

ROCKY MOUNTAIN LAND USE INSTITUTE 2020 ANNUAL CONFERENCE HOT, DRY, AND CROWDED: PLANNING FOR THE FUTURE

Integrating Land Use and Water Planning

This track was developed in partnership with the Babbitt Center for Land and Water Policy, and consists of seven sessions.

1. Hot Topics in Water & Land Planning for Climate Adaptation
2. Water Law & Policy 101
3. From Principles to Practice: Putting Equity at the Forefront in Land Use and Water Planning
4. The Role of Water in Livable Cities
5. The Policy/Market Nexus: How Do We Make Water Smart Growth Standard Practice?
6. Building Watershed Resiliency Through Innovative Partnerships
7. Panel Report from Water Utility Leadership Roundtable

In addition there are additional land and water related sessions that are not formally part of this track. These include:

- Progress by the Numbers: Determining the Impact of Water and Land Use Integration (Thursday 1:15 – 2:45)
- Carver Colloquium: The Rights of Nature: Should Bodies of Water Have Legal Rights? (Friday Lunch – reservation may be required)

Descriptions for the Land Use and Water Planning sessions follow:

1. HOT TOPICS IN WATER & LAND PLANNING FOR CLIMATE ADAPTATION

Thursday, March 5th 10:15 – 11:45

This session will kick off the land and water planning track by considering the conference theme on addressing an increasingly hot, dry and crowded western U.S. Presentations will focus on climate science, projected land and water impacts, current controversies related to climate mitigation and adaptation actions that can be taken within water planning and the intersection of land and water.

- Brad Udall will lead off with a presentation on climate science, including the latest efforts, and the big picture on long term Colorado Basin hydrology changes with climate
- Kathy Jacobs will follow focusing in more depth on the land and water implications on climate change as well as mitigation and adaptation opportunities at the local level.
- Sarah Fox will focus on implementation of local government and/or utility programs that address climate change and may draw on work done for the Sustainable Development Code. This could include:
 - Mandated or incentivized water conservation practices in buildings (incentivize construction of green roofs, require water-efficient fixtures, water efficiency standards for new construction, development credits for installation of water collection systems, etc.)

- Restricted and regulated certain uses of water (mandatory watering schedules, irrigation requirements, limit drinking water in restaurants, require/incentivize covers for outdoor pools, etc.)
- Eliminated barriers to water conservation (reduce/eliminate fees for water storage tanks, limit irrigation requirements for native/drought-tolerant species, limit HOA ability to restrict rain barrels, override HOA/private covenants that require turf grass)

Speakers include:

- Faith Sternlieb, Babbitt Center – Moderator
- Brad Udall, Colorado State University
- Kathy Jacobs, University of Arizona
- Sarah Fox, Northern Illinois

2. WATER LAW & POLICY 101

Thursday, March 5th 1:15 – 2:45

This session will provide an introduction to water law for non-lawyers (or at least non-water lawyers).

- James Eklund will lead off and cover the basic principles of western water law including topics such as: prior appropriation vs. riparian doctrines, beneficial use requirements, surface water vs. groundwater and basic regulatory approaches of several southwestern states with a focus on Colorado. Potential additional topics for this presentation include: adjudication, loss of rights, water markets, scenarios involving state ownership (e.g. instream flow, leasing), interstate compacts, tribal reserved rights, public rights, practical implications (e.g. how often and what to do when a water user doesn't follow the paper right or records are inaccurate?)
- Anne Castle will cover important components of the law of the Colorado River, including highlighting upper vs. lower basin differences, as well as Mexico's role and the role of non-profits in international transboundary agreements. If time is available she may also address key controversies that will impact discussions over the next decade, for example DCP and the legal implications of the structural deficit.
- Emily Tibbott will cover recent policy innovations in California, in particular implementation of California's recent Sustainable Groundwater Management Act.

Speakers include:

- Jim Holway, Babbitt Center for Land & Water Policy (moderator)
- James Eklund, Squire Patton Boggs
- Anne Castle, University of Colorado Getches-Wilkinson Center
- Emily Tibbott, Senior Program Advisor, Environmental Science and Policy, Governor's Office of Planning and Research, California Strategic Growth Council

3. FROM PRINCIPLES TO PRACTICE: PUTTING EQUITY AT THE FOREFRONT IN LAND USE AND WATER PLANNING

Thursday, March 5th 3:00 – 4:30

Scarcity of water in the West is well-known. However, less well-known are inequities that exist here and across the Country regarding access to safe, affordable drinking water; adequate infrastructure to serve all community members; land uses compatible with disaster risks, such as floods or drought; and housing sited in areas free from environmental degradation, including water pollution. Water Equity policies require local governments, communities, developers, and water providers to consider and address inequities when preparing/reviewing plans, or proposing/considering areas for development. This panel will present Water Equity issues to raise awareness of inequities through a presentation of case studies, potential remedies, and audience discussion. Speakers include:

