy, and an abundance of developable land. Water makes this possible. The potential exhaustion of available supplies, consequently, is a broad-ranging concern. While there is currently no evidence to suggest that potential water shortages are slowing current growth patterns, it is notable that virtually every western river of significance has at least one endangered species issue, and that competition for limited supplies increasingly pits sector against sector, basin against basin, community against community.

In the modern West, it is increasingly difficult to separate issues of water quality and quantity, and water management and land-use. This is perhaps best illustrated by the emergence of TMDLs, the broadening influence of the Endangered Species Act, and the growing stresses on the agricultural sector. Nested within these concerns are thorny issues of equity and fairness, private rights versus public concerns, and the appropriate delineation of roles between federal, state, and local governments. The prospects of drought are also increasingly troublesome, as new demands threaten to reduce the "drought cushion" in water systems, and as new research shows that recent decades have been abnormally wet. On many levels, the world of western water resources is becoming more complicated, as strong growth pressures illustrate both the limits of current practice and the opportunities for improved management.

All concerned parties are encouraged to join us in June for an exploration of these issues.

### NRLC Calendar of Events

**April 5:** Hot Topics: *Rick O'Donnell, Director of Policy & Initiatives, State of Colorado*

**April 14-15:** Environmental Justice in Natural Resources Workshop

**May 5:** Hot Topics: *Bob Gough, El Paso Energy Corporation Law Fellow*

**June 6:** A Celebration of Authors

**June 7-9:** Water and Growth in the West Conference

## A Celebration of Natural Resources Authors

June 6

7:30 - 9:30 p.m. in the Courtroom

On Tuesday evening before the conference, we invite conference participants and the public to help celebrate the new books of five of the Center's own. Jim Corbridge (Center advisor and Professor of Law) and Teresa Rice (former Associate Director of the Center) will tell stories from the development of their new book, *Colorado Water Law*, which is a revision of the classic Vranesh treatise. Charles Wilkinson (Center advisor and Professor of Law) will read from his new book *Fire on the Plateau: Conflict and Endurance in the Southwest*. Larry MacDonnell (first director of the Center and currently a principal in Stewardship Initiatives) will read from his latest, *From Reclamation to Sustainability: Water, Agriculture and the Environment in the American West*. And finally, Robert Frodeman (the Center's 1999 El Paso Energy Corporation Law Fellow) will introduce us to his essay on acid mine drainage in his edited work *Earth Matters: The Earth Sciences, Philosophy, and the Claims of Community*. A reception will follow.

### Environmental Justice In Natural Resources Workshop

April 14-15, 2000

Tattered Cover Bookstore, LODO

### Public Presentations/Forum

Friday, April 14, 2000

9:30 - 5:30 Presentation of Papers

7:30 - 9:30 Talking Circle & Reception

### Working Session

Saturday, April 15, 2000

9:30 - 5:30 Discussion of papers and EJ Project

7:30 - 9:00 Keynote Address

*Worlds of Possibility: Exploring Ethnicity in Environmental Thought*

Patricia Limerick, CAW

Workshop is free; contact the Center for details.



# John Leshy on Shaping the Modern West: The Role of the Executive Branch

Gary Bryner

The tremendous growth in the urban areas of the United States, and particularly in Western states, has generated growing interest in preserving open lands and protecting wild lands. In 1998, the Clinton administration made protecting open spaces one of its highest priorities. In 1999, it announced a Livability Agenda aimed at reducing sprawl and fostering smart growth and proposed to Congress that it authorize \$9.5 billion in bonding authority to be used by state, local, and tribal governments to preserve open space and create or restore urban parks. Another \$1 billion was proposed for the administration's land legacy program for federal, state, and local agencies to purchase open lands. It also proposed a ban on road building and logging of 40 million acres of roadless lands that are part of the National Forest Service. President Clinton created one new monument in 1996 and, in January 2000, created three more and expanded the boundaries of another. If successful in implementing these proposals, the administration will preserve more open space and wild lands than any president since Theodore Roosevelt.<sup>1</sup>

The drive to protect open spaces and set aside more wilderness areas has garnered support across the nation. In the 1998 election, voters passed some 170 ballot initiatives aimed at limiting growth or protecting undeveloped lands. These efforts have had strong bipartisan support, from governors proposing open space protection to Republican members of Congress endorsing the Clinton land legacy program. Environmental groups, hunting and fishing associations, outdoor outfitters, tourism companies, and others have joined together to lobby for these initiatives. Public opinion is strongly supportive of land conservation, and there is growing concern over quality of life issues like the environment.<sup>2</sup>

