



**- CATAWBA -**  
LANDS CONSERVANCY  
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**CAROLINA**  
THREAD TRAIL.

**Board of Directors Meeting Agenda  
Catawba Lands Conservancy and Carolina Thread Trail  
August 20, 2024  
4:30 P.M. – 6:30 P.M.  
2400 Park Road, Suite 1, Charlotte, NC 28203**

- |    |  |                |        |
|----|--|----------------|--------|
| 1. | Welcome  | Leslie Johnson | 5 min  |
| 2. | Consent Agenda   | Leslie Johnson | 5 min  |
|    | a. Minutes   |                |        |
|    | b. CTT Trail Updates   |                |        |
|    | c. Land Conservation Report  |                |        |
| 3. | Finance Report   | Gail Olsen     | 10 min |
| 4. | Development Report   | Jessica Otto   | 15 min |
| 5. | Carolina Thread Trail Report   | Bret Baronak   | 30 min |
|    | a. CTT Grant Application – Town of Spencer (Vote)  |                |        |
|    | b. CTT application to Great Trails State Grant Program -<br>Spencer Mtn. -- Resolution (Vote)    |                |        |
|    | c. CTT application to NC Recreational Trails Grant Program –<br>Spencer Mtn -- Resolution (Vote) |                |        |
|    | d. Spencer Mtn Structures Design– Nature Trails, Inc.  |                |        |
| 6. | Natural Resources Mgmt & Stewardship Report  | Sean Bloom     | 25 min |
|    | a. Zimmermann Conservation Easement Amendment  |                |        |
|    | b. Jones & Polly Pharr Conservation Easement Amendment   |                |        |
| 7. | Executive Director's Report  | Bart Landess   | 30 min |
|    | a. Thank You Interns!  |                |        |
|    | b. Piedmont Conservation Coalition   |                |        |
|    | c. Organization Strategic Plan   |                |        |
|    | d. October 17 <sup>th</sup> Half Day Board Retreat   |                |        |
|    | e. Call for Board Nominations  |                |        |
|    | f. Passing of Mary Lou Buck  |                |        |
| 8. | Adjourn  | Leslie Johnson |        |

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Minutes

Reports:

Executive Director  
Development  
Finance

Land Conservation  
Land Stewardship  
CTT



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**CAROLINA**  
 THREAD TRAIL.

**Board of Directors Meeting Minutes  
 Catawba Lands Conservancy and Carolina Thread Trail  
 June 18, 2024  
 4:30 A.M. – 6:30 P.M.  
 2400 Park Road, Suite 1, Charlotte, NC 28203**

**ATTENDANCE**

**Members Present**

Leslie Johnson, Chair	Delane Clark (Zoom)	Harris Morrison (Zoom)
May Barger	Tom Gates	Lisa Phocas
Len Botkin	Janet Hanson, Co-Chair	Allen Clark
Bill Carstarphen (Zoom)	Allison Holtzman (Zoom)	Chris Walker (Zoom)
David Maynard	Blair Boggs (Zoom)	
Steve Scruggs	Jon Morris	

**Members Absent**

Phil Kuttner	Dave Priester
Alan Baucom	Compie Newman

**Staff Present**

Bart Landess	Conroy Green	Jessica Otto
Amanda Byrum	Bret Baronak	Sean Bloom
Cindy Emswiler	Will Ruark	Becca Cohler

**1. Welcome**

A quorum being present, Board Chair Leslie Johnson began the meeting at 4:34 P.M., welcoming Board and Staff Members attending in person and via Zoom.

Bart Landess, Executive Director, introduced Conroy Green, the new staff accountant; Grace Rooker, the Davidson Impact Fellow; Natalie Doerfler, a Levine Scholar intern from UNC Charlotte; and Sean Lafontaine, Stewardship intern also from UNCC. Bart also recognized Kate Wilken, the summer communications and marketing intern, who was not in attendance at the meeting.

## **2. Consent Agenda**

Leslie Johnson continued the meeting by asking if there were any questions about items in the consent agenda or questions or corrections to the April 16th, 2024, minutes. There were no requests to pull any items for further discussion, so the Board proceeded to a motion and vote to approve the minutes of the April 16th, 2024, meeting.

*First-Janet Hanson*

*SECOND –Allen Clark*

*The motion passed unanimously.*

## **3. Executive Director's Report**

### **a. State and Local Government Activity**

Bart Landess, Executive Director, discussed how CLC and CTT interact with various government authorities. The North Carolina legislature has proposed a new budget and introduced land conservation funding and reinstatement of the land conservation tax credit into the budget. The House and Senate are still fighting it out and no final budget was approved and may not be approved. The Secretary of the Agricultural Department recommended that the tax credit for land conservation be a part of his budget and that seems to have made its adoption more likely.

An upcoming event for elected officials and candidates was proposed and led by the Catawba Riverkeeper, which is known as the Pig Pickin' and Politician' event. Ryan Carter, of the Riverkeeper's staff, is a former assistant to elected officials and he has arranged this event to be the similar to the Mallard Creek Barbeque. Rob Phocas, spouse of Board member Lisa Phocas and well known proponent of environmental sustainability, will moderate interviews of the candidates. The event is intended as a non-partisan method for candidates and constituents to get together and express their interest in conservation. The Pig Pickin will be at the Riverkeeper headquarters site in McAdenville and is scheduled for July 13<sup>th</sup>.

Bart recently made two trips to Raleigh events. The first trip was with Land for Tomorrow, our association of all of the North Carolina land trusts. They hosted a Lobby Day for all NC land trusts to visit with legislators. Bart had 15 legislative office visits; three with the representative and the remainder with staff. The second trip was with the Regional Chamber of Commerce. In addition to an opportunity to meet members of the NC legislature, it was also a good chance to speak with representatives of the corporate community. For example, Bart met a representative from Trane who invited him to use space at their campus in Davidson.

The Mecklenburg County Environmental Stewardship Committee is led by Elaine Powell, who is a strong supporter of our efforts. Elaine is trying to encourage the County staff to place parks

and nature preserves under conservation easement to assure that they will not later be sold or converted to another use. The Park and Recreation Department is for the proposal but the Real Estate Department is concerned that it limits the choices of future government officials and reduces the value of the county's assets.

The Inflation Reduction Act contains funding for carbon reduction efforts. We are not eligible for this funding as only local and state governments are. However, the Centralina COG has applied on behalf of all the municipalities in our region and also invited CLC to present to a joint meeting of the municipalities, noting that trails help keep cars off the road and thereby helps with carbon reduction. Applying for funding is a complex process that has not yet been fully defined and is still being implemented.

#### **b. Steeplechase Charitable Partnership**

Bart presented to the Board the prospect of partnering with Bill and Carrington Price who own Brooklandwood, one of our conservation sites, to be the charitable partner for the 2025 Queen's Cup Steeplechase. This event was canceled in 2024 because the charity couldn't manage it. We were the sponsored charity in the early 2000s and they offered us the chance to be the charity partner again. Former staff members expressed the concern that it is too much work to manage, including getting sponsors and managing logistics and that the net proceeds are not worthy of the effort required. However, it is a good name recognition for CLC. After discussion of pros and cons of being involved, Board members suggested that Bart follow up with Bill and Carrington Price to relay their concerns about the event and explore whether there are opportunities to participate in a way that provides a better return on the investment of staff time.

#### **c. Bigleaf Bluff Project Status**

Bill Carstarphen recused himself from this portion of the meeting. Bart reminded the Board that the Bigleaf Bluff property is owned by the Carstarphen family's company and is adjacent to the Hoffman Pharr Preserve. He informed the Board that the Bigleaf Bluff project is still not under contract due to the change in acreage of the area to be conveyed, status of the North Carolina Department of Environmental Quality's action as to the landfill portion of the site, and negotiation related to access points. . An extension was filed with North Carolina Land and Water Fund to close by next summer. Board Member Chris Walker, who is assisting with the documentation of the deal, noted that he believed that the contract for sale is close to being completed.

### **4. Natural Resources Management and Stewardship**

#### **a. Preserve Management fund Policy**

Sean Bloom, Natural Resource Management and Stewardship Director, explained that the Board of Directors established the Preserve Management Fund in 2022 to create a dedicated funding source to support activities that enhance, improve, or restore the conservation values on CLC preserves. Sean described uses of the fund and the guidelines in the policy provided in the Board report, which includes limits on expenditures depending on authorization by staff, committee or Board.

Bart explained that a vote on the policy has been put on hold at this time. It had come to his attention, after the NRMS Committee had already voted on the policy, that there are potential conflicts with other Board policies. The Board Book contained a redlined copy of the policy with marginal comments that noted the potential conflicts. As a result, he recommends that the policy be returned to the Natural Resources Management and Stewardship Committee so that they would have an opportunity to discuss the proposed changes. After the committee reviews the policy changes, it will be brought back before the Board for review and vote.

## **5. Development and Finance Report**

Jessica Otto, Director of Development and Marketing, reviewed unrestricted fundraising results for CLC and CTT through May 31, 2024. She indicated that CLC is behind budget while CTT is slightly ahead. She provided an update that the summer activities will include a direct mail campaign and a focus on raising corporate support.

Board members will periodically receive a selection of potential new corporate names and previous corporate donors for review to determine who may have contacts for outreach.

Gail Olsen reported that a review of cash on hand was undertaken to assure that we are roughly on track, pending a more complete review after each month is closed. In March, the Stewardship Draw of \$100,000 was received to ensure six months of cash on hand pursuant to Board policy. At the end of March, CLC had seven months of cash, including the draw. CTT has 22 months of cash available. It is estimated that CLC and CTT's cash at the end of May is 6 months and 21 months respectively.

Both CLC and CTT at the end of March have a 5% favorable budget variance for expenses. It is estimated that CLC will show a 2-4% favorable budget variance for expenses and CTT 3-5% at the end of May. As always, revenue for both CLC and CTT is anticipated to be robust in the last quarter.

The last completed bank reconciliation is March. The bank accounts are monitored and viewed frequently for potential irregularities and incoming payments. The Hickory Grove LLC has been recently dissolved but proceeds of approximately \$19,000 have not yet been transferred to CLC's operating funds.

## **6. Land Conservation Report**

### **a. Strategic Conservation Plan – Map**

Amanda Byrum, Land Conservation Director, presented the updated strategic conservation plan maps and the proposed Conservation Ambassador Outreach program. Hard copies of the maps were placed around the room for commentary and feedback from Board members.

Amanda and Sean Bloom described the process of working with the GIS consultant engaged for this project to identify scoring for conservation values by focus areas, including water quality, habitat, farmland, and outdoor recreation, and the methodology for each score.

In addition to making comments on the priorities indicated in the scoring on each map, Amanda asked that Board members identify locations where they could be an ambassador for conservation or may know someone with contacts who could be an ambassador.

Adjourn

There being no further business, Leslie Johnson adjourned the meeting at 6:34 p.m.

**Respectfully submitted by Cindy Emswiler.**



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**CAROLINA**  
THREAD TRAIL.

Meeting: August 20, 2024 Board of Directors  
Department or Committee: Carolina Thread Trails  
Staff Contact: Bret Baronak  
Report Date: August 9, 2024  
Agenda Item: 2.b.  
Information Item

## Trail Projects Update

### CTT Grant Application

- The Town of Spencer applied for \$50,000 for trail development in the Stanbeck Forest. CTT Committee recommended a \$25,000 award.
  - Additionally, CTT staff provided guidance on trail design and determined that the Town could likely construct the proposed trail project for less than what they are budgeting.
  - CTT staff will be joined by a professional trail builder to conduct a site walk and alignment scoping, which will inform a new and less-costly estimate.
  - See agenda item report for full details.

### Other Grant Inquiries

Entities that expressed interest in potentially applying for a CTT grant soon:

- Norwood (in Stanly County) – Interested in a planning study for a trail along Cedar Creek, to connect an existing town park to a planned park/trailhead, about a mile downstream near Lake Tillery. Staff met the applicant to walk the corridor in late July. CTT technical assistance may eliminate the need for the study so that Norwood could instead pursue funding for acquisition or construction later.

- Bessemer City (in Gaston County) – Expressed a need to fund design and engineering for the Southridge greenway alignment that was identified in the CTT-funded feasibility study. They will need to pursue some larger grants before applying to CTT, as the estimate for engineering is more than what CTT could provide.
- Cramerton (in Gaston County) – May apply later for construction of the River Link Greenway Extension (towards McAdenville), once they learn this fall how much funding, if any, they succeed in obtaining from the Great Trails State grant program.
- Friends of Lake Norman State Park (in Iredell County) – Interested in finding funds for a greenway through Lake Norman State Park, which would provide off-road segment in that segment of the Thread Trail.
- Great Falls – Inquired about funding for Phase 2. Still collecting additional details.
- Kings Mountain (in Cleveland County) – Inquired about how much funding may be available for a portion of the city's greenway loop that is proposed in their Parks and Recreation Master Plan, soon to be adopted.
- Matthews (in Mecklenburg County) – Inquired about the amount of funding available in their area.
- Rowan County – Interested in a canoe/kayak launch on High Rock Lake, which is part of the Yadkin River Blueway, but decided to hold off on applying at this time.
- Shelby (in Cleveland County) – May apply soon for either construction of Phase 2 of the Carolina Harmony Trail, or for design of the pedestrian bridge over US 74, which the portion of Phase 2 that lacks engineering.