- Susan Wood, Colorado APA and Regional Transportation District (Organizer)
- Jorge Figueroa, Water Education Colorado Board Member
- John Berggren, Wester Resource Advocates

4. THE ROLE OF WATER IN LIVABLE CITIES

Friday, March 6th 8:30 – 10:00

This session will examine the intersection of water and land use through a look at urban landscapes and the functions they serve. It will ask, “What needs do our landscapes meet for us?” Today’s urban landscapes serve many purposes for our cities including meeting functional, aesthetic, environmental, and psychological needs for the community. This session will examine how these needs might be met effectively in a changing future where water is scarcer, urban density is going up, values and perspectives are evolving, and temperatures are rising. Speakers include:

- Greg Fisher, Denver Water (organizer and moderator)
- Mary Ann Dickinson, Alliance for Water Efficiency
- Kathryn Weismiller, Denver Water
- Austin Troy, University of Colorado - Denver

5. THE POLICY/MARKET NEXUS: HOW DO WE MAKE WATER-SMART GROWTH STANDARD PRACTICE?

Friday, March 6th 10:15 – 11:45

Sterling Ranch – a master planned community in Douglas County – pushed the boundaries of water planning in the land use process through lower water dedication requirements, a community rainwater harvesting system, and a separate but parallel change to a land use law. Attendees will hear perspectives on from the developer, the county planner, and a water planner/engineer on how these innovative strategies came to fruition. Attendees will also learn about how the water efficiency and rainwater harvesting features are working today in the

occupied development. In addition, attendees will gain an understanding of statewide trends related to water and land use planning. Speakers include:

- John Berggren, Western Resource Advocates (moderator)
- Harold Smethills, Chairman, Sterling Ranch Development Company Denver, CO
- Beorn Courtney, Water Resources Engineer, Element Consulting
- Terence Quinn, Director, Community Development & Planning Services, Douglas County
- Waverly Claw, Associate Director, Sonoran Institute

Carver Colloquium — The Rights of Nature: Should Bodies of Water Have Legal Rights?

Friday, March 6th 12:00PM –1:30PM

The Carver Colloquium is an annual event that presents divergent or alternative viewpoints on cutting-edge issues in these fields in a point-counterpoint format. Held this year in conjunction with the annual conference, the Carver Colloquium will present a debate on The Rights of Nature. Historically, nature has been viewed as public or private property, and decisions about its use are decided accordingly. Rights of Nature advocates argue that nature should have a right to exist and thrive of its own.

- Jan Laitos, John A. Carver Jr. Chair, University of Denver Sturm College of Law (moderator)
- Laura Chartrand, Founding Partner, Chartrand Law, LLC
- Grant Wilson, Executive Director & Directing Attorney, Earth Law Center

6. BUILDING WATERSHED RESILIENCE THROUGH INNOVATIVE PARTNERSHIPS

Friday, March 6th 1:45 – 3:15

In the Rocky Mountain West, the majority of the water we depend on for human uses starts as snow on lands managed by the U.S. Forest Service. Increasingly, water providers are working in partnership with public land managers and other partners to plan for and implement forest management practices to ensure resilient, secure water supplies in a warming climate and an era of more frequent and intense wildfires. This session will examine innovative partnerships aimed at protecting and restoring watershed integrity on Colorado's Front Range, and will connect these examples to a larger, West-wide movement for building watershed resilience, the Healthy Headwaters Alliance. Speakers include:

- Sarah Bates, National Wildlife Federation – Northern Rockies (organizer and moderator)
- Mike McHugh, Aurora Water
- Brad Piehl, JW Associates
- Kimery Wiltshire, Carpe Diem West (tentative)

7. PANEL REPORT FROM WATER UTILITY LEADERSHIP ROUNDTABLE

Friday, March 6th 3:30 – 5:00

Water utility leaders met recently to discuss water and land use integration. Topics of discussion included what new directions utility planning might take; innovations in policy, planning, programs, and projects; and what they see on the horizon as growth continues and our communities face a water deficient future. For the final session in the Land Use & Water Come listen, learn, ask, and converse with utility leaders about what they think of our regional and state future. Speakers include:

- Kevin Reidy, Colorado Water Conservation Board (organizer and co-moderator)
- Christy Wiseman, Land Use & Water planner, CO Dept of Local Affairs (co-moderator)
- Participants from the Roundtable - TBD