

Program Co-Chairs:



Jeffrey Crawford
*Forest County Potawatomi
Community*



Brian L. Pierson
Godfrey & Kahn S.C.

Who Should Attend:

*Attorneys, Tribal representatives,
industry executives and
governmental officials*

A Comprehensive Conference on

Tribal Energy Development in the Great Lakes

New opportunities for Tribal projects, new policies,
regulations and markets

February 20 & 21, 2014

Milwaukee, Wisconsin

Hyatt Regency Milwaukee

Credits: 12 WI CLE (call about others)

Quick when/where: 8:30 a.m., 333 West Kilbourn Avenue

Tribal Energy Development in the Great Lakes Conference
February 20 & 21, 2014 | Milwaukee, Wisconsin
Hyatt Regency Milwaukee



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8:00 Registration Opens

8:30 Introduction & Overview

Jeffrey A. Crawford, Esq., *Program Co-Chair*
Attorney General
Forest County Potawatomi Community ~ Milwaukee, WI

Brian L. Pierson, Esq., *Program Co-Chair*
Godfrey & Kahn S.C. ~ Milwaukee, WI

8:45 **Energy Law 101, Environmental Law 101 and Indian Law 101: How the Three Interact for Tribal Resource Development**

The regulatory structure for private energy development on Tribal lands (including leasing structures for site acquisition and how permitting differs for projects in Indian country); Tribal sovereignty issues as they relate to energy projects

Sara K. Van Norman, Esq.
The Jacobson Law Group ~ St. Paul, MN

How natural law and treaty rights impact energy development in the Great Lakes: Protecting our future through natural law and treaty rights

Frank Ettawageshik, *Executive Director*
United Tribes of Michigan ~ Harbor Springs, MI

10:15 Break

10:30 **The Long Term Competitive Outlook for Renewable Energy: Suitability of the Region, Cost Trends and Incentive Programs**

The potential for utility-scale wind in the Great Lakes region

Kevin M. Schulte, *CEO*
Sustainable Energy Developments Incorporated ~ Delanson, NY

Distributed solar including availability of feed-in tariffs and other factors affecting generation on the customer side of the meter

Matt Neumann, *Owner*
SunVest Solar, Inc. ~ Pewaukee, WI

12:00 Lunch (on your own)

1:15 **Practical Tips for Taking Advantage of Available Financing for Green Energy Projects: Partnering with Taxable Entities to Take Advantage of Tax Incentives**

State and federal grants

Jason W. Allen, Esq.
Foley & Lardner LLP ~ Milwaukee, WI

“Partnership flip” structures: Sale and leaseback structures and inverted lease structures; how to use the RFP approach to identify suitable investment/development partners

John L. Clancy, Esq.
Godfrey & Kahn S.C. ~ Milwaukee, WI

IRS Private Letter Ruling 201310001 allowing Tribes to monetize renewable energy tax credits by transferring them to non-Tribal partners: Practical tips for taking advantage of the ruling

Jed A. Roher, Esq.
Godfrey & Kahn S.C. ~ Madison, WI

3:15 Break

3:30 **Midwest Tribal Renewable Energy Case Studies**

Forest County Potawatomi: Solar and biomass

Jeffrey A. Crawford, Esq., *Program Co-Chair*

Shakopee: Wind, solar and biomass projects

Stanley Ellison, Esq., *Director, Land and Natural Resources*
Shakopee Mdewakanton Sioux Community ~ Prior Lake, MN

Huron Potawatomi: Creating synergies for Tribal ownership of solar panel manufacturing facilities and for reservation installation

William Brooks, Esq., *Chief Legal Officer*
Nottawaseppi Huron Band of the Potawatomi ~ Fulton, MI

5:00 Adjourn Day One

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About the Conference

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Renewable energy development has become a top priority for many Midwest Tribes seeking to (1) strengthen sovereignty through energy independence, (2) promote environmental stewardship by transitioning from reliance on energy from coal-fired plants that contribute to climate change and contaminate reservation air and waterways and (3) reduce long term energy costs.

This conference focuses on opportunities for projects in the Great Lakes area. We will discuss federal, state and private grant, loan and other incentive programs, long term energy market trends, the practicalities of funding projects, structuring deals, tools for overcoming regulatory hurdles, and the transmission of reservation-generated energy to market and more. Panelists will explain business structures that enable Tribes to partner with investors and developers to take advantage of federal tax incentives, sharply reducing the cost of developing renewable energy in Indian communities.

Our distinguished faculty of attorneys, Tribal representatives, industry executives and consultants will share the lessons learned from their Indian country energy development projects, the pitfalls they encountered and practical tips that will help attendees pursue their own renewable energy projects.

