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# Land Use Law

All over the Map

**December 5-6, 2005 • Hyatt Regency Hotel • Albuquerque**

## Who Should Attend:

- Attorneys
- Planners
- Architects
- Government Officials
- Landowners
- Developers
- Real Estate Professionals
- Appraisers
- Environmentalists

... and anyone else  
concerned with the  
present and future use  
of New Mexico's land!

Dear Colleagues:

The 2005 New Mexico Land Use Law Conference will focus on issues in urban and rural communities in New Mexico, involving both private and public land. As usual, the conference will begin with a review of significant United States Supreme Court land use cases, such as *Kelo v. City of New London, et al.*, *San Remo v. City and County of San Francisco*, and *Lingell v. Chevron*, as well as important New Mexico land use cases decided by the New Mexico courts in 2005. It will continue with a discussion about how the New Mexico Legislature addressed proposed land use bills in 2005, and what may be on the table in 2006.



**Anita P. Miller, Esq.**  
Program Chair

Innovative development proposals in Albuquerque, as well as impact fees in the city's growth management context, will also be discussed. Water and land use, always an important New Mexico topic, will again be addressed. A new video produced by the American Bar Association Section of State and Local Government Law concerning the legal issues of homeland security, as related to both natural and terrorist-related disasters, *Are You Ready?*, featuring some "stars" from New Mexico, will be introduced.

There will be a discussion of sports arenas in terms of public private partnerships, financing and their effectiveness as downtown attractions. Drilling for sources of energy on public lands in New Mexico, as well as the impact of the Endangered Species Act in our state will be addressed. Resort community development, as it impacts rural New Mexico communities, will also be covered. As usual, the program will end with our annual Ethics presentation.

There's something for everyone in "New Mexico Land Use Law." I hope that you'll join us for a productive conference.

Sincerely,

**Anita P. Miller, Esq.**  
Program Chair

Register Online at [www.cle.com](http://www.cle.com) or Call (800) 873-7130  
Conference Schedule and Speaker Biographies Inside



Visit our website at [cle.com](http://cle.com) for a complete listing of MCLE requirements in all states. You will also find a schedule of our upcoming conferences and a listing of available homestudy courses.