### **Matthews-Belk South Fork River Corridor (MBSFRC)**

- Spencer Mountain
  - The trail structures design is underway, and the preferred material type has been selected. Public input to assist in informing the design has been successful through community events ("Pig Pickin and Politician" Riverkeeper event, McAdenville "Jam at the Dam" and Friday "Confluence" event Cramerton) and an online survey which was completed by almost 500 people. (Staff from design contractor will be attending Board meeting to briefly present on design concepts)

- Fiberglass reinforced polymer (FRP) bridge abutment design is ongoing. The new bridge lengths are 40 ft. (Base Loop Trail) and 35 ft. (Summit Trail). Reduced fabrication costs are anticipated with the length reduction.
- Ashton continues to work with Gaston County to try to get a naming agreement signed. This agreement is vital to allowing us to offer recognition opportunities for various trail facilities on Spencer Mountain and at other sites within the MBSFRC.
- A new committee is being formed by Amy Nason and Erin Hines, Gaston County Natural Resources, to evaluate opportunities to interpret human and natural history along the trail. This committee will also be used to discuss public art opportunities as the Gaston Museum of Art & History will be involved. May Barger, CLC/CTT Board Member, is on the committee alongside Ashton.
- CTT is applying for a \$500,000 grant through the NC Great Trails State program for construction of a trail on Spencer Mountain. Application is due September 2<sup>nd</sup>.
- Additionally, Cramerton and McAdenville both plan to apply for \$500,000 each from the Great Trails State Grant for their sections of the River Link Greenway extension. We are all collaborating to assure all review parties understand the significance of this project alongside Spencer Mountain and its ties to the MBSFRC.

### **Gastonia to Crowders Mountain Feasibility Study**

- This NCDOT-funded study began last summer and the third and final steering committee meeting occurred in late June. The committee reviewed the evaluation results of numerous route alternatives to agree on a preferred alternative. The project team held a follow-up meeting in early July with the NC State Parks representatives from steering committee, to refine the approach into Crowders Mountain State Park. The report is scheduled to be completed in mid-September.

### **State Line to Fort Mill Feasibility Study**

- Study is underway with partners Lancaster and York Counties, Fort Mill. The study will examine multiple options to connect the Little Sugar Creek Greenway at the state line to destinations south in the greater Fort Mill area. Study to be completed in the fall.

Progress:

- Stakeholder meetings complete
- Comprehensive Site Visits
- 2nd steering committee meeting to be held on
- Developed and disseminated public input survey.
- Public survey response from 2500 residents
- Beginning formulation of trail alignment criteria

### **Great Falls Rail-Trail**

- Construction of Phase 1 continues. The construction, weather permitting, should be complete in mid-late September.
- Fortunately, the rain from Debby had minimal impact on the construction site.
- \$92,000 for Phase 1 which is one mile in length. This funding comes from SC Recreational Trails Program Grant.

### **Falcon Trail (Tom Webb Segment).**

- The 3-mile trail addition is now open for public use. The location is Stanly County (Misenhiemer and Richfield). This section brings the total mileage of Falcon Trail to 5.7 miles.
- The new section is named in honor of Tom Webb, past Board member and current supporter of CTT.
- Official CTT signage is going to print and will be installed in early October.
- A formal opening ceremony will take place in October in conjunction with Pfeiffer University's homecoming.

### **Overmountain Victory National Historic Trail**

- An additional approximately 2.5 miles of Thread Trail is coming to Lake Whelchel in Gaffney, SC! Canopy Trails of Georgia was selected for the project. They are expected to begin construction by September.

### **CTT Signage**

- Signage for Northwood's Ballantyne Re-Imagined Project is complete.
- Signage design for Falcon Trail (Tom Webb segment), Stanly County is underway.
- Signage Creek Water development in Indian Land is in printing phase. The developer will be installing signage in October.

### **Regional Roundtable Southeast**

- Planning is underway for a Trail Round Table focused on Union, Anson, Stanly, and Mecklenburg County partners. Anticipate event being held in early November.

### **Presentations**

- Ashton and Bret conducted a presentation to the Gaston County Police Chiefs Association in Ranlo on August 7<sup>th</sup>. In addition to providing trail information, this presentation will assist our efforts to procure the \$500K state funding request, as the Association agreed to provide a support letter for the application to illustrate commitment from agencies to conduct public safety for the project.

### **Volunteer Updates**

- Total Hours so far in 2024- 935
- 5/15- 8/14 Updates
  - Total hours- 436
  - Trail Maintenance and Invasive Species Removal hours- 209
  - Volunteers and interns have played a crucial role in maintaining the trails this summer



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**CAROLINA**  
THREAD TRAIL

Meeting: August 20 Board of Directors  
Department or Committee: Land Conservation  
Staff Contact: Amanda Byrum  
Report Date: 8/12/2024  
Agenda Item: 2.c.  
Information Item

## Land Conservation Report

**Background:** Attached is a report of all active land conservation projects, including inquiries, prospects, and projects in the pipeline.

**Financial:** Fund balances estimated as of April 2024 reconciliation are as follows. The below accounts for outstanding expenses not yet paid.

Ketner: \$914,498

McNeary: \$398,599

Yadkin Riverkeeper Settlement: \$84,753

**Attachments:** Active Projects Report

Name	Status	Counties	Property Interests	Conservation Size	Original Size	Acquisition Method	Stage	Description
Berry Property	Active	Catawba	Fee Simple	120	310	Purchase/ NCLWF	Prospect	Potential partnership with Wildlands; requesting funding from Leuthold Foundation
Bigleaf Bluff	Active	Gaston	Fee Simple	46.41	51	Purchase/ NCLWF	Pipeline	Finalizing purchase contract terms, will submit revision to NCLWF when entered into TCF resolving overlap with boundary agreement with adjoining owner; will finalize all docs for NCLWF and schedule closing once complete
Catawba Cove	Active	Gaston	Conservation Easement	557	557	Bargain Sale/ TCF	Pipeline	Family farm in Union County near Mineral Springs
Collins Rd	Active	Union	Conservation Easement	27.5	27.5	Donation	Inquiry	Working Farms Fund Project, CLC to hold CE 1-2 years into lease to own agreement and farm operation
Hasty Property	Active	Union	Conservation Easement	44.21	44.21	Donation	Pipeline	Property owners completing access easement with neighbors for driveway; closed scheduled once resolved
Holly Run	Active	Catawba	Conservation Easement	42.59	42.59	Donation	Pipeline	Wooded property in JAARS, privately owned
Mallory Property	Active	Union	Conservation Easement	16	16	Donation/NCLWF Mini	Inquiry	TCF owns property, considering options for take out with private sale most likely; CLC to hold CE
Mundy Farm	Active	Lincoln	Conservation Easement	176	176	Donation	Pipeline	Family owned farm in Catawba County; beef cattle; interested in ADFP and ACEP-ALE
Murphy Farm	Active	Catawba	Conservation Easement	47	47	Bargain Sale/ADFP, ALE	Inquiry	NFLT owns property; CLC to hold CE once portion of property to be leased established
Murray White Preserve	Active	York	Conservation Easement	154	154	Donation	Pipeline	Family farm in Mecklenburg County
Parks Brothers Property	Active	Mecklenburg	Conservation Easement, Other	68	68	BS Purchase	Prospect	Addition to Will's Woods CE, to be completed once sale of Will's Woods property to Colonial Pipeline and transfer to Mecklenburg County finalized
Paw-Paw's Place	Active	Mecklenburg	Conservation Easement	5	5	Donation	Pipeline	Portion of family farm in Union County; owner interested in donating CE, no financial capacity
Walters Mill Rd	Active	Union	Conservation Easement	57	57	Unspecified	Inquiry	Farm in Lincoln County, interested in ADFP and ACEP-ALE
Young Property	Active	Lincoln	Conservation Easement	50	50	BS Purchase	Inquiry	
				<b>1410.71</b>				



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**CAROLINA**  
THREAD TRAIL.

Meeting: August 20, 2024 Board of Directors

Department or Committee: Finance

Staff Contact: Gail Olsen

Report Date: August 12, 2024

Agenda Item: 3.

Information Item

## FINANCE REPORT

### Overview

The Finance Director has completed April reports. Bank reconciliations, revenue reconciliations, payables and payroll are up-to-date. Remaining for the last three months (May- July) are Balance Sheet and restricted reconciliations, prepaid expense entries, credit card expenses, land transactions and other unforeseen entries.

There are still other ad hoc items that need to be caught up. For instance, bank signers need to be updated for Bank of America accounts, closing the Bank of America account for Hickory Grove Rental, LLC, completing the 990 checklist, census reports, etc.

The auditors were in attendance on August 8<sup>th</sup> and remote on August 9<sup>th</sup> for the annual 2023 year end reports. Garrett Summers, CPA at Foard and Company, stated his pleasure that the information needed was put together well.

### Cash

CLC: At the end of July the cash on hand for CLC is reported at 5.9 months. However as stated previously not all of the transactions have been completed through July. The bank reconciliations have been completed, but there are transfers between CTT and other funds that will bring the cash on hand to the desired minimum of 6 months. The credit cards are paid from CLC's operating cash. The credit card payments for the months of May-July total \$25k. Part of those expenses belong to CTT. Once those are allocated to the correct home, the cash will meet the minimum 6.0 months of cash on hand.

CTT: At the end of July cash on hand is at 22 months. For the reasons stated above, the 22 months of cash on hand will be reduced minimally.



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**CAROLINA**  
THREAD TRAIL.

## **April**

CLC: There is 67% of the year remaining, at the end of April. The current revenue to budget is showing 77% to achieve. The Stewardship draw was taken earlier in the year compared to the previous years. To get an apples to apples comparison, removing the \$100k from 2024 would show revenue of \$200k. Which is greater than prior years. Most revenue is gained at the end of the year. Expenses have a favorable 4% to budget. There is 71% remaining and 67% of the year has passed. CLC's expenses have been trending upwards over the past three years.

CTT: Total operating revenue at the end of April has been trending upwards. Fundraising and investment earnings have been increasing, while the unrestricted Capital Campaign has been unwinding. With 67% of the year remaining, 75% of revenue still needs to be achieved to meet budget. As with CLC, CTT donations increase exponentially at year end. When comparing to prior years through April, CTT's total expenses are trending downwards. Expenses also are at a 6% favorable variance to budget. With 67% of year remaining and 73% of expenses remaining, CTT is in a good position to budget.

## **July**

CLC: With most of the transactions completed, an estimate through July is included. Additional estimated expenses of \$20k were added to cover the remaining entries that still need to be completed. July shows 59% of revenue to still be achieved with 42% of the year remaining. We appear to be lagging in fundraising activities. However we are ahead in investment earnings and "Other". The "Other" does contain a new grant received this year from the American Farmland Trust. We will receive this grant of \$100k over four years at \$25k each year. This was in the budget. Also in this category is the River District project that began last year and has continued in 2024. Estimates show a 6% favorable variance with expenses. With revenue a bit behind and favorable expenses, as of July the budget looks on track to meet the budgeted surplus of \$42k.

CTT: As with CLC an estimated additional \$20k was added to expenses for the transactions not completed to date. With 42% of the year remaining and 50% of revenue to achieve and 49% of expenses remaining, CTT appears to be well positioned to meet the budget. Donations and expenses both increase as the year progresses. Donations increase exponentially, where expenses increase to a lesser degree.

Attachments: Cash Position 07.31.2024, CLC Results 04.30.2024, CTT Results 04.30.2024, CLC July Estimate 07.31.2024, CTT July Estimate 07.31.2024

## Catawba Lands Conservancy - Cash

	12/31/2023	7/31/2024
<b>Operating Cash</b>		
CLC - General	692,820	619,870
CTT	1,709,839	1,632,452
CTT Investments	449,071	457,057
<b>Subtotal Operating Cash</b>	<u>2,851,730</u>	<u>2,709,380</u>
<b>Grant/Other Restricted Funds</b>		
CLC/CTT Project Funds	919,445	1,201,837
CTT Restricted Funds	2,196,941	2,124,027
CLC ST Bond Fund -Grant/Other	696,050	706,304
Land Acquisition Cash	1,054,561	1,052,106
ST Bond Fund - LA	359,184	363,578
<b>Total Restricted Funds</b>	<u>5,226,181</u>	<u>5,447,852</u>
<b>Stewardship/ Legal Endowments</b>	3,760,079	3,930,234
<b>CTT Endowment</b>	3,272,346	3,476,012
<b>Total Cash, Restricted &amp; Endowment</b>	<u><u>15,110,336</u></u>	<u><u>15,563,477</u></u>
Ave Monthly expenses *		
CLC	90,000	105,000
CTT	90,000	95,000
CLC - Months of cash on hand	7.7	5.9
CTT -Months of cash on hand	19.0	22.0

<b>CLC OPERATING RESULTS</b>					
	<b>April YTD 2022</b>	<b>April YTD 2023</b>	<b>April YTD 2024</b>	<b>Budget 2024</b>	<b>Year Remaining 67%</b>
Revenue	133,422	119,296	135,490	1,031,500	
Stew/Legal Draws	-	-	100,000	100,000	
Other	4,431	19,339	27,250	108,205	
Investment Earnings		11,948	36,813	60,000	
<b>Total Revenue</b>	<b>137,853</b>	<b>150,583</b>	<b>299,553</b>	<b>1,299,705</b>	<b>77%</b>
<b>Expenses</b>					
Staff Compensation	(218,411)	(248,804)	(253,386)	(880,741)	71%
Office/Admin	(55,186)	(67,809)	(62,077)	(235,955)	74%
Discretionary	(390)	(506)	(696)	(17,000)	96%
Outreach	(11,232)	(7,956)	(31,498)	(109,100)	71%
Operations	(6,705)	(4,648)	(14,312)	(14,605)	2%
<b>Expenses</b>	<b>(291,924)</b>	<b>(329,723)</b>	<b>(361,969)</b>	<b>(1,257,401)</b>	<b>71%</b>
<b>Net Surplus/(Deficit)</b>	<b>(154,071)</b>	<b>(179,140)</b>	<b>(62,416)</b>	<b>42,304</b>	