John Leshy, Solicitor of the U.S. Department of the Interior, gave a spirited defense of the importance of bipartisanship in preserving America's natural heritage in his address sponsored by the Natural Resources Law Center at the University of Colorado School of Law on February 10<sup>th</sup>. Leshy, this year's Holme, Roberts, & Owen Distinguished Visitor at the University of Colorado



*John Leshy, HRO Distinguished Visitor*

School of Law and the Center, argued that there is a strong tradition, in both parties, of presidents using their authority to protect Federal lands as national monuments. This bipartisan tradition of presidential designation of monuments has been an important determinant of the success of the 1906 Antiquities Act.

The first national monument, Devil's Tower, Wyoming, was established by presidential proclamation in 1906. By the end of the Carter administration, presidents had designated 101 monuments under the authority given them by Congress in the 1906 Antiquities Act. Many of America's most beloved parks began as national monuments: the Grand Canyon, designated as a monument in 1908 and a park in 1919; Mount Olympus, designated a monument in 1909 and a national park in 1938; Bryce Canyon, a monument in 1923 and national park in 1924; Arches, a monument in 1929 and a park in 1971; Death Valley, a monument in 1933 and park in 1994; Zions, a monument in 1937 and a park in 1956; The Grand Tetons, a monument in 1943 and a park in 1950; and Denali, a monument in 1978 and a park in 1980.<sup>3</sup>

President Clinton continued that tradition. As of February 2000, President Clinton had created four new monuments: The Grand Staircase-Escalante National Monument, Utah, in 1996, and Agua Fria National Monument, Arizona, Grand Canyon-Parashant National Monument, Arizona, and California Coastal National

Monument, all in 2000. He also expanded the boundaries of an existing monument (Pinnacles National Monument in California) in January, 2000.

Leshy argued that this bipartisan use of presidential power has been popular, for several reasons. Presidents act from a broader, national perspective than do members of Congress. Presidents can act more quickly and nimbly than Congress in responding to opportunities for preservation. They often create monuments near the end of their tenure as they begin to focus on actions that will be part of the legacy they will leave. And Congress can always reverse presidential designations. In contrast, however, once public lands are developed or sold off, it is usually very expensive to try and reclaim them. Federal courts have never reversed presidential actions undertaken under the Antiquities Act, and Congress has reversed these actions in only a very few cases.

The designation of the Grand Staircase-Escalante National Monument in 1996,<sup>4</sup> like many other designations before it, was controversial and generated sharp criticism. Critics argue this and other designations are misuses of the Antiquities Act and abuses of the political system that foster disrespect for the rule of law and provoke bitterness.<sup>5</sup> Despite the growing acceptance of the Grand Staircase, critics have argued that the process by which the Grand Staircase was designated failed to include sufficient participation by the public and by local government officials. While decisions of Federal agencies are regularly criticized in rural Utah, as in other areas in the West where the Federal government owns most of the land, the opposition was particularly vehement in denouncing the Clinton administration for not discussing its proposal with local residents before acting.<sup>6</sup>

However, the nature of the debate and the idea of unilateral action had already been set by the Republican delegation from the state that tried unsuccessfully to push through a bill to designate wilderness areas in Southern Utah.<sup>7</sup> The Grand Staircase proclamation, Leshy observed, came after two decades of debate and deadlock in Utah

*Continued on page 7*





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NATURAL RESOURCES LAW CENTER  
UNIVERSITY OF COLORADO SCHOOL OF LAW

## WATER AND GROWTH IN THE WEST

21st Summer Conference  
June 7 - 9, 2000  
Fleming Law Building ♦ Boulder, Colorado

CONFERENCE CO-SPONSOR  
♦  
The William and Flora Hewlett Foundation  
♦



6:30-9:30 p.m. Early Registration

7:30-9:30 p.m. Readings, Book Signings, and Reception  
A celebration of recent books produced by colleagues of the Natural Resources Law Center.

- Jim Corbridge and Teresa Rice: *Colorado Water Law*
- Bob Frodeman: *Earth Matters*
- Larry MacDonnell: *From Reclamation to Sustainability*
- Charles Wilkinson: *Fire on the Plateau*

### WEDNESDAY, JUNE 7 (DAY 1)

7:30 Begin Registration

8:30 Welcome & Introductory Remarks

#### SESSION 1: WATER, LAND-USE, AND REGIONAL ECONOMIC DEVELOPMENT

**Moderator - Charles Wilkinson**, University of Colorado School of Law

8:45 Key Trends in Population, Land-Use and Water Consumption in the West. William Riebsame, Professor of Geography, University of Colorado.

