This course will focus on private land conservation efforts in the United States, and particularly Colorado, and also consider public land conservation programs. The course will begin with an analysis of real property principles and instruments used to protect land, and the development and acceptance of conservation easements in gross as a mechanism for protection. We will also review financing mechanisms for land conservation, including direct government funding at the federal, state and local levels, and indirect funding through tax incentives. Non-profit organizations involved in land preservation, specifically land trusts, and charitable trust doctrines will be examined. In addition, public policies behind the federal, state and local land protection programs, public and private activities in this field, and the efficacy of such programs will be considered, as well as emerging litigation concerns.

During the class, students will review land conservation transactions, including the documents produced for the transactions, in addition to case law and scholarly articles.

Student grades will be based upon a final exam and class participation.
The final exam is Tuesday, May 6\textsuperscript{th} at 8:15 am in Room 305.

An understanding of real property and tax concepts will be helpful for students enrolled in this course.

Contact Information:

Ruth C. Becker
1942 Broadway, Suite 510
Boulder, CO 80302
303-554-6150
beckerr@colorado.edu or rbeckerlaw@comcast.net

Office Hours: By appointment. Email is the best way to reach me.
Overview of Land Conservation Programs:


Real Property Concepts, including easements in gross and third party enforcement:


Class 5 (January 30): Special Guest Speakers: Litzenberger Farm Conservation Easement Panel, Mike Litzenberger (landowner), Christine Strickland, Colorado Open Lands, Ariel Steele, Tax Credit Connection, LLC, Gary Finstad (U.S.D.A., Natural Resources Conservation Service).


Direct Funding and Regulatory Programs for Conservation: Federal, State and Local Programs
Class 8 (February 11): Special Guest Speakers: Boulder County: Cutting Edge Techniques for Land Preservation, Boulder County Commissioner Ben Pearlman, Boulder County Parks and Open Space Director Ron Stewart.


Special Issues with Water Rights and Mineral Rights


Indirect Funding for Conservation/Tax Incentives
Federal Charitable Deduction

State Income Tax Credits

Estate Tax and Property Tax Benefits

Due Diligence and Qualification for Tax Benefits
Introduction to Land Trusts and Their Role in Conservation


Public Policy Issues for Conservation Easements


Easement Violation and Enforcement Issues


Amending and Terminating Conservation Easements


Eminent Domain


Class 26 (April 21): Panel Discussion: To Be Determined

Class 27 (April 23): Review