## CTT OPERATING RESULTS

	April YTD 2022	April YTD 2023	April YTD 2024	Budget 2024	Year Remaining 67%
Fundraising/Other	32,337	34,923	55,393	522,000	
Unrestricted CC	224,144	196,767	172,600	311,050	
Endowment Draw	0	0	0	125,000	
Inv Earnings(Loss)/Fees	(106,166)	6,089	24,835	40,000	
<b>Total Operating Revenue</b>	<b>150,315</b>	<b>237,779</b>	<b>252,828</b>	<b>998,050</b>	<b>75%</b>
Staff Compensation	(277,340)	(286,962)	(250,774)	(828,614)	70%
Office/Admin	(45,366)	(50,223)	(44,071)	(198,510)	78%
Discretionary	(276)	(372)	(693)	(17,000)	96%
Outreach	(15,937)	(12,667)	(12,275)	(80,900)	85%
Operations	(12,174)	(3,016)	(2,005)	(24,570)	92%
<b>Total Expenses</b>	<b>(351,093)</b>	<b>(353,240)</b>	<b>(309,818)</b>	<b>(1,149,594)</b>	<b>73%</b>
<b>Net Surplus/(Deficit)</b>	<b>(200,778)</b>	<b>(115,461)</b>	<b>(56,990)</b>	<b>(151,544)</b>	

## CLC ESTIMATE VS BUDGET

	July YTD 2024	Budget 2024	Year Remaining 42%
Revenue	304,483	1,031,500	
Stew/Legal Draws	100,000	100,000	
Investment Earnings	64,763	60,000	
Other	69,827	108,205	
<b>Total Revenue</b>	<b>539,073</b>	<b>1,299,705</b>	<b>59%</b>
<b>Expenses</b>			
Staff Compensation	(453,796)	(880,741)	48%
Office/Admin	(92,023)	(235,955)	61%
Discretionary	(8,949)	(17,000)	47%
Outreach	(43,635)	(109,100)	60%
Operations	(39,590)	(14,605)	-171%
Additional Expenses	(20,000)		
<b>Expenses</b>	<b>(657,993)</b>	<b>(1,257,401)</b>	<b>48%</b>
<b>Net Surplus/(Deficit)</b>	<b>(118,920)</b>	<b>42,304</b>	

### CTT ESTIMATE VS BUDGET

	July YTD 2024	Budget 2024	Year Remaining 42%
Fundraising/Other	236,411	522,000	
Unrestricted CC	217,450	311,050	
Endowment Draw	0	125,000	
Investment Earnings	49,770	40,000	
<b>Total Operating Revenue</b>	<b>503,631</b>	<b>998,050</b>	<b>50%</b>
Staff Compensation	(451,115)	(828,614)	46%
Office/Admin	(73,732)	(198,510)	63%
Discretionary	(8,876)	(17,000)	48%
Outreach	(28,682)	(80,900)	65%
Operations	(4,031)	(24,570)	84%
Additional Expenses	(20,000)		
<b>Total Expenses</b>	<b>(586,436)</b>	<b>(1,149,594)</b>	<b>49%</b>
<b>Net Surplus/(Deficit)</b>	<b>(82,805)</b>	<b>(151,544)</b>	



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**LANDS CONSERVANCY**  
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**CAROLINA**  
**THREAD TRAIL.**

Meeting: August 20, 2024 Board of Directors  
 Department or Committee: Development & Marketing  
 Staff Contact: Jessica Otto  
 Report Date: August 9, 2024  
 Agenda Item: 4.  
 Information Item

## Development Report

Overall, unrestricted fundraising is slightly ahead year over year (+ about 30,000), but slightly behind what we forecast (- about \$36,000). This lag is mostly due to corporate fundraising: we wanted to have raised about \$65,000 for Pop Up Picnic by the end of July, and although we have some smaller commitments that will be paid soon, the big sponsorships have not been secured.

Fundraising from individuals has been strong. Particularly of note is giving from major donors:

	expected	actual
Spring Appeal	\$ 45,000.00	\$ 51,380.00
Gaston Run	\$ 25,000.00	\$ 30,517.00
Summer Appeal	\$ 40,000.00	\$ 38,681.00
Major Donors	\$ 146,306.00	\$ 202,021.00
Total	\$ 256,306.00	\$ 322,599.00

We've had some fundraising asks for the Matthews Belk South Fork River corridor project, and have received some donations. Larger asks that we will hear back on this year include Nucor, Gaston Community Foundation, and First Gaston Foundation.

Pop Up Picnic does not yet have a major sponsor and we need to be sure to raise more money before committing to the event.

Our current forecast is for a deficit for CLC because of lack of anticipated corporate support and surplus for CTT because of continued growth in their annual fundraising.

**Attachment:** Fundraising Results through 7/31/2024

# Fundraising Results Through 7/31/2024

## Unrestricted Fundraising

CLC	7/31 actual	7/31 last year	variance
Individuals	\$183,478	\$174,266	\$9,212
Corporate	\$90,320	\$137,371	(\$47,051)
Foundation	\$3,130	\$2,200	\$930
Government	\$49,000	\$26,250	\$22,750
Sales	\$7,600	\$7,464	\$136
<b>Total</b>	<b>\$333,527</b>	<b>\$347,550</b>	<b>(\$14,023)</b>

2024 budget
\$610,000
\$277,500
\$97,500
\$46,500
\$20,000
<b>\$1,051,500</b>

CTT	7/31 actual	7/31 last year	variance
Individuals	\$122,284	\$181,154	(\$58,870)
Corporate	\$10,800	\$10,450	\$350
Foundation	\$101,070	\$0	\$101,070
Sales	\$2,257	\$536	\$1,721
<b>Total</b>	<b>\$236,411</b>	<b>\$192,140</b>	<b>\$44,271</b>

2024 budget
\$345,000
\$100,000
\$60,000
\$17,000
<b>\$522,000</b>
<b>\$1,573,500</b>

<b>CTT Unrestricted Capital campaign</b>	<b>\$217,450</b>
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<b>CLC &amp; CTT Unrestricted Total</b>	<b>\$787,389</b>
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## Restricted Fundraising

CLC Restricted	\$139,850
CTT Restricted	\$332,934
<b>Total:</b>	<b>\$472,784</b>

Number of Gifts		
	7/31/2024	7/31/2023
Individuals	769	877
Total	934	1,088
Summer Appeal		
	#	\$
2023	135	\$ 39,505.88
2024	121	\$ 68,025.84



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**CAROLINA**  
THREAD TRAIL

Meeting: August 20, 2024, Board of Directors

Department or Committee: Carolina Thread Trail Committee

Staff Contact: Jane Love

Report Date: 08/09/2024

Agenda Item: 5.a.

Action Item

## CTT Grant Application – Town of Spencer (vote)

**Background:** In June, the Carolina Thread Trail announced to partners that the grant program is now on a rolling application schedule. Subsequently staff received several inquiries from across the region. One actual application is under consideration at this meeting. The CTT Committee reviewed the application at their meeting on July 17.

### **Grant Application:**

The Town of Spencer, NC (in Rowan County) requested \$50,000 to go towards construction of the “Rocky Branch Loop Trail” project. The Town has obtained \$200,000 in private funding and plans to apply to the Great Trails State Program for \$500,000. They planned for these three sources to cover the estimated \$750,000 construction cost. The private funding plus the requested CTT funding would constitute the required match in their Great Trails State grant application, due to the NC Division of Parks and Recreation in September.

### **Project Description:**

The project would be located in part of the Stanback Educational Forest on property that Three Rivers Land Trust deeded to the Town of Spencer. See green highlighted trail segment on the attached map of the overall Stanback Forest trail system.

The proposed 1.03-mile Rocky Branch Loop Trail (RBLT) compliments a larger, existing trail network within the ~100-acre Stanback Educational Forest. The proposed trail is intended to increase use of an informal trail network that currently exists within the Stanback Forest property. Trail development will include a 6' to 8' wide stone-surface path that will traverse roughly parallel to Rocky Branch. The trail will run from South Spencer Avenue to an overlook on Grants Creek, from whence a future connector would extend to the planned blueway trailhead (canoe/kayak launch and parking) on E 7<sup>th</sup> Street. Essential construction activities will include grubbing, grading, erosion control, storm drainage improvements, small bridges, a trail map kiosk, signage and trail blazing.

### **CTT Committee Review:**



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THREAD TRAIL.

CTT staff reviewed the application and presented it to the CTT Committee at their meeting in July. Staff had concerns about the high estimated construction cost (\$750,000), for what is proposed to be an improved natural surface trail. Staff had discussed with the applicant the potential to revise the conceptual route to reduce the estimated grading cost and the idea of using different assumptions for overall cost estimating. If the Town reduced the amount they need to request from the Great Trails State Program, they would not need as much funding from CTT for the match. Staff also had asked the applicant about the potential for the private funders to increase their contributions. The applicant was interested in getting a lower cost estimate before applying to the state and is confident private funding could increase if CTT awarded less than requested.

Given the above, staff and the CTT Committee discussed an award of \$25,000 for Town of Spencer, along with the potential to advise the Town on cost-saving route revisions and additional sources for cost estimates of improve natural surface trails. The Committee's recommendation included direction for staff to assist the Town of Spencer in that way. Subsequently staff arranged for a professional trail builder to join them and Town of Spencer staff on a site visit scheduled for August 21.

**Financial:** Spencer, NC is located in Rowan County, which is one of the counties that does not have access to CTT's geographically restricted funds. Funding for projects in Spencer would come from the "General" funding that is available to the broader region. The net amount of General funding available currently for grant awards is \$78,325. If the CTT Committee's recommended \$25,000 grant to Spencer were approved, \$53,325 would remain for future awards.

**Attachments:**

Project location map for proposed Rocky Branch Loop Trail (project highlighted in green)

**Recommendation:** The CTT Committee recommends that the Board of Directors approve an implementation grant of \$25,000 for the Town of Spencer for construction of Rocky Branch Trail Loop.

**Resolved:** By majority vote of its members, the Board of Directors hereby approves an implementation grant award of \$25,000 for the Town of Spencer for construction of Rocky Branch Trail Loop.

This action is effective the 20th day of August, 2024.

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Leslie Johnson, Chair



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CAROLINA  
THREAD TRAIL

Meeting: August 20, 2024, Board of Directors

Department or Committee:

Staff Contact: Jane Love

Report Date: 08/09/2024

Agenda Item: 5.b.

Action Item

## CTT Application to Great Trails State Program – Board Resolution (vote)

**Background:** NC Division of Parks and Recreation is conducting the grant process for the Great Trails State Program, with an application deadline of September 3, 2024. The Maximum award amount is \$500,000. Numerous trail-related activities are eligible, including construction, for which the minimum request is \$300,000. Non-profits are eligible to apply, provided that the unit or units of local government where the eligible trail project will be conducted have been notified of and support the trail project.

CTT staff is preparing an application to request \$500,000 for construction of the Spencer Mountain Trail. Non-state match is required in a ratio of \$1 non-state for every \$2 state funds received. Thus the Thread Trail's matching funds would be \$250,000.

A required supplemental attachment in the application is a certification by the applicant's governing board stating that the information in the application is true and correct, that the required match will be provided within three years, and that the board approves of the application. A board resolution would demonstrate the board's approval and would be submitted with the required certification document.

**Financial:** If Carolina Thread Trail were awarded all of the requested \$500,000 from the Great Trails State Program, the organization would provide \$250,000 as matching funds, to be paid within three years of the application submittal. At the time of this report, nearly \$500,000 is available and uncommitted among the South Fork restricted funding for trail project implementation.

### **Attachments:**

- Board certification form to be included in CTT's application to Great Trails State Program
- Board resolution supporting the application and committing to provide the required matching funds



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**THREAD TRAIL.**

**Recommendation:** Staff recommends that the Board of Directors endorse and support the application to NC Division of Parks and Recreation's Great Trail State Program for Spencer Mountain Trail Construction, commit to providing the required match within the three-year timeframe, and certify that the application is true and correct.

*(Resolution is attached as separate document.)*



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**CAROLINA**  
THREAD TRAIL

## **Catawba Lands Conservancy and Carolina Thread Trail Board Resolution**

### **Application to NC Division of Parks and Recreation's Great Trails State Program for Spencer Mountain Trail Construction**

**AUGUST 20, 2024**

Whereas, Catawba Lands Conservancy and Carolina Thread Trail merged effective January 1, 2023, as a single 501(c)(3); and

Whereas, Carolina Thread Trail is recognized as a name under which Catawba Lands Conservancy may do business (DBA); and

Whereas, the Division of Parks and Recreation within the NC Department of Natural and Cultural Resources (DNCR) is conducting the Great Trails State Program grant process; and

Whereas, non-profits are eligible applicants, provided they demonstrate in a manner acceptable to DNCR that the unit or units of local government where the eligible trail project will be conducted have been notified of and support the trail project; and

Whereas, the Carolina Thread Trail and Gaston County have collaborated on the future Spencer Mountain Trail's connection to Gaston County's upcoming South Fork River Corridor Trail through the county's Poston Park and thence to the river; and

Whereas, the Carolina Thread Trail and Gaston County have finalized a Letter of Intent establishing the County's intent to maintain the future Spencer Mountain Trail; and

Whereas, the Catawba Lands Conservancy will provide the required match of \$1 of non-state funds to every \$2 of state funds, within three years of submitting the application;

Now, therefore be it resolved by majority vote of the Board of Directors of Catawba Lands Conservancy and Carolina Thread Trail:

That, the Board hereby endorses and supports the application to NC Division of Parks and Recreation's Great Trails State Program for Spencer Mountain Trail Construction, commits to providing the required match within the three-year timeframe, and certifies that the application is true and correct.

This action is effective August 20, 2024.