9:30 The View from Indian Country. Jerilyn DeCoteau, Director, Indian Law Clinic, University of Colorado School of Law.

10:15 Break

10:45 Coordinated Planning for Water and Land-Use: Is It Worth Considering? Larry Morandi, National Conference of State Legislatures.

11:15 Regionalized Water Management: An Evolving "Hydrocommons"? Gary Weatherford, Weatherford & Taaffe.

11:45 Discussion and Q&A for Session I Speakers

12:15 Lunch (provided)

#### SESSION 2: IMPACTS AND ISSUES

**Moderator - Gary Bryner**, Natural Resources Law Center

1:20 Growth Pressures and TMDLs. Robert Wayland, EPA, Director, Office of Wetlands, Oceans and Watersheds.

2:00 Water, Growth and the Endangered Species Act. Holly Doremus, Professor, University of California-Davis School of Law.

2:40 Break

3:10 Growth, Water, and Environmental Values. Bruce Driver, Director, Land and Water Fund of the Rockies.

3:50 Equity and the Zero-Sum Game: The Social Costs of Moving Water in Northern New Mexico. David Benavides, Attorney, Northern New Mexico Legal Services.

4:30 Discussion and Q&A for Session 2 Speakers

6:30 Evening Barbecue on Flagstaff Mountain

#### SESSION 3:

#### TOOLS FOR DOING BETTER: THEORY AND PRACTICE

**Moderator - Doug Kenney**, Natural Resources Law Center

8:00 Coffee

8:30 Doing More with Less: Remaining Opportunities for "Tuning the System." Greg Thomas, Chief Executive Officer, Natural Heritage Institute.

9:15 Protecting Instream Flows in Prior Appropriate States: Legal and Policy Issues. Janet Neuman, Professor, Northwestern School of Law, Lewis and Clark College.

10:00 Break

10:30 Groundwater Management in the West: Evolving Law and Practice. A. Dan Tarlock, Professor, Chicago-Kent College of Law.

11:15 Groundwater Management in Tucson, Arizona. Rita P. Pearson, Director, Arizona Department of Water Resources.

12:00 Lunch (on your own)

#### SESSION 4:

#### A LARGER PERSPECTIVE

**Moderator - Kathryn Mutz**, Natural Resources Law Center

1:20 Case Studies of the Water Development / Growth Relationship. Edward F. Harvey, Managing Director, BBC Research and Consulting.

2:00 Municipal Demands as the Stimulus for Innovation: Tales from the Lower Colorado River Basin. Jerome C. Muys, Muys & Associates.

2:40 Break

3:10 Climate Variability and Western Water: What Can We Expect? Roger Pulwarty, Program Manager, Office of Global Programs, NOAA.

3:50 – 5:00 Panel Discussion: Lessons Learned and Opportunities for Improvement. Several speakers from earlier presentations.  
**Moderator - David Getches**, University of Colorado School of Law

5:00 – 6:30 Reception by Hydrosphere Resource Consultants, Ltd.





## SESSION 5:

**GROWTH AND WATER IN COLORADO: A WINDOW ON THE WEST**

8:00 Registration for Day 3 only attendees

**Life After Two Forks: A New Confluence of Issues and Options****Moderator - Doug Kenney**, Natural Resources Law Center8:30 *Keynote Address: Growth in Colorado and the West: Trends and Issues*. Jim Corbridge, University of Colorado School of Law.9:15 *Chronic and Emerging Water Issues in the South Platte / Front Range Corridor*. Jim Lochhead, Brownstein Hyatt Farber & Strickland.

10:00 Break

**Searching for New Water ... but not without controversy****Moderator - Peter Nichols**, Natural Resources Law Center10:30 *Moderator - Opening Remarks and Introductions of Panelists.*10:40 *New Demands in the Headwaters*. Taylor Hawes, Northwest Colorado Council of Governments11:00 *Policy and Legal Issues Associated with New Developments and Transfers: The West Slope Perspective*. Eric Kuhn, General Manager, Colorado River Water Conservation District.11:20 *Gunnison River: A Local Perspective on Union Park*. John Hill, Bratton and McClow.11:40 *Impacts of Water Transfers on the Agricultural Sector*. Don Ament, Colorado Commissioner of Agriculture.