~ Program Co-Chairs: **Jeffrey A. Crawford, Esq., Forest County Potawatomi Community** and **Brian L. Pierson, Esq., Godfrey & Kahn S.C.**



8:30 Update on Current Environmental Issues for Combustion-Related Generation and Their Impact on Energy Markets

EPA policy priorities under the Clean Air and Clean Water Acts for energy projects

Roger R. Martella, Jr., Esq.
Sidley Austin LLP ~ Washington, DC

Coal: Practical implications of EPA actions under the Clean Air Act to reduce carbon, mercury, and other emissions; resulting pressure to close older plants; lessons from recent plant closures

Keith Reopelle, Senior Policy Director
Clean Wisconsin, Inc. ~ Madison, WI

Biomass and waste-to-energy: When are they clean and renewable enough to qualify under Tribal and state RPS programs? What environmental impacts can be impediments to development?

Michael Zebell, P.E., Senior Consultant
Environmental Resources Management ~ Milwaukee, WI

Natural gas: How EPA is shaping the energy mix in the U.S. through environmental regulations; the squeeze on coal and natural gas production; BLM's fracking rulemaking and water quality developments

Daniel J. Deeb, Esq.
Schiff Hardin LLP ~ Chicago, IL

10:30 Break

10:45 Update on New Leasing Rules for Renewable Energy Project Development

Wind and Solar Resource provisions of BIA's new leasing regulations; how to take advantage of the HEARTH Act to avoid BIA lease approval requirements

Donald Laverdure, Esq., Senior Advisor
Akin Gump Strauss Hauer & Feld LLP ~ Washington, DC

Use of easements in renewable energy projects

Brian L. Pierson, Esq., Program Co-Chair

12:00 Tribal Utilities: Pros and Cons

What are the potential advantages and costs? What factors should the Tribe consider in deciding whether to form its own utility? How a "virtual" Tribal Utility can deliver benefits to Tribal members

John Lewis, Chairman
Gila River Indian Community Utility Authority ~ Chandler, AZ

12:30 Evaluations and Adjourn

Upcoming Seminars:

Buying & Selling Electric Power in the West	January 13-14, 2014	Seattle, WA
Transmission in the Northeast	January 23-24, 2014	Boston, MA
Natural Resource Damages	February 6-7, 2014	Washington, DC
The International Columbia River	February 13-14, 2014	Seattle, WA
Electric Utility Rate Cases	February 27-28, 2014	Las Vegas, NV
Best Practices in Patent Monetization	March 6-7, 2014	San Francisco, CA
Tribal Water in California	March 17-18, 2014	Cabazon, CA
Tribal Internet Gambling	April 17-18, 2014	Scottsdale, AZ
Tribal Employment Rights & Law	April 28-29, 2014	Minneapolis, MN

See more at www.lawseminars.com



Registration & Other Conference Information

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Fax the registration form to us at: 206-567-5058
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Online: www.lawseminars.com
Mail the registration form on the front page.
Walk-ins are welcome, subject to space availability.
Registration is complete when we receive payment or agree to later payment.

Tuition: Regular tuition for this program is \$795 with a group rate of \$595 each for two or more registrants from the same firm. For government employees, we offer a special rate of \$530. For students and people in their job for less than a year, our rate is \$397.50. All rates include admission to all seminar sessions, food and beverages at breaks, and all course materials. Make checks payable to Law Seminars International.

Substitution & Cancellation: You may substitute another person at any time. We will refund tuition, less a \$50 cancellation fee, if we receive your cancellation by 5:00 p.m. on Friday, February 14,

2014. After that time, we will credit your tuition toward attendance at another program or the purchase of a Homestudy. There is a \$25 cancellation fee for Course Materials orders and \$50 for Homestudy orders.

Seminar Location: The conference will be held at the Hyatt Regency Milwaukee at 333 West Kilbourn Avenue in Milwaukee, WI 53203. Call the hotel directly at (414) 276-1234 for reservations at the special negotiated rate of \$119 and mention that you are attending a Law Seminars International conference. Rooms are on a first come, first served basis.

Continuing Education Credits: Live credits: This program qualifies for 12 WI CLE credits. Upon request, we will apply for, or help you apply for, CLE credits in other states and other types of credits.

If You Cannot Attend: Our complete Homestudy Course, consisting of a DVD recording and the course materials, is available for \$805. The course materials alone are available for \$100. We will ship your Homestudy order via UPS ground within two weeks after the seminar or from the date we receive payment.