**Monday, December 5** **Tuesday, December 6**

<p>8:30 Registration and Continental Breakfast</p> <p>8:50 <b>Welcome and Introduction</b> <i>Anita P. Miller, Esq., Program Chair</i> <i>Albuquerque</i></p> <p>9:00 <b>Legal and Legislative Update</b> Significant Legal Decisions and New Laws <b>Robert M. White, Esq., City Attorney</b> <i>City of Albuquerque</i> <b>Lora A. Lucero, Esq., AICP</b> <i>American Planning Association, Albuquerque</i></p> <p>10:00 Morning Break</p> <p>10:15 <b>Eminent Domain</b> <i>The Effects of Kelo v. City of New London</i> <b>Teresa L. Cordova, Bernalillo County Commissioner and Professor of Community and Regional Planning, Albuquerque, and Members of the Faculty</b></p> <p>11:00 <b>Water and Land Use</b> <i>The State Water Plan</i> <b>John W. Utton, Esq.</b> <i>Sheehan, Sheehan &amp; Stelzner, Albuquerque</i></p> <p>12:00 Lunch Break</p> <p>1:15 <b>Downtown Arenas</b> <i>The Cornerstones of Downtown Development?</i> <b>Daniel S. Barrett, President</b> <i>Barrett Sports Group, Manhattan Beach</i> <b>James Paleneck, City Administrator</b> <i>Rio Rancho</i></p> <p>2:15 <b>Impact Fees and Exactions</b> <i>In a Growth Management Context</i> <b>David S. Campbell, Esq.</b> <i>Vogel, Campbell &amp; Blueher, Albuquerque</i> <b>Susan Strand Johnson, PhD</b> <b>Planned Growth Strategy Implementation Manager</b> <i>City of Albuquerque</i></p> <p>3:15 <b>Homeland Security</b> <i>The Role of Lawyers and Planners</i> <b>Anita P. Miller, Esq., Program Chair, and Robert M. White, Esq., City Attorney</b></p> <p>4:15 Q&amp;A Panel <i>Members of the Faculty</i></p> <p>4:30 Adjourn</p>	<p>8:45 <b>Review of Day One</b> <i>Overview of Day Two</i> <b>Anita P. Miller, Esq., Program Chair</b></p> <p>9:00 <b>Resort Development in New Mexico</b> <i>Challenges in Angel Fire and Taos</i> <b>Mark C. Rivera, AICP, Village Planning Director</b> <i>Angel Fire</i></p> <p>10:00 Morning Break</p> <p>10:15 <b>The New Mexico Cultural Properties Preservation Easement Act</b> <i>And Other Preservation Tools to Preserve New Mexico's Significant Sites</i> <b>Anita P. Miller, Esq., Program Chair</b></p> <p>11:00 <b>Development of Mesa del Sol</b> <i>Mixed Use Communities</i> <b>Harry Relkin, Assistant Commissioner of Community Development</b> <i>New Mexico State Land Office, Albuquerque</i></p> <p>12:00 Lunch Break</p> <p>1:15 <b>Federal Land Use</b> <i>Wolves, Drilling, and Other Challenges</i> <b>Peter V. Domenici, Jr., Esq.</b> <i>The Domenici Law Firm, Albuquerque</i> <b>Larry Bell, Assistant Regional Director, External Affairs</b> <i>U.S. Fish &amp; Wildlife Service, Albuquerque</i> <b>David R. Parsons, Founder</b> <i>Parsons Biological Consulting, Albuquerque</i></p> <p>2:15 Afternoon Break</p> <p>2:30 <b>The Train's Leaving the Station</b> <i>The New Commuter Rail from Belin to Bernalillo and Beyond</i> <b>Chris Blewett, Director of Transportation and Planning Services</b> <i>Mid-Region Council of Governments, Albuquerque</i></p> <p>3:00 <b>Ethics for Land Use Lawyers and Planners</b> <b>Robert M. White, Esq., City Attorney, and Members of the Faculty</b></p> <p>4:00 Evaluations and Adjourn</p>
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<p><b>Save These Dates!</b></p>	<p>Land Use Law November 3-4, Princeton</p> <p>California Water Law November 3-4, San Diego</p>	<p>Eminent Domain November 3-4, Chicago</p> <p>The Business of Winemaking November 14, San Francisco</p>	<p>The Endangered Species Act November 17-18, Tucson</p> <p>Land UseLaw: How to December 1-2, Denver</p>
	<p>For more information about these and other programs, visit our website at <a href="http://www.cle.com">www.cle.com</a>.</p>		

## Land Use Law

# meet your faculty

### Program Chair

**Anita P. Miller** is a leading land use practitioner who represents New Mexico municipalities and counties on land use, subdivision growth management and environmental matters. She is a member of the Regional Board of the Rocky Mountain Land Use Institute, and she is an Adjunct Professor of land use law at UNM School of Architecture and Planning and the School of Law. She is the author of *Grassroots Historic Preservation Law*, a recent publication of the New Mexico Historic Preservation Division.

**Daniel S. Barrett** has over 16 years' experience and has worked on over 400 sports industry projects. His clients/projects include: San Francisco Giants; PETCO Park (San Diego Padres Ballpark); Toronto Blue Jays; New Orleans Hornets; Denver Broncos; and American Airlines Center (Dallas Mavericks/ Dallas Stars).

**Larry Bell** works for the U.S. Fish & Wildlife Service, which manages the wolf reintroduction program. He has served as the Agency Director of the New Mexico Department of Game and Fish, President of the Western Association of Fish and Wildlife Agencies and was a member of the Executive Committee of the International Association of Fish and Wildlife Agencies.

**Chris Blewett** has over 20 years of experience in transportation planning and currently is an Adjunct Professor at the University of New Mexico Community & Regional Planning Department.

**David S. Campbell** is a New Mexico board certified specialist in Real Estate Law, working primarily in land use, zoning, governmental regulation, and administrative law matters. He is a former Albuquerque City Attorney.

**Teresa L. Cordova** is the County Commissioner for District 2 in Bernalillo County. She is a Professor of Community and Regional Planning at the University of New Mexico, and also directs the Resource Center for Raza Planning, a student group of planning and policy analysts.

**Peter V. Dominici, Jr.**, focuses on environmental law, natural resources, water law, oil and gas law and mineral law.

**Susan Strand Johnson** focuses on planned growth strategy for the City of Albuquerque. Prior to her employment on the City Council staff, she was a principal in a small land use consulting firm and served six years on the City of Albuquerque's Planning Commission.