12:00 Panel Q&amp;A; Discussion.

12:20 Lunch (provided)

**New Solutions?****Moderator - Gary Bryner**, Natural Resources Law Center.1:10 *Moderator - Opening Remarks and Introduction of Panelists*1:20 *What is the State Role?* Ken Salazar, Colorado Attorney General.1:40 *Activities of the Eagle River Forum*. Doug Kemper, Manager of Water Resources, City of Aurora.2:00 *Conjunctive Use in the Denver Basin: The Three-Party Agreement*. Peter Binney, CH2MHill.2:20 *Potential for Coordinated Facilities Management Along the Northern Front Range*. Marc Waage, Manager of Raw Water Supply, Denver Water.2:40 *Environmental Consequences of Various Solution Strategies*.

Lori Potter, Kelly Haglund Garnsey &amp; Kahn, LLC.

3:00 Break

3:30 *Panel Discussion and Audience Q&A: Opportunities for Doing Better*. Several speakers from earlier presentations.  
**Moderator - Jim Corbridge**, University of Colorado School of Law.

4:30 Adjourn

**WATER AND GROWTH IN THE WEST  
21st Summer Conference  
June 7 - 9, 2000****CONFERENCE ENROLLMENT FORM****NOTEBOOK AND CD-ROM DISK ORDER FORM**

Name \_\_\_\_\_

Affiliation \_\_\_\_\_

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Phone \_\_\_\_\_ Fax \_\_\_\_\_

e-mail: \_\_\_\_\_

Fees	Regular Rate	Gov't/Academic & Nonprofit	Friday Only	Parking (Days)
By May 12	\$515	\$250	\$75	\$15 (3)
After May 12	\$565	\$290	\$85	\$5 (1)
Cookout Wednesday (must sign up to attend):				
	Self (\$10)			\$
	Adult guests @ \$10			\$

Extra notebook of speakers' outlines and materials	\$75	\$
CD-ROM Disk	\$10	\$
Tax (within Colorado) on notebooks or CD	7.26%	\$
Postage/handling on notebooks or CD	\$5	\$
<b>Total amount</b>		\$

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Check enclosed payable to University of Colorado \_\_\_\_\_

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University of Colorado School of Law

Campus Box 401

Boulder, CO 80309-0401

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e-mail: NRLC@spot.Colorado.edu



June 6 -9, 2000

WATER AND GROWTH IN THE WEST

Natural Resources Law Center ♦ University of Colorado School of Law ♦ Boulder, Colorado

GENERAL INFORMATION:

**Registration Fees:** Please register early. The total cost of the event is \$515 if received by May 12, and \$565 thereafter. For registrants employed by any level of government—federal, state, tribal, or local—and for academics or not-for-profit groups the fee is \$250 (\$290 after May 12). Registration for Friday, June 9 is available for \$75 (\$85 after May 12). To register, return the attached form and payment to the Center or register by phone (303) 492-1272 or Fax (303) 492-1297, charging the fee to Visa or MasterCard.

**Discounts and Scholarships:** The Center will offer a number of partial registration scholarships to students or other participants unable to afford the full registration fees. Interested parties should contact the Center to inquire about the availability of scholarships.

**Location:** Sessions will be held in the Fleming Law Building, University of Colorado, Boulder. Parking permits are available for \$5 per day.

**Continuing Legal Education:** 23 hours of general CLE credits have been requested from Colorado's Board of Continuing Legal and Judicial Education. CLE credit for other states may also be available.

**Transportation:** Boulder is served by Denver International Airport in Denver, 45 miles away from campus. The SuperShuttle (303) 227-0000 leaves hourly from DIA 8:00 a.m. to 11:00 p.m. on level 5 (across from the Hertz counter). No reservations are necessary except for returns from hotels to DIA. Cost of the SuperShuttle is \$18 to \$22 one way. RTD ("AB") buses leave DIA hourly at 20 past the hour. Exact change fare is \$8 one way/\$13 round trip.

**Conference Notebooks and CD-ROM Disks:** Conference participants will receive conference notebooks as part of their registration package. Following the conference, notebooks will be sold for \$75 each, and \$10 for a notebook on CD-ROM, plus handling and tax if applicant lives in Colorado.

**Refunds and Substitutions:** Conference fee refunds, less \$25, will be available through Friday, May 26. Cancellations received through June 5 will receive a refund, less \$50. There can be no fee refunds after the conference begins. Participant substitutions are allowed at no cost.

