

Back in Austin!

# Conservation Easements

New Two-Day Format!

September 24-25, 2009 • Hilton • Austin

## Featuring Speakers From:

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... and some of the top conservation  
easements attorneys in Texas!

## Hot Topics!

- An Introduction to Conservation Easements
- Land, Landowners and Their Legacies: Milestones in Texas Private Lands Conservation
- Appraisals: What Professional Landowner Advisors Need to Know
- Texas Land Trusts and the Role of the Texas Land Trust Council
- How the Donation Becomes Both a Deduction and an Exclusion
- A Landowner's Perspective: Reconciling Conservation Easements with Mineral Development
- Wetlands Mitigation: Using Land Trusts for Connected, Strategic Conservation Options
- Public and Private Sector Responses to Conservation Easements in Texas
- Conservation Easements: Achieving Landscape Scale Conservation
- State and Federal Funding Opportunities for Land Conservation
- Conservation Easements from the Landowner's Perspective
- Baseline Reports: Describing Property Conditions for the Easement
- Ethical Issues in the Arena of Conservation Easements

## Program Co-Chairs



**David Hartman, Esq.**  
Smith, Robertson, Elliott,  
Glen, Klein & Bell  
Austin, TX



**James Jeffries, MAI, ARA**  
Jeffries Appraisal Services  
Georgetown, TX

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### THURSDAY, SEPTEMBER 24

8:30 Registration and Continental Breakfast

9:00 **Welcome and Introduction**

Overview of Day One

**David Hartman, Esq., Program Co-Chair**  
Smith, Robertson, Elliott, Glen, Klein & Bell, Austin

**James Jeffries, MAI, ARA, Program Co-Chair**  
Jeffries Appraisal Services, Georgetown

9:15 **Conservation Easements**

An Introduction

**David Hartman, Esq., Program Co-Chair**

10:00 Morning Break

10:15 **Keynote Presentation**

Land, Landowners and Their Legacies: Milestones in Texas Private Lands Conservation

**Carter Smith, Executive Director**  
Texas Parks and Wildlife Department, Austin

11:00 **Conservation Easement Appraisals**

What Professional Landowner Advisors Need to Know

**James Jeffries, MAI, ARA, Program Co-Chair**

11:45 Lunch Break

1:00 **Texas Land Trust Council and Texas Land Trusts**

The Needs of Texas' Land Trusts and TLTC's Role

**Susan Armstrong, Esq., Executive Director**  
Texas Land Trust Council, Austin

1:45 **Running the Numbers**

How the Donation Becomes Both a Deduction and an Exclusion

**Thomas Hall, Esq.**  
Braun & Associates, San Antonio

3:15 Afternoon Break

3:30 **Conservation Easements from a Landowner's Perspective**

Reconciling Conservation Easements with Mineral Development

**Joseph Fitzsimons, Esq.**  
Uhl, Fitzsimons & Jewett, San Antonio

4:15 **Wetlands Mitigation**

Using Land Trusts for Connected, Strategic Conservation Options

**Jennifer Lorenz, Executive Director**  
Legacy Land Trust, Houston

5:00 Q&A Panel

Members of the Faculty

5:15 Adjourn to Private Reception Sponsored by

SMITH, ROBERTSON, ELLIOTT, GLEN, KLEIN & BELL, L.L.P.



### FRIDAY, SEPTEMBER 25

8:30 Continental Breakfast

9:00 **Welcome Back**

Overview of Day Two

**James Jeffries, MAI, ARA, Program Co-Chair**

9:15 **Public and Private Sector Responses to Conservation Easements in Texas**

An Overview of the Application and Use of Conservation Easements Following the 1985 Texas Natural Resources Code Enactment of the Conservation Easement Act

**Carolyn Vogel, President**  
Vogel Conservation Consulting, Austin

10:00 Morning Break

10:15 **Keynote Presentation**

Conservation Easements: Achieving Landscape Scale Conservation

**Laura Huffman, Texas State Director**  
The Nature Conservancy of Texas, Austin

11:00 **Funding for Land Conservation**

State and Federal Funding Opportunities

**Claude Ross, State Program Manager**  
USDA Natural Resources Conservation Service, Temple

**Jan Davis, Stewardship and Legacy Forests Program Manager**

Texas Forest Service, College Station

**Scott Campbell, Program Coordinator, Texas Farm & Ranch Lands Conservation Program**  
Texas General Land Office, Austin

12:30 Lunch Break

1:45 **Conservation Easements from the Landowner's Perspective**

Experiences in Negotiating and Owning Conservation Easements

**David Bezanson, North/East Texas Program Manager**  
The Nature Conservancy of Texas, Austin

2:45 Afternoon Break

3:00 **Baseline Reports**

Describing Property Conditions for the Easement

**Clifton Ladd, Vice President**  
Loomis Partners, Austin

3:45 **Ethics**

Issues in the Arena of Conservation Easements

**Allison Elder, Esq.**  
Braun & Associates, San Antonio

4:45 Evaluations and Adjourn

#### TELL US WHAT YOU WANT!

Do you have specific questions or topics you hope to see covered in this program? Would you like to see a Conference on another topic? Would you like to learn about sponsorship and exhibit opportunities?