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Leslie Johnson, Chair, on behalf of the Board of Directors



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**CAROLINA**  
THREAD TRAIL.

Meeting: August 20, 2024, Board of Directors

Department or Committee:

Staff Contact: Jane Love

Report Date: 08/09/2024

Agenda Item: 5.c.

Action Item

## CTT Application to Recreational Trails Program – Board Resolution (vote)

**Background:** The NC Trails Program within the NC Division of Parks and Recreation is conducting the grant process for the Recreational Trails Program (RTP), with an application deadline of September 6, 2024. The maximum award amount is \$100,000. Numerous trail-related activities are eligible, including construction, for which the minimum request is \$10,000. Non-profits are eligible to apply.

CTT staff is preparing an application to request \$100,000 for construction of the Spencer Mountain Trail. The RTP is a federal program administered by the states. It is a reimbursement program. An awardee covers the project cost as the expenses are incurred and periodically receives reimbursements from the state. In the end, the awardee will have contributed a non-reimbursed amount that is at least 25% of the RTP funding received.

A required supplemental attachment is documentation that the applicant's board supports the project, commits to provide the 25% match, and commits to complete the project within three years of contract execution.

**Financial:** If Carolina Thread Trail were awarded all of the requested \$100,000 from the Recreational Trails Program, the organization would provide \$25,000 as matching funds. At the time of this report, nearly \$500,000 is available and uncommitted among South Fork restricted funding for trail project implementation.

### **Attachments:**

Board resolution supporting the application and committing to provide the required matching funds and complete the project within three years of the contract date.

**Recommendation:** Staff recommends that, the Board: endorse and support the application to NC Trail Program's Recreational Trail Program for a grant towards Spencer Mountain Trail Construction; commit to match at least 25% of RTP funds received; commit to complete the



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**THREAD TRAIL.**

project within three years of the contract date; and certify that the application is true and correct.

*(Resolution is attached as a separate document.)*



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**CAROLINA**  
THREAD TRAIL

## **Catawba Lands Conservancy and Carolina Thread Trail Board Resolution**

### **Application to NC Trails Program's Recreational Trails Program for Spencer Mountain Trail Construction**

**AUGUST 20, 2024**

Whereas, Catawba Lands Conservancy and Carolina Thread Trail merged effective January 1, 2023, as a single 501(c)(3); and

Whereas, Carolina Thread Trail is recognized as a name under which Catawba Lands Conservancy may do business (DBA); and

Whereas, the NC Trails Program within the NC Division of Parks and Recreation is conducting the Recreational Trails Program (RTP) grant process; and

Whereas, non-profits are eligible applicants; and

Whereas, the Carolina Thread Trail and Gaston County have collaborated on the future Spencer Mountain Trail's connection to Gaston County's upcoming South Fork River Corridor Trail through the county's Poston Park and thence to the river; and

Whereas, the Carolina Thread Trail and Gaston County have finalized a Letter of Intent establishing the County's intent to maintain the future Spencer Mountain Trail; and

Whereas, the Catawba Lands Conservancy acknowledges that the RTP is a reimbursement program and that by the end of the project Catawba Lands Conservancy will have matched at least 25% of the RTP funds received;

Now, therefore be it resolved by majority vote of the Board of Directors of Catawba Lands Conservancy and Carolina Thread Trail:

That, the Board hereby: endorses and supports the application to NC Trail Program's Recreational Trail Program for a grant towards Spencer Mountain Trail Construction; commits to match at least 25% of RTP funds received; commits to complete the project within three years of the contract date; and certifies that the application is true and correct.

This action is effective August 20, 2024.

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Leslie Johnson, Chair, on behalf of the Board of Directors



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**CAROLINA**  
THREAD TRAIL.

Meeting: August 20, 2024, Board of Directors

Department: Carolina Thread Trail

Staff Contact: Ashton Lamb

Report Date: 08/13/2024

Agenda Item: 5.d.

Information Only – Presentation by Design Contractor, Nature Trails, LLC.

## Spencer Mountain – Trail Structure Design

**Background:** Carolina Thread Trail hired Nature Trails of Pittsboro, NC (approved by CLC/CTT Board at April 16 meeting) to perform detailed design for the various structures associated with the Spencer Mountain trail project.

**Project Description:**

The various structure components of the trail project include overlooks, rest areas, kiosks, signage, and bridge aesthetics elements. Having these ancillary facilities will create a better overall experience for the trail user and capitalizes on the opportunities afforded by having the trail on a mountain landscape – most notably a significant overlook at the top of the mountain that presents long distance views of the region.

Public input was a critical component to the design elements as this information is used to help inform how the structures can be most functional (i.e., sitting, standing, ages, duration of visit, groups vs. individuals, etc.).

The designs are approximately 90% completed. Nature Trails, LLC will provide a presentation that provides an overview of the structure design, including methodology, functionality, aesthetics, etc. It is important to have feedback from the Board to allow for any comments that will inform final deliverable.



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**CAROLINA**  
THREAD TRAIL

Meeting: August 20, 2024 Board of Directors

Department or Committee: Natural Resources Management & Stewardship (NRM&S)

Staff Contact: Sean Bloom

Report Date: August 9, 2024

Agenda Item: 6.a.

Action Item

## Zimmermann Conservation Easement Amendment

**Property:** Zimmermann Conservation Easement

**Location:** Ramah Creek Conservation Area, Mecklenburg County

**Background:** The Zimmermann Conservation Easement (CE) is a 78-acre property located in the Ramah Creek Conservation Area. It is located on McAuley Road, which the North Carolina Department of Transportation designated a Scenic Byway. McAuley Road is the last public gravel road located in Mecklenburg County. The Zimmermann CE includes a reserved right to develop three residential building envelopes.

The landowners, Price and Margaret Zimmermann, request an amendment to the CE to extinguish Building Envelope C, which is located on McAuley Rd.

When evaluating the amendment request, the staff conducted a thorough review in accordance with the organization's Policies and Procedures for assessing conservation easement amendments. The policy manual analyses conducted by the NRM&S staff is attached. The two most crucial findings of the review are as follows: first, the modification serves to enhance the conservation values of the property, and second, it does not result in any private inurement or benefits, as extinguishing the building envelope could potentially reduce the land's value.

The Natural Resources Management and Stewardship Committee reviewed and voted on the CE amendment request on August 7, 2024. The committee unanimously passed the staff recommendation for the amendment proposal.

### **Attachments:**

- Existing Exhibit B from Conservation Easement
- Proposed Exhibit B for amended Conservation Easement
- Policy manual analyses for Conservation Easement Amendments



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**CAROLINA**  
**THREAD TRAIL.**

**Recommendation:** Approve the motion made by the Natural Resources Management & Stewardship Committee to modify the Zimmermann Conservation Easement to extinguish Building Envelope C (2-acres), as depicted on Exhibit B of the easement.

**Resolved:** By majority vote of its members, the Board of Directors hereby Modify the Zimmermann Conservation Easement to extinguish Building Envelope C (2-acres), as depicted on Exhibit B of the easement.

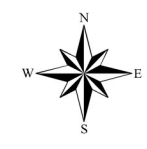
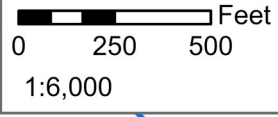
This action is effective the \_\_\_ day of \_\_\_\_\_, 2024.

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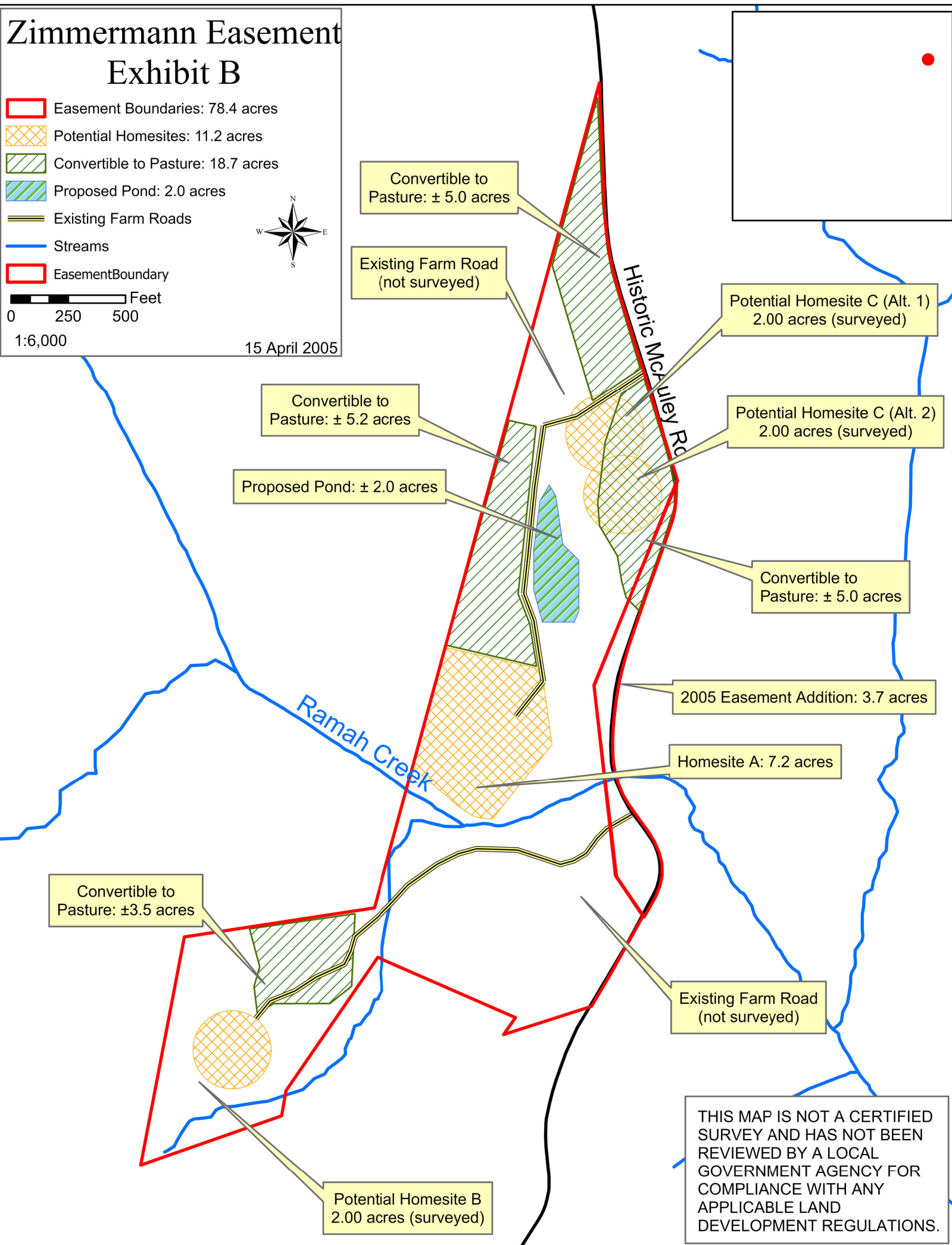
Leslie Johnson, Chair

# Zimmermann Easement Exhibit B

-  Easement Boundaries: 78.4 acres
-  Potential Homesites: 11.2 acres
-  Convertible to Pasture: 18.7 acres
-  Proposed Pond: 2.0 acres
-  Existing Farm Roads
-  Streams
-  Easement Boundary



15 April 2005



Convertible to Pasture: ± 5.0 acres

Existing Farm Road (not surveyed)

Potential Homesite C (Alt. 1)  
2.00 acres (surveyed)

Convertible to Pasture: ± 5.2 acres

Potential Homesite C (Alt. 2)  
2.00 acres (surveyed)

Proposed Pond: ± 2.0 acres

Convertible to Pasture: ± 5.0 acres

2005 Easement Addition: 3.7 acres

Homesite A: 7.2 acres

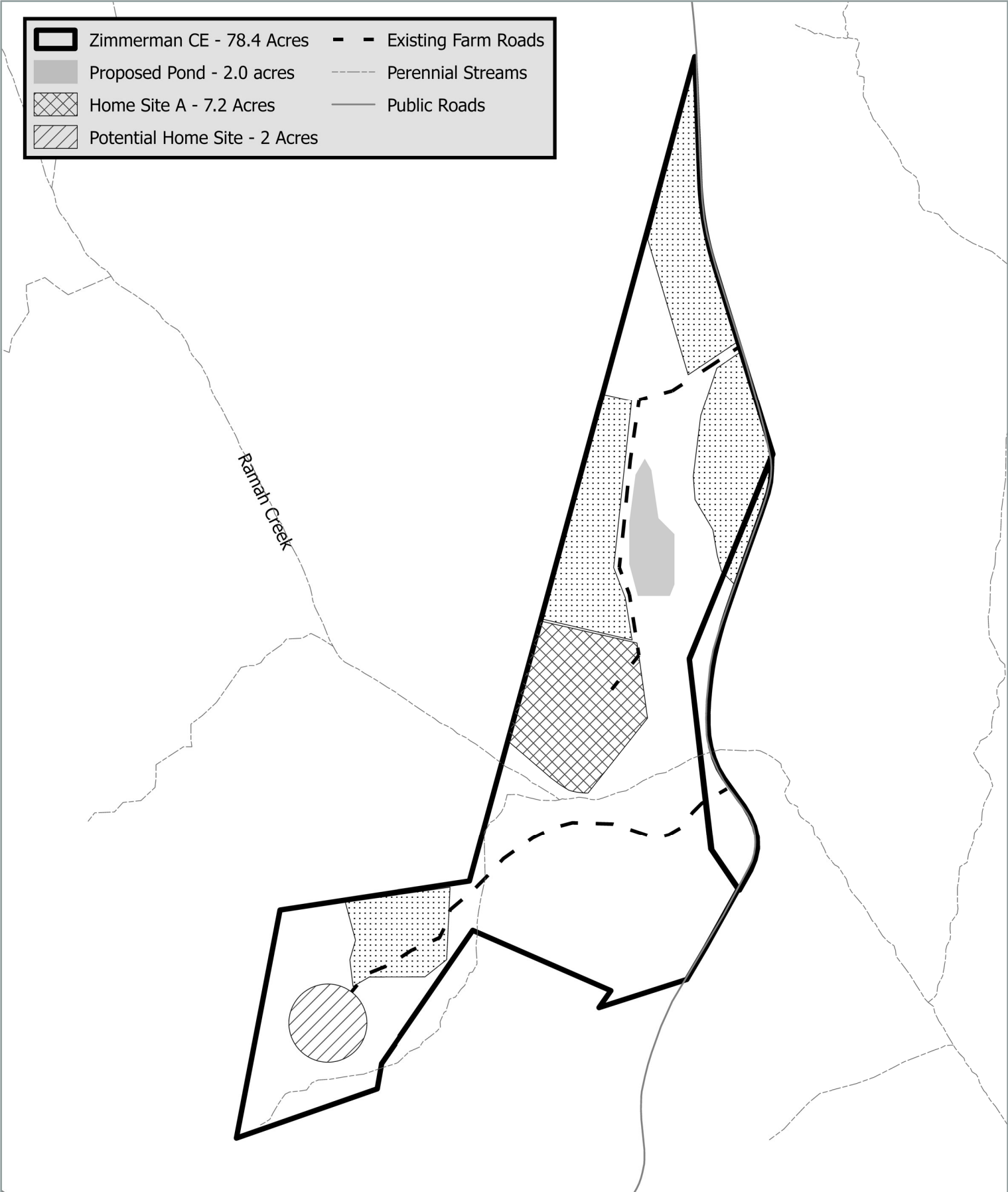
Convertible to Pasture: ±3.5 acres

Existing Farm Road (not surveyed)

Potential Homesite B  
2.00 acres (surveyed)

THIS MAP IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS.