**Hotel/Dorm Accommodations:** Blocks of rooms have been reserved for registrants at several hotels. *Please make your reservation directly by May 6, 2000*, as all reservations made after this date are subject to availability. *Mention the NRLC June Conference* to take advantage of special rates. A deposit or credit card number is required to hold a reservation.

In order to make attendance of the conference more affordable, the Center will attempt to match individuals in double accommodations please call Geri at (303) 492-1286 for details.

**Boulder Broker Inn** - 555 30<sup>th</sup> St., Boulder, CO 80303; Phones: (303) 444-3330; Toll-Free: (800) 338-5407; Rates: \$90/night for single or double occupancy.

**Courtyard by Marriott** - 4710 Pearl East Circle, Boulder, CO 80301; Phones: (303) 440-4700; Toll-Free (800) 321-2211; Rates: \$129/night for single or double occupancy.

**Ramada Inn** (formerly Holiday Inn) - 800 28<sup>th</sup> St., Boulder, CO 80303; Phones: (303) 443-3322; Toll-free (800) 542-0304; Rates: \$80/night for single or double occupancy; \$86/night for triple; \$92/quadruple occupancy.

**Days Inn** - 5397 South Boulder Road, Boulder, CO 80303; Phones: (303) 499-4422; Rates: \$84-Single Standard; \$89 Single King; \$89-Double Standard; \$94-Double King.

**Kittredge Dorm** - located near the law school on the Boulder campus; Phone: (303) 492-5151; e-mail: [lodging@housing.colorado.edu](mailto:lodging@housing.colorado.edu); Rates: 3-night rate (including tax): single - \$172.51, doubles may also be available.

**University Club** - located on the Boulder campus at 972 Broadway, Boulder, CO 80309-0120; Phone: (303) 492-6509; Rates: \$49/night for single occupancy, doubles and suites also available.

NATURAL RESOURCES LAW CENTER

University of Colorado School of Law  
Campus Box 401  
Boulder, CO 80309-0401  
Phone 303/492-1272 • Fax 303/492-1297  
e-mail: [NRLC@spot.Colorado.edu](mailto:NRLC@spot.Colorado.edu)

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and in Congress. The Clinton Administration saw an opportunity to end the stalemate and move forward the process of establishing a plan to manage these lands. The establishment of the monument has been accompanied by a great deal of consultation between state and Federal officials and the development of a unique planning process by the Bureau of Land Management to devise a management plan for the monument with state input.<sup>8</sup> The state of Utah and the Federal government subsequently negotiated a landmark agreement in May 1998 to transfer all State trust lands within the monument to the Federal Government (along with other trust lands in other Federal areas) in exchange for a cash payment and Federal land outside these areas that was ratified by Congress in October of that year.<sup>9</sup> That bill, along with another one making adjustments to the boundary of the Monument and adding about 5,500 additional acres, was then signed by the President.<sup>10</sup>

In contrast to the case of the Grand Staircase, the designations by the Clinton administration in January 2000 were much smaller and much less confrontational, although still opposed by many local people. Administration officials met with state and congressional representatives from the affected regions and held open houses to obtain public input, but the process used by presidents to protect public lands remains controversial. In September, 1999, the House of Representatives passed the National Monument NEPA Compliance Act that would require the president to gather public opinion and consult with local governments at least 60 days before designating a national monument. The Clinton administration has vowed to veto the bill as an inappropriate barrier to the president's ability to designate monuments.<sup>11</sup>

Leshy's call for bipartisan efforts to preserve more open spaces and wild lands in the West has strong historical roots. It also makes sense in the contemporary political setting, when partisan squabbling is rejected by many Americans who are tired of political posturing and personal attacks. A commitment to environmental protection cuts across political and demographic boundaries. Polling data have consistently shown widespread public support for protecting undeveloped lands. One of the most recent, a November, 1999 poll, asked Colorado residents whether wilderness areas in the state should be expanded: 55 percent said yes and 40 percent favored the current level of wilderness designation; only less than 5

percent of respondents said the amount of wilderness should be reduced.<sup>12</sup> The poll raises some questions about its ability to accurately assess sentiment for wilderness designation; another question asked in the poll reported that more respondents favor the creation of more parks and open space than more wilderness areas. There is clear, strong support for more protection of undeveloped lands. Republicans and Democrats, conservatives and liberals, can find much common ground in efforts to protect the West's open spaces.

