Study Committee on Advisability of formation of drafting committee to revise Uniform Conservation Easement Act
Dec. 11, 2017, Conference Call

Agenda

State Provisions that Differ From the UCEA
(page references are to June 11, 2017 Background Report)

(i) **Topics that could potentially be covered in other statutes**
- Eminent domain (discussed on first call/seemed to be off the table) pp 5, 21-27
- Property tax assessments (discussed on first call/seemed to be off the table) pp 5, 30-33
- Adverse possession; pp18-19
- Marketable title acts; p 5, 27-29
- Tax lien laws; pp 27-30
- Holder immunity from liability; pp 52-53
- Coordination with local permitting processes; pp 53-54

(ii) **Topics that could potentially be addressed by good drafting of easement document**
- Liberal construction in favor of conservation purposes; pp 13-14
- Enforcement—Holder’s Right of Entry; pp14-15
- Laches, estoppel, and waiver; pp18
- Attorney’s fees and costs; p 19
- Transfer notice provisions; pp 54-55

(iii) **Other topics**
- Public review process at creation; pp 4, 8-10
- Registration or notice requirement; pp 10-12
- Minimum life for nonprofit holders (discussed on first call/seemed to be off table); p 12
- Holder’s monitoring obligation; pp 12-13
- Enforcement—Injunction, Damages, etc. (see also CT’s Encroachment statute); pp 14-18
- Back-up holder; pp 19-21
- Merger; pp 28-29
- Amendment and extinguishment (discussed on Nov. 2017 call); pp 33--45
- Standing to sue (discussed on Nov. 2017 call); pp 45-52
- Protection of water areas or water rights; pp 55-56
- Any other subject raised by Committee members or Observers
  - Note from Leslie Ratley-Beach: On the December 11, 2017 call the study committee chair Steve Cawood inquired about the benefit of a national uniform statutory conservation easement template