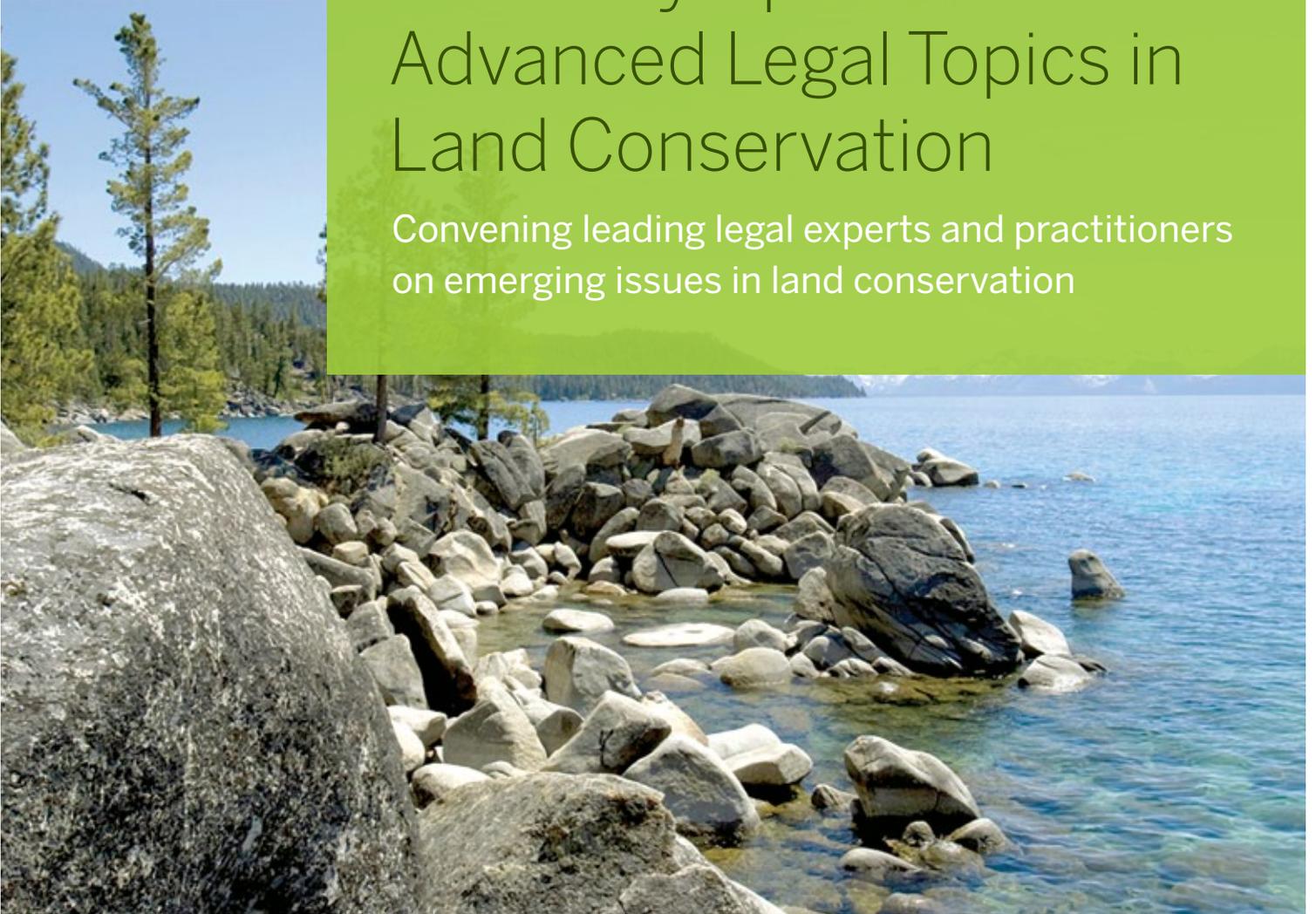


ATTORNEYS | SENIOR PRACTITIONERS | LAW SCHOOL FACULTY

Fourth Symposium on Advanced Legal Topics in Land Conservation

Convening leading legal experts and practitioners
on emerging issues in land conservation



★
EARN UP TO
11 HOURS OF CLE CREDIT



 **Land Trust Alliance**
Together, conserving the places you love

PEPPERMILL RESORT SPA CASINO | RENO, NEVADA | FEBRUARY 5-6, 2014

PROGRAM COMMITTEE

Julie Turrini

Resources Law Group

Bill Silberstein

Kaplan Kirsch & Rockwell LLP

Joan Dvoskin

The Nature Conservancy

Leslie Ratley-Beach

Land Trust Alliance

Schedule—At—A—Glance

Tuesday February 4

6:00 PM Social Hour

Meet your colleagues and make dinner plans

Wednesday February 5

7:00 AM Registration and Continental Breakfast

8:00 AM Welcome

Bill Silberstein, Kaplan Kirsch & Rockwell LLP (CO)

MODERATOR: *Joan Dvoskin, Senior Attorney,
The Nature Conservancy (GA)*

8:15 AM Conservation in Court: Lessons Learned

*Melinda Beck, Attorney,
Lewis, Bess, Williams & Weese P.C. (CO)*

Dissect implications of cases for landowners, land trusts and attorney practices.

10:15 AM Anatomy of a Conservation Lawsuit

*Susan Gretz, Senior Attorney,
The Nature Conservancy (MN)
Bill Kohlhase, Attorney, Miller Hall & Triggs (IL)*

Dissect a breach of contract case involving environmental contamination on fee conservation property, discussing the undertaking of remediation and litigation simultaneously and various damages scenarios.