-  Zimmerman CE - 78.4 Acres
-  Existing Farm Roads
-  Proposed Pond - 2.0 acres
-  Perennial Streams
-  Home Site A - 7.2 Acres
-  Potential Home Site - 2 Acres
-  Public Roads



# ZIMMERMANN CE AMENDMENT

Principles and Considerations		Notes
Amendment is consistent with the overall purposes of the conservation easement	Yes	
Amendment would have a positive or at a minimum a neutral impact on the property's conservation values	Yes	Positive Impact
There are feasible alternatives available to achieve the purpose	No	
It complies with funding requirements	NA	Donated Easement
Amendment is consistent with any other written expressions of the original grantor's intent	Yes	Zimmermanns are the original grantor
Co-holders or backup holders of the conservation easement approve the amendment	NA	No other holders
Amendment would increase the economic sustainability of the agricultural or forestry operations on the land	Yes	
There are any issues regarding an impermissible private benefit or private inurement	No	
Other matters the staff, the LAC, LSC, or the Board determines appropriate for the evaluation	No	





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**CAROLINA**  
THREAD TRAIL.

Meeting: August 20, 2024 Board of Directors

Department or Committee: Natural Resources Management & Stewardship

Staff Contact: Sean Bloom

Report Date: August 9, 2024

Agenda Item: 6.b.

Action Item

## Jones & Polly Pharr Conservation Easement Amendment

**Property:** Jones & Polly Pharr Conservation Easement

**Location:** Cabarrus County

**Background:** The Jones & Polly Pharr Conservation Easement (CE) is a 348-acre property located in Cabarrus County. The property is adjacent to the Pharr Family Preserve and Trail which is owned and maintained by Catawba Lands Conservancy. Ownership of the CE is split between two families, the Parkers and the Joneses. The CE contains the right to develop a "Seasonal Waterfowl Enhancement Area" (SWEA) up to 6-acres in size and located on the portion owned by the Joneses (Attachment A). The Joneses developed approximately 4-acres of the allowed SWEA.

Sampson Parker Sr. requested the ability to develop a small SWEA in 2023 and was given verbal approval. However, upon review of the Conservation Easement it was determined that the right to the SWEA only applied to the Jones's property. Mr. Parker inquired with Catawba Lands Conservancy and the Joneses about separating the SWEA right between the two owners. The Joneses agreed to relinquish 2 acres of the SWEA to the Parkers.

The Parkers would like to develop a 2-acre SWEA at the southern corner of their property (Attachment B). The proposed location is currently in row-crops. The Parkers propose to develop a 2-acre SWEA at the southern corner of their property (Attachment B), which is currently planted with row-crops. If permitted, the Parkers will construct a small berm on the area's downhill side to collect stormwater. They will continue to grow and harvest row-crops in the summer, then inundate the area in the autumn to attract waterfowl with residual crop seeds.

When evaluating the amendment request, the staff conducted a thorough review in accordance with the organization's Policies and Procedures for assessing conservation easement amendments. The policy manual analyses conducted by the NRM&S staff is attached.



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THREAD TRAIL.

The Natural Resources Management and Stewardship Committee reviewed and voted on the CE amendment request on August 7, 2024. The committee unanimously passed the staff recommendation for the amendment proposal.

**Attachments:**

- Existing Exhibit B from Conservation Easement
- Proposed Exhibit B for amended Conservation Easement
- Policy manual analyses for Conservation Easement Amendments

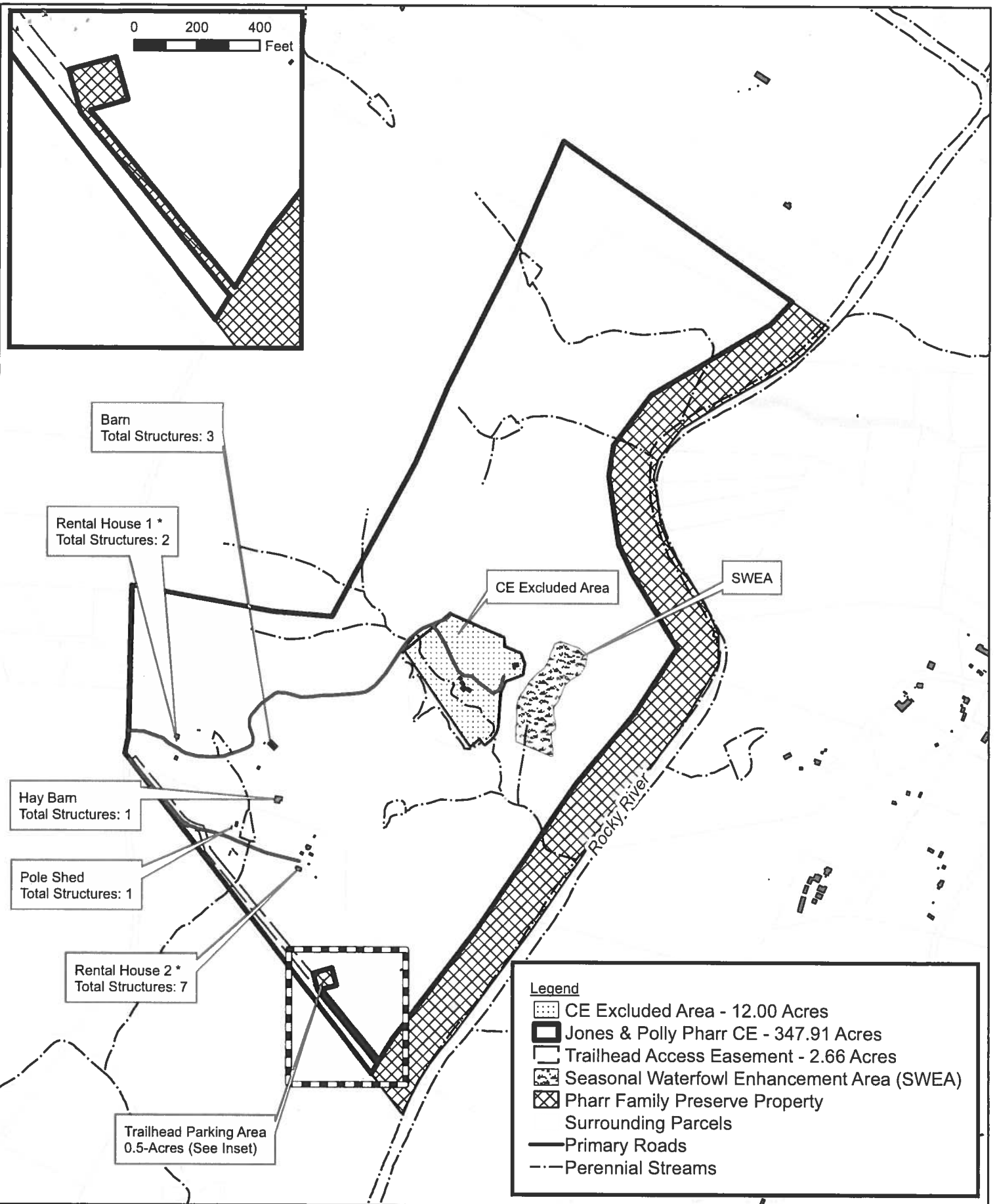
**Recommendation:** Modify the Jones and Polly Pharr Conservation Easement to break the 6-acre Seasonal Waterfowl Enhancement Area into a 4-acre area and a 2-acre area.

**Resolved:** By majority vote of its members, the Board of Directors hereby modify the Jones and Polly Pharr Conservation Easement to break the 6-acre Seasonal Waterfowl Enhancement Area into a 4-acre area and a 2-acre area.

This action is effective the \_\_\_ day of \_\_\_\_\_, 2024.

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Leslie Johnson, Chair



Path: M:\Maps\County\Cabarrus\Pharr\_Property\Easement\_Exhibits\PharrCE\_ExhibitB.mxd



105 W. MOREHEAD ST.  
CHARLOTTE, NC 28202  
OFFICE: 704-342-3330  
FAX: 704-342-3340

**Exhibit B**  
**Jones & Polly Pharr CE**  
CWMTF Project No.: 2008-007-11  
Cabarrus County

DATE: June 24, 2010

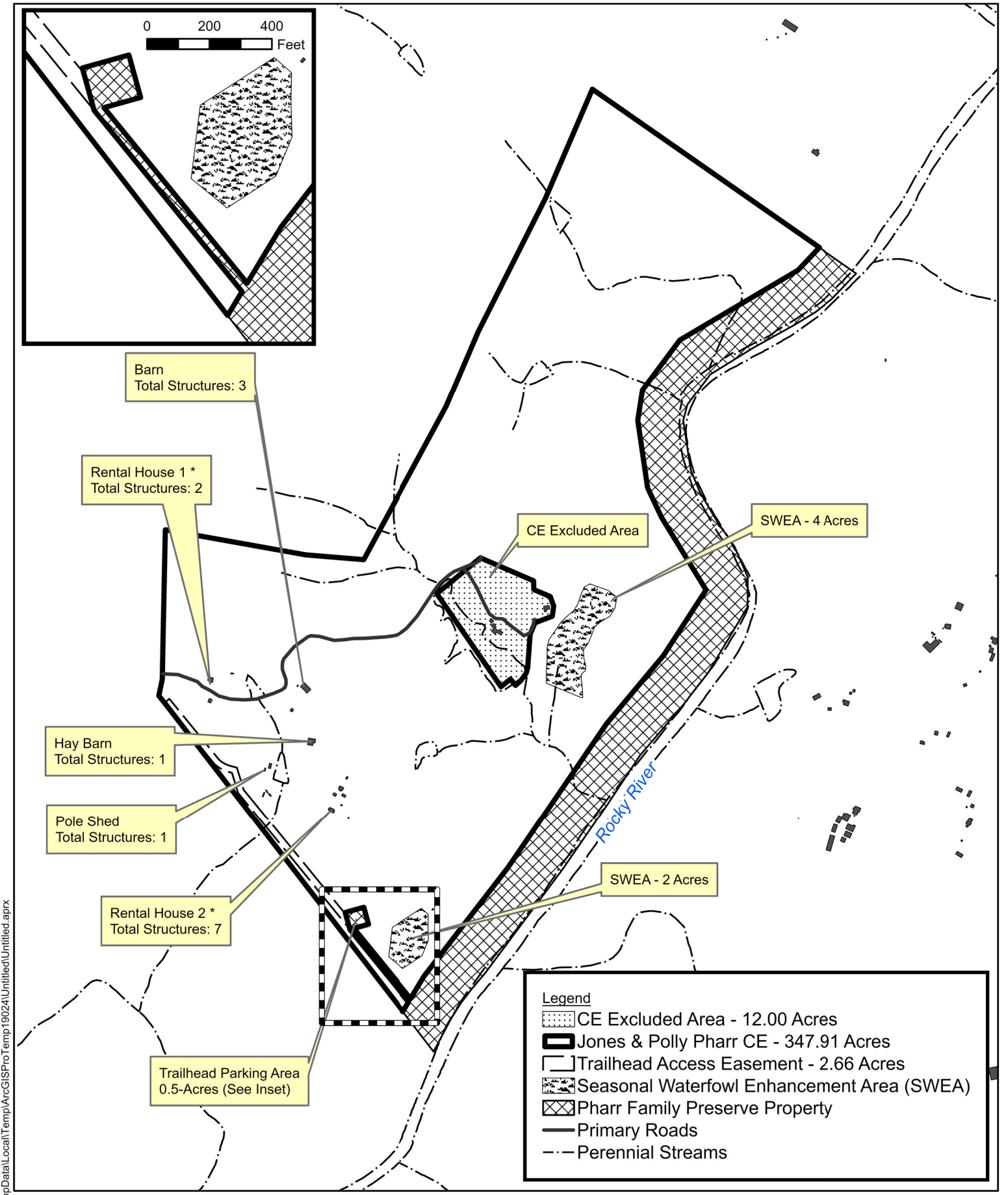
By: S. Bloom



\* See Exhibit C for additional detail on Rental Houses

SCALE IN FEET

0 1,000 2,000



Path: C:\Users\sbloom\AppData\Local\Temp\ArcGISProTemp\19024\Untitled1.aprx



**Exhibit B**  
 Jones & Polly Pharr CE  
 CWMTF Project No.: 2008-007-11  
 Cabarrus County

DATE: August 14, 2024

\* See Exhibit C for additional detail on Rental Houses

**SCALE IN FEET**

By: S. Bloom 0 1,000 2,000

# JONES AND POLLY PHARR CE AMENDMENT

Principles and Considerations		Notes
Amendment is consistent with the overall purposes of the conservation easement	Yes	Easement allows for a SWEA
Amendment would have a positive or at a minimum a neutral impact on the property's conservation values	Yes	Protects hardwood forests
There are feasible alternatives available to achieve the purpose	No	
It complies with funding requirements	Yes	Donated Easement
Amendment is consistent with any other written expressions of the original grantor's intent	Yes	Easement allows for a SWEA
Co-holders or backup holders of the conservation easement approve the amendment	NA	No other holders
Amendment would increase the economic sustainability of the agricultural or forestry operations on the land	NA	
There are any issues regarding an impermissible private benefit or private inurement	No	
Other matters the staff, the LAC, LSC, or the Board determines appropriate for the evaluation	No	





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**CAROLINA**  
THREAD TRAIL.