Faculty: Tribal Energy Development in the Great Lakes Conference

Jeffrey A. Crawford, *Program Co-Chair*, Attorney General at Forest County Potawatomi Community, focuses on Indian law, business, regulatory, governmental affairs, project development, contracts, environmental issues, litigation management and the Crandon Mine. He is President of FCPC Renewable Generation LLC, overseeing the development and operation of renewable energy projects.

Brian L. Pierson, *Program Co-Chair*, shareholder, leads Godfrey & Kahn S.C.'s Indian Nations Law Team and assists Tribes in implementing strategies that strengthen Tribal sovereignty, with a focus on business development, environmental protection, renewable energy and housing development.

Jason W. Allen, partner, Foley & Lardner LLP, is Vice Chair of the Energy Industry Team. His background in energy, project and infrastructure finance transactions involves the acquisition, divestiture and financing of numerous domestic and international energy projects.

William Brooks, Chief Legal Officer to the Nottawaseppi Huron Band of the Potawatomi and FireKeepers Development Authority, provides counsel in contract negotiation, code/ordinance drafting and litigation. He represents Tribal governments in the negotiation of inter-governmental agreements including gaming compacts, taxation, law enforcement and environmental regulation. He is adjunct faculty at Michigan State University College of Law.

John L. Clancy, shareholder and leader of the Environmental and Energy Strategies Team, Godfrey & Kahn S.C., provides environmental and energy-related services to entities, including industrial, commercial, Tribal, municipal and trade association clients.

Daniel J. Deeb, partner, in the Environmental Group at Schiff Hardin LLP, represents energy companies, manufacturers, and municipalities in environmental law. His energy clients include natural gas transmission, distribution, storage and midstream companies, coal and gas-fired power plants, and renewable energy providers.

Stanley Ellison is the Director of Land and Natural Resources for the Shakopee Mdewakanton Sioux Community. He has been involved in many innovative programs, including the Koda Energy facility, installation of the wind turbine and the Organics Recycling Facility.

Frank Ettawageshik is the Executive Director for the United Tribes of Michigan. Previously, he was Chairman of the Little Traverse Bay Bands of Odawa Indians.

Donald "Del" Laverdure, an enrolled member of the Crow Tribe of Montana (Ties the Bundle Clan) with ancestry from the Little Shell Tribe of Chippewa Indians of Montana, is Senior Advisor to Akin Gump Strauss Hauer & Feld LLP and Senior Advisor and Counselor to Crow Nation Chairman Darrin Old Coyote.

John Lewis, Chairman of the Board of Directors for the Gila River Indian Community Utility Authority and Vice President of Tribal Client Development for Avant Energy, Inc., facilitates the growth of Tribal electric utilities and energy development with a focus on renewable generation.

Roger R. Martella, Jr. is a partner in the Environmental Practice Group at Sidley Austin LLP. Previously, he was General Counsel of the EPA, concluding 10 years of litigating and handling complex environmental and natural resource matters at the

U.S. Department of Justice and EPA.

Matt Neumann, owner of SunVest Solar, Inc., focuses on bringing new homes up to Energy Star™ and Green Built™ standards.

Keith Reopelle, Senior Policy Director at Clean Wisconsin, Inc., focuses on state and regional policies addressing global warming including wetlands, metallic mining, air toxins, pesticide reduction, forest management, land preservation and sustainable energy policies.

Jed A. Roher, in the Tax and Employee Benefits and Corporate Practice Groups at Godfrey & Kahn S.C., helps clients achieve their financing, growth and exit objectives with tax and corporate experience.

Kevin M. Schulte, Chief Executive Officer for Sustainable Energy Developments, Incorporated, focuses on the growth of the distributed wind industry. He is the Vice President of the Distributed Wind Energy Association.

Sara K. Van Norman, shareholder, The Jacobson Law Group, drafts and negotiates construction contracts for Tribal casino developments. She represents Tribes and Tribal entities in gaming, finance, reservation boundaries, Indian Country environmental regulation, Tribal energy development and Indian land rights-of-way.

Michael Zebell, P.E., Senior Consultant at Environmental Resources Management, focuses on utility-scale and smaller industrial-scale plants using traditional and renewable energy technology. His power development experience includes coal, biomass, natural-gas, oil, petroleum coke, waste-coal and waste-to-energy.

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You Will Learn About:

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- *The long term competitive outlook for renewable energy*
- *Practical tips for taking advantage of available financing*
- *Midwest renewable energy case studies*
- *Current environmental issues for combustion-related generation and their impact on energy markets*
- *New leasing rules for renewable energy development*
- *Tribal utilities*

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