12:15 PM Lunch with expert-anchored topic tables

2:15 PM Surface Use Agreement and Negotiation Issues

*Joseph Fitzsimons, Attorney,
Uhl, Fitzsimons & Jewett PLLC (TX)*

Drill down into nuances in negotiating surface use agreements for oil and gas extraction, compliance with various laws, remedies for breach and field monitoring.

3:45 PM Terrafirma Risk Retention Group LLC

*Carl Silverstein, Executive Director, Southern
Appalachian Highlands Conservancy (NC)*

Jim Phillippi, Attorney,

Knapp, Petersen & Clarke (CA)

*Leslie Ratley-Beach, Vice President,
Alliance Risk Management Services LLC (VT)*

How the new Conservation Defense Liability Insurance company really works, a first year retrospective, recent challenges and how your land trust can use the mere existence of coverage to mitigate future challenges.

5:00 PM Welcome Reception

*Hosted by The Nature Conservancy and
Kaplan Kirsch & Rockwell*

Thursday February 6

7:00 AM Continental Breakfast

8:00 AM Orientation

Bring your collaborative problem-solving skills to an intensive six-hour practical examination of land trust risk assessment focusing on the challenges of conservation easement modification.

MODERATOR: *Leslie Ratley-Beach, Conservation
Defense Director, Land Trust Alliance (VT)*

8:15 AM Survey of State Approaches to Conservation Easement Modification

*Rob Levin, Attorney,
Law Office of Robert H. Levin (ME)*

Synopsis of the states' varying statutory or regulatory approaches to conservation easement modification.

9:15 AM Primacy of the Legal Regimes Affecting Perpetual Conservation Easements

*Jessica Jay, Conservation Attorney,
Conservation Law, P.C. (CO)*

Interaction of relevant federal, state and local laws as the basis for on-the-ground risk assessment of conservation easement modification as well as the foundation of any related land trust policies and procedures.

10:30 AM **Risk Assessment and Problem Solving for Easement Modifications**

Konrad Liegel, Attorney, Konrad J. Liegel, Attorney-At Law, PLLC (WA)

Risk analysis for attorneys in supporting land trust staff and boards' evaluation and decisions on whether to modify a conservation easement, with downside risks and upside mission advancement potentials, alternatives and mitigants.

11:30 AM **Large-group discussion of the morning topics**

About principled and practical approaches for attorneys to assist their land trust clients with problem solving, based on the insights from the three speakers.

12:00 PM **Lunch**

1:00 PM **Shades of Gray: A Conservation Easement Stewardship Conundrum**

Scott Howard, Attorney, Olson, Bzdok & Howard, P.C. (MI)
Victor Lane, Manager of Easement Stewardship and Forestry, Grand Traverse Regional Land Conservancy (MI)

Real-life replay of a typical stewardship challenge and the parties' roles.

2:00 PM **Drafting for Perpetuity and Principled Conservation Easement Modification**

Tamara Galanter, Attorney, Shute, Mihaly & Weinberger LLP (CA)
Julie Turrini, Attorney, Resources Law Group, LLP (CA)
Bill Silberstein, Attorney, Kaplan Kirsch & Rockwell LLP (CO)

Dissect an amendment and modification clause arising from unforeseen new developments, discuss merits of approaches, identify potential risks and mitigants, and examine landowner and land trust perspectives on modification.

3:00 PM **Conclude**

Seminar Notes

- Perpetuity and ethics are constant considerations in conservation work.
- This program committee chose depth over breadth in topics based on your comments from the first three Advanced Topics Symposiums.

- The program committee allowed additional time for vigorous discussion on every topic
- Please use the evaluation forms to suggest topics for the Fifth Advanced Topics Symposium.

REGISTRATION FEES

Register by January 10th and save \$50.

Staff and board of Alliance Member Land Trusts	\$475 \$525 after January 10th
Partners and Others	\$575 \$625 after January 10th
Students	\$325

Fee includes continental breakfast, lunch, and sessions on Wednesday and Thursday, course materials, Tuesday and Wednesday evening receptions and continuing legal education credit for one state (if applicable).

LODGING

We are pleased to offer a discounted rate of \$129/night (plus tax) at the Peppermill Resort. All reservations must be made by **January 14th** to receive the discounted rate. Visit www.lta.org/legal to reserve your room online. A limited number of smaller rooms at \$99/night (plus tax) are available.

REGISTRATION

Please register at www.lta.org/legal. Registration opens November 1, 2013.

Registration questions?

Please email registration@lta.org or call (970) 245-5811.

Course content questions or suggestions?

Please email lrbeach@lta.org or call (802) 262-6051.

STANDARD CANCELLATION POLICY

The Land Trust Alliance must receive a written request for refund before close of business on Friday, January 10th. Non-refunded payment for the Advanced Legal Topics in Conservation Symposium will not be credited toward any other service or contribution to the Alliance. There will be a \$35 administrative fee for all changes and cancellations resulting after your initial registration.

“I attended the Third Symposium and loved it; it was by far the most useful CLE ever for a land trust attorney. I highly recommend it.”

–Cassie Gavin, Staff Attorney, North Carolina Coastal Land Trust

Who Should Attend?

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This level of advanced discussion is rarely available on these topics, so take advantage of this opportunity to be part of the community working on the complex legal issues of land conservation.

- Help craft practical legal solutions
- Provide input into emerging conservation law
- Contribute your insights and expertise

All while earning your CLE's!

Visit www.lta.org/legal for details.

“Thanks again for a great experience at the Third Symposium. Conservation easements are practically all I do, and it helps me tremendously to hear from other practitioners around the country on how they address issues that come up. That seminar helped me to see the lines on difficult issues more clearly”

—Lee Stephens, General Counsel, The Northern Neck Land Conservancy

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