Meeting: August 20, 2024 Board of Directors  
Department or Committee: Executive Director  
Staff Contact: Bart Landess  
Report Date: August 13, 2024  
Agenda Item: 7.a.  
Information Item

## Thank You Interns!

We have been fortunate to have with us four wonderful interns this summer! Many thanks to:

Kate Wilken – UNCC - Marketing

Sean LaFontaine – UNCC - Stewardship

Bettye Tish – UNCC – Marketing (no photo)

Natalie Doerfler – UNCC – Levine Scholar



Kate



Sean



Natalie



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**CAROLINA**  
THREAD TRAIL.

Meeting: August 20, 2024 Board of Directors

Department or Committee: Executive Director

Staff Contact: Bart Landess

Report Date: August 13, 2024

Agenda Item: 7.b.

Information Item

## Piedmont Conservation Coalition

**Background:** Ryan Carter, Policy Manager at the Riverkeeper, arranged for the Pig Pickin' and Politicin' event in July. He is a registered lobbyist and a former staff aid for a Congressional representative. He's been effective in his advocacy work for the Riverkeeper and would like to broaden his efforts to include more environmental non-profits and a broader policy reach. He has proposed a Piedmont Conservation Coalition (see attached).

As you know, we have often been shy of advocacy efforts. However, it is also clear that the money and influence exerted by our local and state representatives can do more, and faster, for our cause than any other factor. For instance, we estimate that the local and state money flowing to our various projects will exceed \$220 million over the next five years and could be substantially more. We already are working with state legislators to attempt to get state trail designation for the South Fork Corridor running from the state line to Hickory. We also are beginning, with the help of the Government Affairs Committee, to do more education of our local municipal officials, for policy changes, for land acquisition and for monetary support.

The objective of the Piedmont Conservation Coalition is to create a large group, representing a substantial number of stakeholders, who can speak with one voice and thereby increase the opportunities for success. The attached document was sent to Yadkin Riverkeeper, Haw River, CleanAire Carolinas, Trees Charlotte, Sustain Charlotte, Carolina Raptor Center and Davidson Lands Conservancy, in addition to us and the Catawba Riverkeeper. If successful in getting started, the idea is to include the Triad and Triangle organizations. The coastal and mountain regions of NC have groups to watch after their interests and it would behoove us to do the same, if we can find the right mix.

Though generally in favor of any effort with the promise of helping us bring more funding and more awareness and good policy action, there are two potential problems that are noticeable immediately.

First is cost. We already pay \$7,000 as our share of a lobbying firm (Manning Fulton and Skinner) who works with all the land trusts in North Carolina (responsible for the reinstatement of the tax credit for land conservation in the last session of the legislature). The new effort would be broader and would



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**CAROLINA**  
**THREAD TRAIL.**

focus on municipal efforts as much as or more than state efforts. But there would be some overlap and an addition cost.

Second is the process of working with a large group to create shared priorities and a shared method of pursuing them. Not an impossible task, but often a difficult task and sometime a contentious one.

Ryan is hoping to reach a critical mass for the project before the end of August. That would be great, but it may not move so quickly. Unless we rapidly reach a consensus, I would not anticipate a vote on this matter at this meeting, but would like to begin deliberation and discussion and specify a path to reach a decision.

**Piedmont Conservation Coalition**  
**Letter of Intent – DRAFT – July 2024**

The purpose of this document is to develop an understanding amongst the environmental non-profit groups in the Piedmont region of North Carolina who have indicated that they are interested in being a part of a coalition that will advocate and lobby for the conservation of natural spaces and natural resources in the region.

**Goal of the Coalition:** To develop coordinated and collaborated advocacy and lobbying efforts for the conservation of natural spaces and natural resources in the Piedmont Region of North Carolina.

**The Challenge:**

Institutional problems require institutional changes. Systemic problems require systemic changes. In most cases, there are laws that directly impact the issues we work on and the communities we work in. While we are aware of the issues, constructing a policy solution and building out a campaign around the needed policy changes takes a tremendous amount of focused time, energy, and expertise in the political and legislative processes.

Many of our issues are interconnected. We know that what happens on land directly impacts water. We know that vegetation and green space correlates with air quality. We know that all of our issues impact the quality of life for wildlife and all current and future residents of the Piedmont region of the Carolinas.

We acknowledge that many of our organizations have a wide spectrum of support across the political spectrum. To protect the reputation of the partner organizations and this effort, we will not move on any legislation unless it has bipartisan support. This will not prevent individual coalition members from advocating specifically for their individual priorities.

Staff capacity is a major barrier to engaging in advocacy work for our organizations. Many organizations acknowledge the need to advocate and lobby for their causes but lack the staff, knowledge, and general resources to effectively engage in this work. The concept of lobbying as a stand-alone organization can also be a challenge. Our organizations have institutional knowledge and are experts in our fields; we lack the specific perspective and staff time to translate it into policy change. These institutional and systemic problems also didn't come about overnight, neither will their solutions. While it will be hard and take time, a united voice for the conservation of the natural resources and natural spaces of the Piedmont Region of the Carolinas will help advance our collective and individual goals.

## **Activities of the Coalition:**

### **At the Legislature**

- Coordinate legislative efforts at the state and regional levels to improve our environment.
- Represent collective interests before state legislators and local officials.
- Built in partnerships and coalition partners to advance holistically integrated policy priorities.
- Staff to direct engagement with elected officials at the statehouse and in local communities.
- Monitoring of relevant legislation that impacts the organizations' focus area.
- Pursuit of state appropriations for specific projects in the Piedmont region.
- Organized legislative pushes including multiple "Days at the Legislature" with varying groups.

### **In the Community**

- Coordination of bond and other ballot referendum campaigns.
- Engage and mobilize community groups around policy change efforts.
- Form local coalitions to influence key legislators.
- Host local events and gatherings for participating organizations around key policy initiatives.
- Stay connected to local and county issues affecting our coalition

### **In our Communications**

- Standardized and Coordinated Communications. To enact policy change, it is critical that all participating organizations use similar wording and speak in concert with one another.
- Regional trainings for advocates and supporters of our effort.
- Provide messaging and marketing content around legislative priorities.
- Outreach to local and regional media for earned media coverage.
- Help organizations navigate election season and organize "Get out the Vote" campaigns.

## **Structure of the Coalition:**

- The Piedmont Conservation Coalition will be a program/brand utilized by all coalition members to activate their collective statewide advocacy and lobbying efforts.
- A brand kit, website, social media, and marketing materials will be developed with the input of all coalition members, including considering other names.
- Catawba Riverkeeper will serve as the fiscal agent of the coalition, allowing donors to make tax deductible contributions to the coalition by designating "Piedmont Conservation Coalition" with their gift.
- Employees of Piedmont Conservation Coalition would be compensated and receive their benefits from Catawba Riverkeeper.
- All funds will be held in a restricted account at Catawba Riverkeeper. Detailed reports of this fund activity will be made monthly to all coalition members.
- Coalition members will develop governance documents together. (MOU, etc)

### **Commitments of the Coalition Members:**

- To actively participate in coordinated communications and calls to action.
  - o Why: the strength of this group is its combined network. Issues that are multifaceted need a multifaceted response and support base.
- To host/engage with at least one fundraiser per year.
  - o Why: This work requires money. While policy/advocacy is not for everyone, we need the support of those who value this work. We ask that each participating organization participates somehow in at least one of 4 planned fundraisers per year for this effort.
- To share data to advance legislation.
  - o Why: Each organization is an issue matter expert. Each organization has critical data that is indisputable and critical to help advance legislative change. Each organization must be willing to share, when called upon, their data.
- To host “field visits” with elected officials and candidates for office
  - o Why: Real world examples of complex issues are critical to helping our elected officials understand our work.

### **Financial Commitment of Coalition Members:**

- Coalition members agree at a minimum to contribute the lesser of \$10,000 or 1% of their annual budget to the coalition in 2025. Members understand that as the coalition grows and expected impacts grow as well, a greater annual investment may be required in subsequent years.
- Funds can be disbursed annually or quarterly as desired by the members.
- Special project and special campaign funds may require additional support and those funds will be requested on an as needed basis.
- Additional funds to support the coalition will be solicited from private donors, foundations, and other grant funds. Coalition members will be expected to support the solicitation of these funds as needed through fundraisers, letters of support, and/or grant writing time.
- Coalition members may be asked to provide “in kind” support of the coalition through the deployment of staff members around specific projects or programs.

## **Timeline:**

- July 13, 2024 – Pig Pickin’ & Politickin’ Event in McAdenville supported by several coalition members.
- Late July – LOI Draft circulated to potential coalition members
- August 31 – Deadline for commitment to coalition for 2025. Verbal commitments with board confidence needed by 8/31/24.
- September/October 2024 – formal MOU drafted along with coalition governance document. To be presented to those who committed to LOI by 10/30/24.
- Sept – Nov, 2024 – 2025 NC Legislative Long Session Planning, Coalition Brand and Marketing Materials Building, Coalition 2025 Legislative Agenda Established and Approved.
- December 15, 2024 – Signed MOUs due back to coalition.
- December 30, 2024 – 2025 coalition dues deadline (full year or first quarter payment)

## **FAQ**

**Q:** What organizational structures have you investigated?

**A:** John Searby and Ryan Carter evaluated a NEW 501c3, a NEW 501c4, and the model we are proposing, which is a coalition that has a fiscal agent (Catawba Riverkeeper). This model was chosen as it most closely resembles a similar coalition call Waterkeepers Carolina where Sound Rivers serves as the fiscal agent for all of the NC Waterkeepers working together on statewide initiatives. The new entities both created issues with both donors being able to make tax deductible donations and grant funding (501c4), and limits on lobbying efforts (501c3) that would create challenges for us to be effective.

**Q:** Is this North and South Carolina?

**A:** We are proposing that this initially is focused on North Carolina.

**Q:** What does data sharing mean?

**A:** It will be very important for us to be able to take data about the impacts being felt by the environment to make our case in Raleigh. We will be asking you to provide valuable scientific and demographic data, along with outcomes of research you have conducted as a part of your work. We WILL NOT ask you to share donor or member information with the coalition beyond encouraging you to promote our activities and opportunities to those members and donors.

**Q:** What is the proposed phasing or growth model of this coalition?

**A:** The most interested organizations initially are centered around the Charlotte metro as well as key parts of the I-85 corridor in the Triad. We believe that as other organizations hear about our approach and see our successes, there will be an opportunity for expansion and we have contemplated that in our ability to scale.

**Q:** Who is going to lead this coalition?

**A:** Ryan Carter, Policy Manager for Catawba Riverkeeper, is the only full-time, fully dedicated, registered lobbyist of the potential coalition members. By virtue of this and his experience in Raleigh, Ryan is the logical choice to be the initial Director of the Piedmont Conservation Coalition. Ryan also has a full time Davidson Impact Fellow supporting him this year at Catawba Riverkeeper in the policy and advocacy field, further lending support to the coalition efforts. Policy staffers at each organization (full time and part time) will be called upon to regularly support the coalition efforts. Additionally Executive Directors and other key staff will be asked to participate in coalition events (lobby days, fundraisers, etc).



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**CAROLINA**  
THREAD TRAIL.

Meeting: August 20, 2024 Board of Directors

Department or Committee: Executive Director

Staff Contact: Bart Landess

Report Date: August 13, 2024

Agenda Item: 7.c.

Information Item

## Organization Strategic Plan

**Background:** CLC has not updated its strategic plan since 2018 (see attached). Janet Hanson has agreed to lead an effort to create a new strategic plan. To take advantage of the skill and knowledge of our committees, they will provide recommendations to the Board, which will then be consolidated and discussed as a collective effort. The timing for the work is as follows:

August Board meeting	Introduce the concept and request committee input
Aug., Sept. and Oct.	Committee meetings
October 17 <sup>th</sup>	Half day retreat to discuss progress and plan for continued work
December Board meeting	Budget, which may impact planning
1 <sup>st</sup> quarter 2025	Committees complete work and report to Board
1 <sup>st</sup> quarter 2025	Board consolidates committee efforts, discusses final product

Attachment: Accreditation Standards

9.19.2018



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# STRATEGIC & ORGANIZATIONAL ADVANCEMENT PLAN 2018-2023

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This plan was reviewed and approved by the Board of Directors on September 19, 2018.

