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Forestry Access, Easements and Forest Management Legal Issues



**What every forest
manager needs to know.**

October 28, 2015

Coeur d'Alene Resort, • Coeur d'Alene, Idaho

Forestry Access, Easements and Forest Management Legal Issues

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ABOUT THE WORKSHOP

Access is a topic of increasing importance throughout the West, whether it involve private parties seeking access to a residence, a corporate owner utilizing or defending its rights, or the ambitious public recreating within intermingled “public” lands. This workshop will address easements, rights of way, and related ownership and management issues. Additional topics will include legal and sociopolitical relationships with federal, tribal and local governments, federal law management issues that can involve private lands, options for reconfiguring land ownership, conservation easements, and state laws uniquely relevant to private forestry, such as timber trespass.

This workshop is designed for private forest land owners and managers, as well as lawyers and transaction/title specialists who work in rural areas. The presentation will discuss and is geared to participants from Idaho, Eastern Washington and Montana. We encourage attendees to come with specific questions and be ready to participate in an active discussion on topics within the boundaries of the agenda.

WORKSHOP AGENDA 10/28/15

8:30 am to Noon

Welcome and speaker introduction

- *Private Access Interests – Basics of Easements*
- *Prescriptive Easements and Adverse Possession*
- *Landlocked Parcels and Implied Easements*
- *Express Easements and Drafting Considerations*
- *Not Quite Easements - Licenses, Permits and Contractual Interests*
- *Easement Analysis and Application Issues*

10:15 – 10:30 Break

- *Public Transportation and Access Interests*
- *R.S. 2477 Rights of Way*
- *Dispute Resolution Mechanisms*
- *Legal and Political Relations with Local/Federal Governments*

12:00 pm Lunch (included with registration)

1:00 to 4:00 pm

- *Recreational Access – Is There a Balance?*
- *Options for Attempting to Manage Access*
- *State Law Topics – Forest Practices and Timber Trespass*

2:30 – 2:45 Break

- *Federal Law Topics – Endangered Species Act and Federal Forest Management*
- *Fire – Protection, Suppression, and Liability*
- *Land Exchanges and Reconfiguration of Land Ownership*
- *Conservation Easements*

4:00 pm Adjourn

About the Speaker

Paul Turcke is a partner in the Boise firm Moore Smith Buxton & Turcke, specializing in public lands and access issues. Mr. Turcke addresses a full spectrum of issues involving the National Forest System, including land ownership, access, permitted uses, endangered species and local communities. His clients are frequently recreation advocacy organizations, outfitters, backcountry pilots, private and corporate landowners, and local governments. In 2010 he successfully argued to an en banc court for the elimination of the 9th Circuit's "federal defendant" limit on intervention, allowing for greater participation by all nonfederal stakeholders in environmental litigation. His litigation activities have spanned fifteen U.S. District Courts, four Circuit Courts, and the U.S. Supreme Court. Mr. Turcke received his law degree cum laude from the University of Idaho in 1993 and graduated with honors in psychology and minor in biology from Whitman College in 1987. Prior to entering private practice he worked as Idaho district court law clerk, a deputy public defender and a deputy prosecuting attorney.

REGISTRATION FORM

NAME _____

ORGANIZATION AND AFFILIATION _____

ADDRESS _____

CITY, STATE, ZIP _____

EMAIL _____ TEL _____

REGISTRATION

BEFORE 10/19/15 \$225 _____

AFTER 10/19/15 \$250 _____

Questions? Give us a call or email.



Western Forestry and Conservation Association
Call 888-722-9416 or 503-226-4562
or amanda@westernforestry.org

PAYMENT

1. Please make check payable to:

WFCA
4033 SW Canyon Rd. • Portland OR 97221
503-226-4562 • 888-722-9416 • FAX: 226-2515

2. Purchase order # _____

3. Charge to: MC VISA AmEx
(please circle)

Account # _____

Expiration Date _____ **Security Code** _____
(on back of card)

4. Register at www.westernforestry.org



Workshop Location

The meeting will be held at the Coeur d'Alene Resort at 115 S 2nd St., Coeur d'Alene, ID. 800-688-5253.

Lodging Information

For overnight accommodations, a guest room block has been held at the Coeur d'Alene Resort (www.cdaresort.com). Reservations can be made by calling 800-688-5253. North Wing rooms are \$119 plus tax and Park Tower rooms are \$159 plus tax. The room block is being held until September 17, 2015 and reservations after this date will be on a space/rate available basis. Reference Western Forestry and Conservation to receive the special rates. Make reservations directly with the hotel as travel websites & travel agents will not have information regarding the conference.

Registration

The registration fee is \$225 if received by 10/19/15 or \$250 if received after that date. The registration fee includes a book of speaker materials, lunch and refreshments. Checks should be made payable to Western Forestry and Conservation Association. Purchase orders, VISA/MasterCard, and American Express are accepted. Tax id # 930-331-712. Cancellations are always welcome. Registration is available at www.westernforestry.org

Cancellations

Cancellations received by October 19, 2015 are subject to a 15% service charge. Cancellations received after that time will be charged the entire registration fee, but substitutions are always welcome.

Society of American Foresters CFE Credits

Workshop attendees will be eligible for 6.0 CFE credits in Category 1.

Registration questions?

Call Amanda at (888) 722-9416 or (503) 226-4562
or amanda@westernforestry.org

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