Contact **CLE INTERNATIONAL** Program Attorney Michelle Messner, [michelle@cle.com](mailto:michelle@cle.com).

### PROGRAM CO-CHAIRS

**David Hartman** concentrates his practice in the areas of land use and real estate development law and has experience in a broad range of land development permitting, entitlement and natural resource issues. His practice encompasses environmental and regulatory compliance issues arising under natural resource regulatory matters, and expertise in conservation acquisitions involving conservation easements and fee title acquisitions, conservation banking, and related funding mechanisms and programs for conservation acquisitions.

**James Jeffries** has been a real estate appraiser for over 30 years. For the last 15 years, he has specialized in rural and ecologically significant properties. He has been involved in the Texas evolution of conservation easements as a viable preservation tool and is currently Chair of the Texas Land Trust Council.

### KEYNOTE PRESENTERS

**Carter Smith** is responsible for overseeing an agency of 3,100 professionals in 11 different divisions, including Wildlife, Law Enforcement, State Parks, Coastal Fisheries, and Inland Fisheries. He serves on a number of conservation-related boards of directors and advisory councils and was recently named an outstanding alumnus by Texas Tech and the College of Agriculture and Natural Resources.

**Laura Huffman** has a career emphasizing the protection of natural water sources and the environment for the communities where she has worked. Her accomplishments include spearheading important watershed protection and neighborhood and economic development initiatives for the city of Austin, and for San Marcos, where she previously held the position of Deputy City Manager. She established the Texas Land Trust Council at the Texas Parks and Wildlife Department.

### FACULTY

**Susan Armstrong** coordinates all of the land trusts in the state of Texas in order to maximize private land conservation. She works extensively with the national organization, the Land Trust Alliance, and other Texas agencies and organizations to facilitate conservation partnerships and increase the pace, permanence and quality of Texas open space.

**David Bezanson** oversees the Conservancy's programs in North and East Texas. He formerly served as Executive Director of Natural Area Preservation Association (now Texas Land Conservancy), a land trust conserving more than 70,000 acres in Texas.

**Scott Campbell** has specialized in selling ranch property since the mid-1990s. Prior to moving to Austin in 2007, Scott was a state representative in the Texas Legislature serving House District 72. He served on the Natural Resources Committee and as a vice chairman of the Defense Affairs and State-Federal Relations Committee.

**Jan Davis** administers several multi-partner initiatives that focus on keeping privately owned forests intact to bolster the economic and environmental contributions they provide to society. She has been with her agency for 16 years. She is a Certified Forester.

**Allison Elder** focuses on environmental and conservation law, including conservation easements, conservation developments, restrictive covenant drafting and wildlife management property associations. She works closely with the Land Trust Alliance, Texas Land Trust Council, and the U.S. Fish and Wildlife Service.

**Joseph Fitzsimons** is a natural resources, oil and gas and water law attorney and third-generation South Texas rancher. He has served as Vice President of the Texas Wildlife Association and is a Director of the Texas and Southwestern Cattle Raisers Association. He is a former Chairman of the Parks and Wildlife Department's Private Lands.

**Thomas Hall** joined his firm as a senior attorney in 2005. He focuses his law practice in the areas of conservation easements, estate planning, probate, real estate and nonprofit corporation law. Previously, he represented rural landowners in Colorado in conservation transactions and led a citizens group to establish the Crestone/Baca Land Trust.

**Clifton Ladd** is a certified wildlife biologist with over 25 years of experience supporting the efforts of public, private, and nonprofit landowners in land conservation and management. His work includes ecological surveys, land management plans, and endangered species conservation across Texas and the southern United States.

**Jennifer Lorenz** and the Trust that she directs are dedicated to the permanent preservation of lands through the purchase and donation of development rights (conservation easements) and parcels. They educate the community and its citizens about the importance of preserving certain lands, the legal structure under which that preservation is achieved, and the resultant benefits for all.

**Claude Ross** is a 21-year employee of the NRCS, where he provides leadership and support for the agency's Conservation Easements, Resource Conservation and Development and the Emergency Watershed Protection programs in Texas. He served on the Corsicana Field Office staff prior to becoming the Coordinator of the Wes-Tex Resource Conservation & Development Area in Morton. He joined the NRCS Program Staff at the State Office in January of 2003.

**Carolyn Vogel** enjoyed a 31-year career with the Texas Parks and Wildlife Department, including 23 years in the State Parks Division and eight years in the Wildlife Division. In 2008, Ms. Vogel established her firm, where she provides assistance and services to conservation organizations, landowners and governments.

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Protecting Natural Resources and Preserving Open Space

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Two Keynote Presentations



**Land, Landowners and Their Legacies:  
Milestones in Texas Private Lands Conservation**

**Carter Smith, Executive Director**  
Texas Parks and Wildlife Department, Austin



**Conservation Easements: Achieving Landscape  
Scale Conservation**

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