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Jonathan Mangels, Board Chair

## SECTION I – MISSION, VISION & STRATEGIC PRIORITIES

---

### **Mission:**

Catawba Lands Conservancy permanently protects land, water and wildlife habitat to enhance quality of life in our region for today and in the future

*"Catawba Lands Conservancy's mission is to save land and connect lives to nature."*

### **Vision for YE 2018 (and beyond):**

*Catawba Lands Conservancy will remain the region's premier land conservation organization and will:*

- Work with local communities, government agencies, and other partners to protect the most important natural resources in the region, targeting more than 20,000 acres;
- Be a consistent voice for the importance of conservation;
- Make the CLC mission understandable and relevant to a broader base by branding all activity around the "land-water-trails" connection;
- Work with partner conservation organizations (Foothills Conservancy, The Conservation Fund) to establish a sustainable funding model for conservation in the Catawba River basin;
- Have a strong, adequately endowed, and sustainable land stewardship program, capable of ensuring the permanent conservation of protected lands;
- Have a well-known and respected name in the community, and promote a conservation ethic to increase community understanding of our mission, challenges, and successes;
- Increase its support base through a combined CLC/CTT membership that exceeds 2500;
- Sustain operations and meet land protection and stewardship goals through committed corporate, individual and foundation donors, increased endowments and funds, and active planned giving;
- Have the internal capacity to support its programs, including a capable and professional staff, engaged, competent and diverse Board, and committed and rewarded volunteers; and
- Continue to successfully lead the Carolina Thread Trail, and advance conservation, support, capital, and public engagement throughout the 15-county region.

### **Strategic Priorities:**

#### *Increase Land Conservation*

- Complete highly visible/impactful projects that will inspire public support
- Advance priority land projects to maximize impact of available grant funding
- Grow capital for conservation – private & public

- Continually update land priority models
- Achieve goal of exceeding 20,000 acres in total protected land by 2023

#### *Endowment & Funds*

- Grow Stewardship, Legal Defense and Ketner Funds
- Develop capital campaigns around specific conservation projects (e.g. Jane's Bog)
- Prioritize planned giving as part of regular fundraising activity

#### *Advance the Carolina Thread Trail*

- Complete 2017 Capital Campaign by [December 2019]
- Establish regional awareness, brand identity and consistent media presence
- Acquire land and place CWMTF acquisition funding
- Capitalize on CTT/CLC synergies
- Establish sustainable membership model

#### *Grow Support Base*

- Leverage programming to expose a broader membership base to CLC/CTT mission
- Use stories about land, people and wildlife to connect with public
- Explore opportunities around "community conservation"

#### *Enhance Government Partnerships*

- Use governmental affairs committee to cultivate relationships with targeted officials
- Hold local workshops & meet with elected officials and staff
- Promote county specific strategies for land conservation
- Conduct regional Thread Trail round tables
- Advocate for public capital for conservation (CWMTF, PARTF etc) in coordination with the Land For Tomorrow coalition

#### *Internal Capacity*

- Broaden board impact by cultivating board nominees from diverse (age, race/ethnicity, geography etc...) populations that reflect the communities CLC serves
- Retain key staff and grow talent to take on responsibilities across functions as needed, to capitalize on strengths and provide career advancement opportunities
- Leverage and grow volunteer base through committees, projects and as adjunct staff resources (as appropriate)
- Continue post-graduate fellowship program through college/community partnerships

## SECTION II - LAND PROTECTION

---

***Protect the most significant natural resources in the Conservancy's six-county service area in terms of ecological diversity, water quality, farmland, and Thread Trail corridors***

### ***Objective A: Land Protection Priorities***

- Pursue projects with high conservation values and willing landowners when opportunities arise.
- Prioritize projects that are:
  - Identified in the Conservancy's strategic land acquisition maps,
  - Contiguous to one of the Conservancy's named Regional Conservation Areas, or
  - Within active Thread Trail corridors

### **Individual County Priorities**

- ***Catawba:***
  - Expand Riverbend Conservation Area
  - Explore opportunities along the free flowing section of the Catawba River
  - Source conservation opportunities in advance of development along Highway 16
- ***Gaston:***
  - Expand Spencer Mountain and Stanley Creek Conservation Areas
  - Complete South Fork Trail from Cramerton to Spencer Mountain
- ***Iredell:***
  - Explore conservation opportunities around Lake Norman
- ***Lincoln:***
  - Expand Riverbend, Historic Rhyne and Forney Creek Conservation Areas
  - Connect South Fork Rail Trail to Marcia Cloninger Greenway in Lincolnton
  - Complete Forney Creek Trail from Highway 73 to Rock Springs Park
  - Source conservation opportunities in advance of development along Highway 16
- ***Mecklenburg:***
  - Expand Ramah Creek Conservation Area
  - Focus on conservation projects in the few remaining undeveloped portions of the county (e.g. River District, Whitewater Center)
  - Consider non-traditional, urban conservation in partnership with municipal and county entities (e.g., TCPP, Trees Charlotte, Lakewood CSA) to stay relevant in urban core
  
- ***Union:***
  - Focus on Waxhaw Creek area

- Source conservation opportunities in advance of development along the Monroe Bypass and Highway 218

**Objective B: Urban Conservation**

- Consider waiving certain project selection criteria for urban projects that advance the CLC mission
- Partner with municipalities, county and compatible organizations
- Look for impactful projects that will improve the community and keep the Conservancy relevant in urban areas

**Objective C: Build and Maintain Community Stakeholder Relationships**

- Establish and maintain good working relationships with community stakeholders (e.g., local governments, extension offices, agricultural groups, media etc.) in each of the six counties
- Regularly meet with and share conservation priority information and impact stories
- Leverage relationships for leads on conservation opportunities

**Objective D: Restorative Conservation**

- Pursue restorative conservation projects, including mitigation and restoration projects to improve habitat and water features on properties owned by the Conservancy

**Objective E: Leverage Land Assets to Generate Revenue**

- Where appropriate and when the Conservancy's land protection goals will be maintained, sell fee owned properties
- Explore lease opportunities

**Objective F: Anticipate Areas of Growth**

- Prioritize conservation opportunities in areas of expected growth and development so a conservation ethos is embedded in the communities as they develop

## SECTION III - LAND STEWARDSHIP

---

***Ensure the long-term ecological integrity and public benefit of all lands protected by the Conservancy to enhance the quality of life of our region's citizens***

***Objective A: Conservation Easement Management***

- Ensure adequate and perpetual monitoring and defense of conservation easement lands through:
  - Thoughtful easement drafting that produces manageable and enforceable easements
  - Monitoring, reporting and intentional record(s) management consistent with Land Trust Alliance directives, Conservancy and third party policies

***Objective B: Conservancy Preserves***

- Ensure perpetual management and defense of Conservancy fee-owned lands (preserves)
- Provide optimal level of public access to Conservancy fee-owned lands (preserves) through the Carolina Thread Trail, partnership opportunities, and other programs/opportunities that connect people to Conservancy lands

***Objective C: Ensure that adequate funding and resources are available for long-term land stewardship by constantly evaluating the management of and policies related to the Land Stewardship Fund***

***Objective D: Strengthen land stewardship program efficiency by evaluating current technologies/trends and investing as appropriate***

***Objective E: Periodically review land stewardship policies and procedures to ensure they incorporate the most most current guidance from the Land Trust Alliance, the at-large conservation focused legal community and the current organizational strategic priorities and constraints***

***Objective F: Maintain Carolina Thread Trail segments on Conservancy preserves in a manner that provides for public safety, protects the conservation values and reflects well on the organization***

## SECTION IV – CAROLINA THREAD TRAIL

---

**Advance the Carolina Thread Trail such that all 15 counties are engaged, key segments are completed and the Brand is established as part of the regional identity**

**Objective A:** *Work with community partners to complete an additional 30 miles of trail by end-of-year 2019*

- Focus trail advancements in key corridors:
  - North-South Spine
    - Catawba River Trail
    - Harrisburg to Davidson
    - Cross-Charlotte Trail and State Line Connector
    - Great Falls Rail Trail
  - Overmountain Victory National Historic Trail
  - South Fork River Corridor (Cramerton to Spencer Mountain)
  - Seven Oaks Preserve Trail (North Extension)
  - Pharr Family (Kucera and Vanderburg)
  - Kings Mountain Gateway Trail to Boulder Access Connection
  - Lincolnton Rail Trail
  - Forney Creek Trail (Rock Springs Park to Little Egypt)
  - Richardson Greenway Expansion
  - Cleveland County Rail Trail (land acquisition)
  - Richfield to New London Connection
  - Buffalo Creek Preserve to Mount Pleasant

**Objective B:** *Update County Master Plans by 2019*

- Use regional roundtables as the main venue for identifying potential Master Plan amendments
- Continue to monitor community needs for additional potential amendments

**Objective C:** *Trail Forum*

- Continue to host the region's largest and most impactful trail advocacy/education event

**Objective D:** *Leadership and Engagement*

- Develop succession plan for Governing Board and long term strategy for governance structure
- Continue an active volunteer engagement program

## SECTION V – DEVELOPMENT

---

### ***Effectively and efficiently raise the capital necessary for a strong and sustainable Conservancy***

***Objective A: Steward and grow individual combined CLC/CTT donor base to 2,500 (with a focus on next generation and donors outside Mecklenburg County)***

- Explore purchasing lists or other strategic partnerships to appeal to new donors
- Pursue an annual membership drive
- Cultivate “grass-roots” donors at \$25-\$50 levels
- Utilize board and small cultivation events to develop relationships
- Focus on retention through events, programs and on-going communication and surveys
- Work with Program Coordinator to convert program attendees into donors

***Objective B: Increase average gift size from existing donors and/or encourage donors to give multiple times a year***

- Encourage more cross-over giving between CLC and CTT donors
- Upsell annual donors by encouraging an increase in support (as opposed to renewal requests at existing levels)
- Identify donors who could become Catawba Society members
- Develop 1 to 2 targeted needs-based campaigns throughout the year
- Capitalize on holidays and giving times, ie: Earth Day, Mother's Day, Christmas, Hannukah etc

***Objective C: Continue to explore and leverage corporate sponsorship to underwrite events***

- Explore forming new development committee to pursue annual corporate sponsors

***Objective D: Expand grant and foundation support***

- Establish process to continually research and apply for new grant opportunities
- Explore the establishment of an on-going relationship with a contract grant writer

***Objective E: Promote a comprehensive planned giving program***

- Develop targeted list and set up meetings with prospects
- Cultivate “donor spokesperson” to advocate for planned giving in meetings and marketing materials

---

**Grow brand awareness and support through marketing strategies that advance our mission by engaging and expanding diverse audiences**

**Objective A:** *Maintain the consistency and integrity of the brand*

- Maintain a consistent message, design and voice in all collateral pieces
- Follow brand standard guide
- Emphasize the "land-water-trails" connection in all materials
- Create, update and follow an annual marketing plan based on yearly goals and measures of success

**Objective B:** *Create and distribute materials that clearly promote and represent the Conservancy's mission and goals*

- Distribute three newsletters, including one annual report, each year
- Create and distribute a monthly enews letter to subscribers
- Ensure that brochures, fact sheets and other collateral pieces are up-to-date
- Maintain an online presence through effective social media marketing, web updates and blog posts

**Objective C:** *Engage a wide audience and increase public awareness through various media outlets and platforms*

- Create and maintain relationships with media contacts and investigate ways to grow relationships with additional media
- Create and distribute media releases, pitch stories and track media hits
- Explore and utilize paid media outlets for additional advertising to increase awareness and support for the mission and brand

**Objective D:** *Research to understand trends/opportunities for engaging diverse members and test messaging strength*

- Primary Research – member survey, market (non-member) survey
- Secondary Research – charitable giving, land trusts/conservation organizations

**Objective E:** *Consistently message (through E-blast and other mediums) to educate on public policy issues related to land conservation, water quality and trails*

## SECTION VII – PROGRAMMING & OUTREACH

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***Provide programs that expose all segments of the public to the CLC/CTT mission***

***Objective A: Utilize conserved properties and segments of the Carolina Thread Trail to educate and engage the public***

- Host hikes, bike rides, nature education and paddling trips that allow individuals to experience the organization's impact
- Partner with local organizations to promote various aspects of getting outside, and educate on the importance of open spaces through access to CLC properties
- Encourage participants to become donors

***Objective B: Support and grow mutually beneficial partnerships throughout community.***

- Partner with companies in the community for events and hikes

***Objective C: Build community, government and legislative awareness of, and support for, land conservation***

- Partner with Land Acquisition and Stewardship teams to host local government workshops
- In partnership with the Land Acquisition and Stewardship teams, work through the Land For Tomorrow Legislative agenda or independently to promote policy that supports conservation
- Leverage speaking engagements with professional and service organizations, clubs and schools to continue engaging and educating members of the community

## SECTION VIII – BOARDS & COMMITTEES

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**Ensure a functional Board of Directors and committee structure to meet the goals and objectives outlined in this plan**

**Objective A:** Encourage all Board members to experience the land at least once a year

**Objective B:** Maintain 100% board participation in annual financial support

**Objective C:** Maintain active and effective board development function via committee

**Objective D:** Establish Governmental Affairs Committee

**Objective E:** Develop leadership succession plan for each committee

**Objective F:** Use annual Board retreat to address long-term strategic priorities

**Objective G:** Have Past Presidents meeting annually for counsel and connectivity

## SECTION IX – ORGANIZATION & OPERATIONS

---

**Ensure the organizational capacity necessary for the Conservancy to meet its goals and objectives**

**Objective A:** *Maintain operating standards for processes and documentation established by the the Land Trust Association Accreditation process*

**Objective B:** *Develop the staff to ensure excellence and the highest level of professionalism and efficiency in implementing the Conservancy's programs*

- Continue to hire talented staff members and invest further in professional development
- Continue focus on individual work plans and goal setting, 360 reviews, annual performance reviews, professional development objectives, and fee for services opportunities
- Develop creative talent retention strategies longer-term
- Conduct compensation audit annually or as needed

LAND TRUST




# Standards and Practices

Ethical and Technical Guidelines for the  
Responsible Operation of a Land Trust

## Introduction

*Land Trust Standards and Practices* are the ethical and technical guidelines for the responsible operation of a land trust. The Land Trust Alliance drafted the first Standards in 1989 at the urging of land trusts and to affirm certain best practices as the surest way to secure lasting conservation. To maintain the land trust community's strength, credibility and effectiveness, the Standards were updated in 1993, 2001 and 2004. In preparing this 2017 update, an advisory team, comprised of land trust professionals from across the country, reviewed and discussed more than 1,600 comments from conservationists throughout the United States. These many voices were an invaluable asset throughout the revision process.

