

Agenda

Understanding Rights to Develop Oil and Gas

L. Astrella

Dominance of mineral estate
Right to use surface
Oil and gas rights and development
Agreements for development of mineral rights and drafting considerations

Understanding Rights to Develop Wind Energy

E. Clark

Ownership of right to wind energy
Use of surface/land
Typical types of agreements for development of wind energy and drafting considerations

Understanding Rights to Develop Solar Energy

H. Ruckriegle

L. Mercer

Ownership of right to solar energy
Use of surface/land
Types of agreements for development of solar energy and drafting considerations
Development costs

Current and Emerging Air Quality Regulations in Energy Development

P. Seby

Senate Bill 19-181
• Regulating oil and gas development to protect public safety, health, and welfare
• Minimizing emissions of methane, VOCs, and NOx
House Bill 19-1261
• New rules and regulations designed to meet Colorado greenhouse gas reduction goals
• Regulating coal mines, power plants, oil and gas development, steel production, Portland cement, and the transportation sector

Exploring Water Law and Regulatory Issues

A. Curtis

Colorado water law 101
Applying Colorado water rights law to oil and gas production
Examining the risk of water pollution/contamination
State and Federal water quality regulations
Impacts to water markets

Local Government Permitting in Colorado – Post SB 181

B. Green

Source and scope of local land use authority over development
Did SB 181 grant any new powers?
Can local governments use zoning powers to regulate oil and gas?
Can local governments ban oil and gas?
Common local government permit processes for oil and gas development

Reviewing the Impact of Natural Resource Protection Laws on Energy Production

N. Blevins

Examining potential impacts of energy production on habitat
Exploring protections for endangered species and wildlife habitat
Evaluating protections for critical areas
Reviewing enforcement mechanisms

Energy Production Land Law

Denver, CO - Wednesday, April 8, 2020

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Learning Objectives

You'll be able to:

Discuss surface use rights and the dominance of the mineral estate.

Utilize typical agreements for the development of wind and solar energy.

Explore new legislation designed to meet Colorado greenhouse gas reduction goals.

Apply Colorado water rights law to oil and gas production.

Evaluate the source and scope of local land use authority over energy development post SB 181.

Understand protections for endangered species and wildlife habitat.



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Energy Production Land Law

Denver, CO - Wednesday, April 8, 2020



Understand rights to develop oil and gas

Ascertain ownership of rights to wind and solar energy

Discuss current and emerging air quality regulations in energy development

Explore water law and regulatory issues

Examine local government permitting in Colorado

Review the impact of natural resource protection laws on energy production

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Faculty

Lance Astrella, the founder of Astrella Law, P.C., has been engaged in the private practice of law for over 40 years with a primary emphasis in the energy industry. His work in the energy field has included matters concerning land use and the environment, oil and gas exploration and production, gas processing and storage, natural gas transportation, power generation and energy trading. For the first several decades of his practice, Mr. Astrella represented the oil and gas industry, gaining extensive expertise in this complex industry. During the last half of his practice, he has represented only landowners, mineral owners, local governments, and consumers in connection with oil and gas, and related environmental law.

Eben P. Clark, Counsel at Baker Hostetler, has practiced law in Colorado and the Mountain West for more than 20 years and holds licenses in Colorado and Texas. He supports clients in all phases of project development including site identification, land use and permitting, access issues on public and private lands, leasing, PPAs, financing, EPC agreements, construction issues, and O&M contracts. His clients include national and international renewable energy developers, utility holding companies and large property owners. Mr. Clark has been voted one of “The Best Lawyers in America” for Colorado Real Estate Law for the past two years.

Heidi K. Ruckriegle, a Senior Associate at Wilmer Cutler Pickering Hale and Dorr, LLP, centers her practice on internal investigations and regulatory matters with a focus on energy, natural resources and infrastructure. She represents clients in oil and gas development, mining projects, transmission infrastructure, renewable energy infrastructure, and water law on private and public lands. She also counsels clients on various recreation matters, including advising ski areas, and she has experience in financial fraud investigations and Foreign Corrupt Practices Act inquiries. Ms. Ruckriegle has advised global natural resource companies on anti-corruption policies and compliance.

Lauren Mercer, an associate at Wilmer Cutler Pickering Hale and Dorr, LLP, represents clients in the energy, environment and natural resources space with a focus on interactions with regulators and investigations. She helps energy, infrastructure and recreation clients navigate complex regulatory frameworks related to permitting, development and compliance matters. Ms. Mercer has counseled clients on a wide variety of public lands issues, including renewable and conventional energy production, National Environmental Policy Act review and compliance with US species protection laws.

Seminar Information

Renaissance Denver Stapleton Hotel
3801 Quebec Street
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Paul M. Seby, a Shareholder at Greenberg Traurig, LLP, counsels public and private clients in the energy, mining, manufacturing, and service industries on how to navigate and operate within the complex framework of state and federal environmental regulations and policies. Mr. Seby has vast experience prosecuting cases to enforce and overturn administrative agency regulations and decisions. He has defended clients in federal and state enforcement proceedings, in appearances before the U.S. Supreme Court, several U.S. Courts of Appeal, and the Colorado Supreme Court, among others.

Alan E. Curtis is the managing member at White & Jankowski LLC in Westminster, Colorado. His practice includes representation of municipal, agricultural, industrial, commercial and private water rights holders in litigation of complex water rights matters. He also represents clients in transactional matters and in administrative proceedings before state and federal agencies on issues related to impacts of oil and gas production and hydraulic fracturing on water quantity and quality. Mr. Curtis has lectured extensively and authored articles on issues regarding water rights, water rights transactions and water issues related to oil and gas production.

Barbara J.B. Green is a founding partner in the law firm Sullivan Green Seavy L.L.C., where she practices environmental, land use, and natural resources law. She represents clients in matters involving land use, water resources management, oil and gas development, and mining issues. Ms. Green has defended local government regulation of oil and gas development in state and federal court. She is on the advisory board of the Rocky Mountain Land Use Institute and has served several terms on the Colorado Mined Land Reclamation Board. Ms. Green holds a B.A. degree from Northwestern University, and M.P.A. and J.D. degrees from the University of Colorado in Boulder, and she has an M.H. from University of Colorado at Denver. Before attending law school, Ms. Green was the Oak Creek town manager and Steamboat Springs assistant city manager in Colorado.

Nicole M. Blevins is senior counsel at Beatty & Wozniak, P.C. For the past nine years, she has focused on advising the oil and gas industry on a wide variety of environmental and natural resource issues involving oil and gas production and business transactions. Earlier in her career, she served as a prosecutor for the Colorado Attorney General's Office where she enforced environmental laws. `

Additional Learning

Webinar Series
Foundation Damage and Repair

- **Design & Geo-Environmental Loading, Building Codes, Soil Properties**
Wed., March 4, 2020, 11:00 AM - 12:30 PM CST
- **Foundation-Slab-Wall Design and Construction**
Wed., March 4, 2020, 1:00 - 2:30 PM CST
- **Evaluation of Foundation-Slab Damage and Repair Alternatives**
Thurs., March 5, 2020, 11:00 AM - 12:30 PM CST
- **Evaluation of Foundation Wall Damage and Repair Alternatives**
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Registration

Energy Production Land Law
Denver, CO - Wednesday, April 8, 2020

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