There are difficult issues to resolve, including whether the Federal government should own more land, how well existing Federal lands are managed, and how preservation efforts affect local communities and workers. The Antiquities Act is, of course, not the vehicle for making such determinations. Congress and the President need to devise new ways to structure a debate over how to preserve the lands in the West that form the core of its history and identity. They need to find bipartisan solutions that reflect strong public sentiment in the West to preserve our priceless heritage of public lands so that they will bless the lives of future generations as they have blessed ours.

<sup>1</sup> Margaret Kriz, "Call Of the Wild," *National Journal* (October 23, 1999): 3038-43.

<sup>2</sup> Id., at 3039-40.

<sup>3</sup> U.S. Department of the Interior, "Monuments Established by Presidential Proclamation" (unpublished manuscript).

<sup>4</sup> Proclamation 6920, "Establishment of the Grand Staircase-Escalante National Monument," 1 FR 50223 (September 18, 1996).

<sup>5</sup> Dale Arthur Oesterle, "The Politics of Public Lands," *Regulation* <http://www.cato.org/pubs/regulation/reg20n4-per.html>; William J. Olson and Alan Woll, "Executive Orders and National Emergencies: How Presidents Have Come to 'run the Country' by Usurping Legislative Power," *Policy Analysis* No. 358 (October 28: 1999).

<sup>6</sup> See James R. Rasband, "Utah's Grand Staircase: The Right Path for Wilderness Preservation?" 70 *University of Colorado Law Review* (Spring 1999): 483-562.

<sup>7</sup> See Charles Wilkinson, *Fire on the Plateau: Conflict and Endurance in the Southwest* (1999): 328-331.

<sup>8</sup> See U.S. Department of the Interior, Bureau of Land Management, "Grand Staircase-Escalante National Monument: Approved Management Plan Record of Decision" (November 1999).

<sup>9</sup> The Utah School and Lands Exchange Act, P.L. 105-335 (October 31, 1998).

<sup>10</sup> Id.

<sup>11</sup> H.R. 1487, passed the House on September 24, 1999.

<sup>12</sup> Center for the New West, "Wilderness Poll" (November 1999) [www.newest.org](http://www.newest.org).

## HOT TOPICS SPRING 2000

Wednesday, April 5, 2000

### THE GOVERNOR'S "SMART GROWTH" INITIATIVE" AND THE IMPLICATIONS FOR NATURAL RESOURCES

**Rick O'Donnell** is Director of the Office of Policy & Initiatives, appointed by Governor Bill Owens in January 1999. He serves as a member of the Governor's senior staff and is responsible for developing and coordinating the Governor's policy agenda.

Friday, May 5, 2000

### PRAIRIE WIND POWER FOR THE 21<sup>ST</sup> CENTURY: RENEWABLE ENERGY DEVELOPMENT ON INDIAN RESERVATIONS

**Bob Gough**, the Center's current **El Paso Energy Corporation Law Fellow**, will discuss his extensive research on wind power. American Indian reservations in the Northern Great Plains are strategically located with respect to a number of key factors favorable for the development of significant wind generation capacity. Indian tribes are particularly well positioned to build upon the federal-tribal partnerships established by treaties for developing large-scale, distributed wind generation, as part of an overall strategy for sustainable homeland economies for local use and for significant energy export throughout and beyond the region.

Contact the Center for registration at (303) 492-1272 or for additional information.

## Free... while supplies last

Our current inventory of "The Watershed Source Book: Watershed-Based Solutions to Natural Resource Problems," Elizabeth A. Rieke, et al, 1996, will be available for the asking plus shipping and handling of \$4 while supplies last. Contact the Center's publications desk at (303) 492-1272 or [nrlc@spot.colorado](mailto:nrlc@spot.colorado) to place an order.

For a full listing of the Natural Resources Law Center publications, visit the [www.colorado.edu/Law/NRLC/purchase.html](http://www.colorado.edu/Law/NRLC/purchase.html).



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## Timothy E. Wirth

United Nations Foundation  
Washington, D.C.

## Marvin Wolf

Wolf Energy Company  
Denver, Colorado

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Doug Kenney, Research Associate

Sean McAllister, Research Assistant

Geri Lameman, Office Manager

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## Resource Law Notes

### NATURAL RESOURCES LAW CENTER

University of Colorado School of Law  
Campus Box 401

Boulder, CO 80309-0401

Phone (303) 492-1272 • Fax (303) 492-1297

e-mail: [NRLC@spot.Colorado.edu](mailto:NRLC@spot.Colorado.edu)

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