

CONNECTICUT
Land Conservation Council

2014 Regional Land Trust Board Summit Series

August 21, 2014

Weantinoge Heritage Land Trust Office

5 Maple Street, Kent, CT

7:00-8:30pm

Co-hosted by:

Weantinoge Heritage Land Trust

Attendees: Geoff Whan (Flanders Nature Center & Land Trust [Flanders]), Arthur Milnor (Flanders), Tim Abbott (HVA/Litchfield Hills Greenprint Collaborative [HVA]), Anthony Zunino (HVA), Steve Law (Steep Rock Association [Steep Rock]), Catherine Rawson (Weantinoge Heritage Land Trust [Weantinoge]), Hiram Williams (Weantinoge), Tom Crider (Southbury Land Trust [SLT]), Regina Badura (SLT), Sarah Coon (Sharon Land Trust [Sharon]), Connie Manes (Kent Land Trust [KLT]), Marge Josephson (Naromi Land Trust [Naromi]), Stan Greenbaum (Naromi), George Massey (Salisbury Association Land Trust [Salisbury]), Amy Paterson (CLCC) (facilitator)

Discussion: After brief introductions and a review of topics discussed during last year's summit in Bridgewater (August 26, 2013), attendees were asked to describe a specific challenge that their land trust is facing:

A. Accreditation

1. Weantinoge: Accreditation requirements – in particular addressing the backlog of baselines and land management plans, was particularly time consuming.

- Weantinoge is the 17th largest land trust in the country based upon the number of properties in which it holds an interest (fee or conservation easement [CE]).
- They addressed their baseline backlog – approximately 80 baselines – in order to meet Standards & Practices (S&P) requirements using their staff and by hiring consultants. Consultants were paid on a per-baseline basis. Staff kept track of time using timesheets – again per S&P requirements.

2. KLT: With the number of accredited land trusts increasing, and the number of land trusts going through the preparation process, there is enough experience to warrant a roundtable discussion amongst accredited land trusts. We should discuss whether the process of preparing for and attaining accreditation is justified when weighed against the level of risk a land trust is exposed to in not going through that process. *(Note: CLCC will be convening a roundtable led by representatives of accredited land trusts to help flesh out their experiences with the accreditation process. Date is November 14 – time and location TBD)*

3. Salisbury, HVA, KLT: Accreditation seems to be the biggest challenge facing land trusts. There has been an ongoing discussion about creating an "Accreditation Light" program for smaller, all-volunteer land trusts so that, at a minimum, they will qualify for Terra Firma. Studies suggest that the two categories of land trusts that have the most trouble meeting the accreditation requirements are the largest/oldest and the smallest/AVLT. Tim noted that 85% that apply for accreditation are successful.

He wasn't sure about the percentage of land trusts that achieve re-accreditation; we are getting to the point where those numbers will be available.

Quote of the night!: "Don't confuse bureaucracy with excellence!"

4. Naromi/group: Naromi raised the importance of having baseline documentation reports (BDRs) beyond their value in complying with S&P. What is the underlying purpose of BDRs? They provide documentation for the future -- making the conservation values of the property more meaningful to successive fee owners and board members. Group discussed whether BDRs also assist with determining whether there has been a change of use – or whether a change of use is warranted. Is an amendment necessary?

- **Policy:** Group agreed that it would be helpful to have a statute which provided for notice to the holder of a CE when there is a change in ownership of the underlying fee. CLCC Model CE provides for a notice requirement.
- **Policy:** Hiram inquired about the status of legislation to enable towns to impose a 1% conveyance tax on buyers to establish another source of funding for open space and farmland acquisition (aka "Green Fund"). We discussed the challenges in getting the bill out of committee and the need for the push for the legislation to come from municipal CEOs, rather than only from state level advocates.

B. Model Agricultural and Conservation Easements

1. Salisbury is using sections of the Model Ag Easement and asked whether others were using it. Discussion ensued about the purpose and scope of the Model Ag Easement – with the primary purpose being active agricultural uses for the land; conservation purposes are secondary. If the primary purpose of the project is to protect conservation values, with a secondary working land component, then a conservation easement would be the more appropriate tool and the Model Ag easement may be looked to as a guiding document for certain relevant provisions.

2. SLT is currently working with the state Department of Agriculture (DoAg) in coming up with terms for an easement to protect 800+ acres of farmland on the Southbury Training School. Control of the property was transferred from the Dept. of Social Services to DoAg pursuant to a bill passed in 2013 that also requires the grant of a conservation easement to a non-profit conservation organization. The land trust is hoping to use sections of the model Ag Easement as a guide in the drafting process. Progress on drafting the CE has been slow. *(Note: You can view the full text of **Public Act 13-90, An Act Concerning the Preservation of Farmland at the Southbury Training School** by undertaking a "quick search" using the public act number on the Connecticut General Assembly website at <http://www.cga.ct.gov>)*

C. Open Space Funding

1. Tim described his frustration with getting Highlands Act funding released – which is causing significant delay – and could perhaps doom – a large scale conservation project that HVA and partners are currently working on.

- Group discussed the logic behind the state statutory provisions which places a limitation on a grantee's ability to combine federal and state funds to no more than 70% of the total project cost. *(Note: Citation to statute is C.G.S. Section 7-131g(c). CLCC and other organizations are seeking to reduce, if not eliminate, the grantee's match requirement, or at least allow*

transaction and due diligence expenses, as well as any landowner donation through a bargain sale, to be factored in to meeting the match requirement.)

D. Conference Workshop Ideas: 2015 CT Land Conservation Conference is scheduled for March 21 at Wesleyan University, Middletown. Amy asked for workshop ideas

- 1. Catherine:** Stewardship and management is always an important topic
- 2. Tim:** Regional Climate Change Resilience – bringing models to the local level (Tim offered to put together a workshop!)
- 3. Accreditation and Reaccreditation** (may be repeat the CLCC roundtable planned for November 14 at the Conference)
 - Regina suggested putting together a mentoring program so that land trusts considering accreditation may shadow a land trust going through the process
- 4. GIS Training** – CLCC and Weantinoge are offering an advanced training as part of CLCC's Training & Education calendar. Date TBD. *(Note: We have set the training for November 21)* Location will be in Kent. Basic GIS trainings are still offered by CLEAR. *(Note: CLEAR GIS and GPS programs may be viewed at <http://clear.uconn.edu/%5C/geospatial/index.htm>)*

Amy reiterated her appreciation to Catherine and the Weantinoge Heritage Land Trust for hosting the meeting and to everyone in attendance for their participation and dedication. Input received from land trust board members at these meetings is critical to CLCC's work in ensuring that we are addressing the needs of the conservation community. Thank you!

Meeting notes will be circulated for review and then posted on the website. A list of attendees with email contact information will be distributed as well.

Meeting adjourned at 8:35pm.

Amy B. Paterson
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