**Lora A. Lucero** is a land use planner and attorney. She is the Editor of *Planning and Environmental Law*, a monthly publication of the American Planning Association. She also staffs the APA's Amicus Curiae Committee.

**David R. Parsons** is a wildlife biologist and founder of his consulting firm. He retired from the U.S. Fish and Wildlife Service where he spent nine years leading the effort to reintroduce the endangered Mexican gray wolf to portions of its former range in Arizona and New Mexico.

**James Paleneck** has 18 years' experience running four cities in New Mexico and Minnesota. He sits on the Board of Directors of the Rio Rancho Economic Development Corporation.

**Harry Relkin** has led the Community Development Partnership Program, started by State Land Commissioner Ray Powell. The Program has yielded such improvements as the Alteamirano Park ball fields in Silver City, schools in Edgewood, affordable housing in Sunland Park and the expansion of Sandia Science and Technology Park in Albuquerque.

**Mark C. Rivera** has 22 years of planning experience in both the public and private sector, all in New Mexico. He has worked in communities as diverse as Las Cruces, Gallup and Angel Fire.

**John W. Utton** practices water rights administrative law and water planning, federal and state water rights litigation, including stream system adjudications and endangered species litigation. He has also served as an Adjunct Professor at UNM Law School, teaching water law topics.

**Robert M. White** practices land use law, redevelopment law, zoning law, eminent domain law and administrative law. He has been president of the New Mexico Municipal Attorneys Association, and he is currently a member of the Board of Directors of the International Municipal Lawyers Association and of the Public Law Section of the State Bar of New Mexico.

**CLE INTERNATIONAL Program Attorney:**  
**Douglas K. Palmer, doug@cle.com.**



# conference information

### Continuing Education Credit

**MCLE:** This course has been approved by the New Mexico Minimum Continuing Legal Education Board for 13 hours of credit including one hour of legal ethics.

**Real Estate:** This course qualifies for 10 hours of credit from the New Mexico Real Estate Commission.

**Planners:** This course meets the requirements for up to 13 hours of AICP/CPDP credit.

For accreditation in other jurisdictions or disciplines, please contact Brian Fineberg, Accreditation Manager, at (800) 873-7130 or brian@cle.com.

### Registration

Advance registration is recommended, and you are encouraged to mail in your registration early. Or simply call in your registration or homestudy order to (800) 873-7130, fax the Registration/Order Form to (303) 321-6320, email your registration to registrar@cle.com or register online at www.cle.com. Full payment is due at the time of registration. Walk-in registrations will be subject to space availability. Please call **CLE INTERNATIONAL** at (800) 873-7130 if you require any special accommodations.

### Reserve Your Room Early

The Conference will be held at the Hyatt Regency Hotel, 330 Tijeras NW, Albuquerque, NM 87102. To secure your space and get the best rate, please contact Community World Travel at (888) 724-0500 or visit www.communityworldtravel.com.

### Tuition

The tuition fee of \$595 per person includes attendance at all sessions, course materials, continental breakfasts and coffee breaks.

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### Course Materials

Each registrant will receive a set of course materials, prepared by the speakers especially for this Conference that will serve as a valuable future reference. The course materials alone are available for \$95 plus \$10 shipping and handling.

### Homestudy Package

**CLE INTERNATIONAL** also offers a complete audio transcript of the Conference (including all course materials) for \$595 plus \$10 shipping and handling. This course qualifies for self-study credit.

### Cancellation

Full tuition refunds (less a \$50 administrative charge) will be given only if notice of cancellation is received by 5:00 p.m. MST on the Monday prior to the Conference. Substitutions may be made at any time.

### Sponsorship Information

Sponsorship and exhibition opportunities are still available. For more information, please contact Sarah Neenan, Marketing Coordinator, at (800) 873-7130 or sarah@cle.com.

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# Land Use Law

Legal, Political and Governmental Perspectives

December 5-6, 2005 • Hyatt Regency Hotel • Albuquerque

Eminent Domain: The Effects of *Kelo v. City of New London*

Homeland Security: The Role of Lawyers and Planners

The New Mexico Cultural Properties Preservation Easement Act

Federal Land Use: Wolves, Drilling, and Other Challenges

The New Commuter Rail from Belin to Bernalillo and Beyond

Resort Development in New Mexico

Impact Fees and Exactions • Downtown Arenas



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