While this document is a publication of the Land Trust Alliance, the Standards are a collective product of the land trust community. The advisory team was as diverse in perspective as the comments the team reviewed. Unanimity was not necessarily achieved on each standard or practice, but this document reflects the expressed values and recommendations of the overall land trust community.

The nation's more than 1,300 nonprofit land trusts have conserved 56 million acres of wildlife habitat, farms, ranches, forests, watersheds, recreation areas and other open spaces as of 2015. The continued success of land trusts depends on public confidence in—and support of—our community as we build conservation programs that stand the test of time. It is, therefore, every land trust's responsibility to uphold this public confidence and ensure the permanence of its conservation efforts. Implementing the Standards positions a land trust to achieve these goals and, if it so wishes, to seek insurance through Terrafirma and pursue accreditation through the Land Trust Accreditation Commission. (Accreditation indicator elements are marked with . Terrafirma enrollment prerequisites are denoted with . Elements for both are represented with .)

Each member of the Land Trust Alliance must adopt the Standards as guiding principles for its operations, pledging a commitment to uphold the public confidence and the credibility of the land trust community as a whole. (See the board adoption resolution on page 2.) It is important to note that while the Standards are thorough, they are not exhaustive. There will be times when the Standards do not make clear a land trust's best path forward. In these moments, the land trust's board should exercise its best judgment as informed by the spirit of these Standards.

Land trusts are a respected and integral part of our nation's land conservation work. Together, we must support our peers and hold ourselves to the highest standards as we continue to conserve the places we need and love.

## Board Adoption Resolution

The Land Trust Alliance requires that all land trust members adopt *Land Trust Standards and Practices* as their guiding principles. Some public or private funders also ask for such a statement. Here is the board resolution.

**WHEREAS** the [land trust] has renewed *Land Trust Standards and Practices* ("the Standards"), first published by the Land Trust Alliance in 1989, and with the most recent revision effective February 3, 2017; and

**WHEREAS** the [land trust] agrees that the Standards are the ethical and technical guidelines for the responsible operation of a land trust;

**NOW, THEREFORE, BE IT RESOLVED THAT** the Board of Directors of the [land trust] hereby adopts and commits to implementing the Standards as guidelines for the organization's operations.


\_\_\_\_\_ board meeting date when approved

## STANDARD 1 Ethics, Mission and Community Engagement

Land trusts maintain high ethical standards and have a mission committed to conservation, community service and public benefit.

### PRACTICES

#### A. Ethics

1. Adopt a written code of ethics and/or values statement and adhere to it in implementing the land trust's mission, in its governance and in its operations
2. Adopt a written whistleblower policy that protects individuals who come forward with information on  legal practices or unethical behavior
3. Do not knowingly participate in transactions that are potentially fraudulent or abusive

#### B. Mission, Planning and Evaluation

1. Adopt a mission that advances conservation and serves the public interest
2. Establish strategic goals for implementing the mission, and then review and update them, as needed, at least once every five years
  - a. Revisit the mission during the strategic review to confirm it is relevant
3. Review programs and activities at least annually to ensure they are advancing the strategic goals and make adjustments, as appropriate

#### C. Community Engagement

1. Develop an inclusive, welcoming organizational culture that respects diversity
2. Seek to engage people who are broadly representative of the community in which the land trust works and foster opportunities to connect them with the land
3. Develop an understanding of the land trust's community and communicate the land trust's work, services and impact in a manner that resonates with and engages that community
4. Build relationships with community leaders and other stakeholders in the land trust's community

## STANDARD 2

# Compliance with Laws

Land trusts fulfill their legal requirements as nonprofit tax-exempt organizations and comply with all laws.

### PRACTICES

#### A. Compliance with Laws

- 1. Do not knowingly conduct operations in violation of law

#### B. Nonprofit Incorporation and Bylaws

- 1. Incorporate or organize according to the requirements of state law and maintain legal status
- 2. Operate in accordance with established bylaws
- 3. Review the bylaws at least once every five years to ensure consistency with current operations, the articles of incorporation and state law

#### C. Federal Tax Exemption

- 1. Maintain status as a tax-exempt organization under section 501(c)(3) of the Internal Revenue Code (IRC)
  - a. File a complete and accurate annual information return (Form 990 or equivalent) with the Internal Revenue Service (IRS)
  - b. Do not knowingly engage in prohibited activities, such as private inurement or impermissible private benefit
  - c. Comply with federal lobbying limitations and reporting requirements
  - d. Do not engage in political campaigns on behalf of or in opposition to any candidate for public office

Accreditation indicator element | Terrestrial enrollment prerequisite | Required for both

4 - Land Trust Standards and Practices - Standard 2: Compliance with Laws

## STANDARD 3

# Board Accountability

Land trust boards act ethically in conducting the affairs of the organization and carry out their legal and financial responsibilities as required by law.

### PRACTICES

#### A. Board Responsibility

- Individual board members are informed of and understand their role and their responsibilities as nonprofit board members, including their legal and fiduciary duties
- The board provides oversight of the land trust's finances and operations by:
  - a. Reviewing and approving an annual budget
  - b. Working to ensure that sufficient financial resources are available
  - c. Receiving and reviewing financial reports and statements in a form and with a frequency appropriate for the scale of the land trust's financial activity
  - d. Reviewing the externally prepared financial audit, review or compilation
- Adopting written policies or procedures for the responsible and prudent investment, management and use of financial assets
- The board hires, oversees and evaluates, at least annually, the performance of any executive director (or chief staff person)
- The board may delegate decision-making and management functions to committees, provided that committees have clearly defined roles and report to the board or staff

#### B. Board Composition and Structure

- 1. Have a board of sufficient size, skills, backgrounds and experiences to conduct its work effectively
- 2. Have a board substantially composed of independent members to reduce risk arising from conflicts of interest
- 3. Have a board development process that includes procedures for recruiting and training board members
- 4. Ensure the board's presiding officer and treasurer are not the same individual
- 5. If a staff member serves on the board, clearly define the staff role and limit the board member role accordingly to ensure separation of duties and avoid undue influence
  - a. No staff member serves as the board's presiding officer or treasurer

Accreditation indicator element | Terrestrial enrollment prerequisite | Required for both

5 - Land Trust Standards and Practices - Standard 3: Board Accountability

### C. Board Governance

1. Provide board members with written expectations for their service on the board
2. The board meets a minimum of three times per year and maintains adopted minutes of each meeting
3. Provide board members with sufficient and timely informational materials prior to each meeting to make informed decisions
4. Board members evaluate their performance annually as a group and as individuals at least once every three years
5. Adopt procedures for removing board members who are not fulfilling their responsibilities
6. Have governing documents that contain policies and procedures (such as provisions for a quorum and adequate meeting notices) to encourage broad participation and to prevent a minority of board members from acting for the land trust without proper delegation of authority

### D. Board Approval of Transactions

1. The board reviews and approves every land and conservation easement transaction
  - a. However, the board may delegate decision-making authority on transactions if:
    - i. It establishes written policies or has bylaws provisions that define the limits to the authority given to the delegated entity
    - ii. The delegated entity provides timely notification in writing to the full board of any completed transactions

## STANDARD 4

# Conflicts of Interest

Land trusts have policies and procedures to avoid or manage real or perceived conflicts of interest.

### PRACTICES

#### A. Dealing with Conflicts of Interest

1. Adopt a written conflict of interest policy that addresses, for all insiders, how conflicts are identified and avoided or managed
2. Document the disclosure and management of actual and potential conflicts
3. When engaging in any transaction with an insider:
  - a. Follow the conflict of interest policy
  - b. Contemporaneously document that there is no private inurement

#### B. Payments to Board Members

1. Do not financially compensate board members for board service, except for reimbursement of expenses
2. If, in limited circumstances, the land trust compensates a board member for professional services that would otherwise be contracted out:
  - a. Document the circumstances surrounding the decision to do so
  - b. Document how the land trust uses appropriate comparability data to determine the amount to be paid and to confirm that there is no private inurement
  - c. Do not compensate the board's presiding officer or treasurer for professional services
3. Do not provide loans to directors, officers or trustees

#### C. Land and Conservation Easement Transactions with Insiders

1. When engaging in land and conservation easement transactions with insiders,
  - a. Follow all transaction policies and procedures
  - b. For purchases from and sales of property to insiders, obtain an independent appraisal by a qualified appraiser to justify the purchase or sales price

## STANDARD 5 Fundraising

Land trusts conduct fundraising activities in a lawful, ethical and responsible manner.

### PRACTICES

#### A. Legal and Ethical Practices

1. Conduct an analysis of state charitable solicitation laws and register where the land trust determines it is appropriate
2. Do not compensate internal or external fundraisers based on a commission or a percentage of the amount raised

#### B. Accountability to Donors

1. Provide accurate solicitation materials and other communications to donors and the public
2. Provide timely written acknowledgment of all gifts, including land and conservation easements, in keeping with IRS charitable contribution substantiation requirements
3. Maintain financial and other systems to document and comply with any donor restrictions on gifts
4. Have a written policy or procedure to ensure donor privacy concerns are honored

#### C. Fundraising Plan

1. Develop and implement a fundraising plan or program appropriate to the land trust's size and scope to secure adequate support for its activities

#### D. Non-conservation Real Property for Resale

1. When acquiring non-conservation real property with the intent of selling it to advance the land trust's mission,
  - a. Obtain a written acknowledgement from any donor of the land trust's intent to sell before accepting the property
  - b. Follow applicable transaction policies and procedures
  - c. Maintain the property while in the land trust's ownership in a manner that retains the land trust's public credibility, manages community expectations and minimizes risk

Accreditation indicator element | Terrafirma enrollment prerequisite | Required for both

8 Land Trust Standards and Practices Standard 5: Fundraising

## STANDARD 6 Financial Oversight

Land trusts are responsible and accountable for how they manage their finances and assets.

### PRACTICES

#### A. Fiscal Health

1. Develop an annual budget that reflects the land trust's annual programs and activities
2. Develop and implement a strategy to address any deficit-spending trends
3. Assess the nature and variability of revenue and seek to diversify funding sources
4. Build and maintain sufficient operating reserves to sustain operations
5. Build and maintain dedicated or restricted funds sufficient to cover the long-term costs of stewarding and defending the land trust's land and conservation easements
  - a. If funds are insufficient, adopt a plan to secure these funds and a policy committing the funds to this purpose

#### B. Financial Records

1. Keep financial records in accordance with Generally Accepted Accounting Principles (GAAP) or Other Comprehensive Basis of Accounting (OCBOA)

#### C. External Financial Evaluation

1. Obtain an annual financial audit, review or compilation by an independent certified public accountant or a qualified accounting professional, in a manner appropriate for the scale of the land trust

#### D. Written Internal Controls

1. Establish written internal controls and accounting procedures, including segregation of duties, in a form appropriate for the scale of the land trust, to prevent the misuse or loss of funds

#### E. Risk Management and Insurance

1. Routinely assess and manage risks so that they do not jeopardize the land trust's financial health and its ability to carry out its mission and legal responsibilities
2. Carry general liability (GL), directors and officers liability, property and other insurance, all as appropriate to the land trust's risk exposure or as required by law

Accreditation indicator element | Terrafirma enrollment prerequisite | Required for both

9 Land Trust Standards and Practices Standard 6: Financial Oversight

## STANDARD 7

# Human Resources

Land trusts have sufficient skilled personnel to carry out their programs, whether volunteers, staff and/or consultants/contractors.

### PRACTICES

#### A. Capacity

1. Periodically evaluate whether the land trust has sufficient volunteers, staff and/or consultants/contractors to achieve its strategic goals and carry out its programs, and then add capacity as needed

#### B. Volunteers

1. Provide volunteers with training, supervision and recognition

#### C. Consultants or Contractors

1. Clearly define relationships with consultants or contractors, ensure they are consistent with federal and state law and document them in a written contract, as appropriate

#### D. Transition Planning

1. Develop a written process or plan to provide for continuity in the leadership and management of the land trust's functions

#### E. Staff

1. Have a written job description for each staff member and conduct periodic performance reviews
2. Document the lines of authority, communication and responsibility between board and staff
3. Ensure staff have appropriate training and experience for their responsibilities and/or opportunities to gain the necessary knowledge and skills
4. Adopt written personnel policies that conform to federal and state law
5. Provide fair and equitable compensation and benefits

● Accreditation indicator element | ■ Terminus enrollment prerequisite | ▲ Required for both

10 - Land Trust Standards and Practices - Standard 7: Human Resources

## STANDARD 8

# Evaluating and Selecting Conservation Projects

Land trusts carefully evaluate and select their conservation projects.

### PRACTICES

#### A. Strategic Conservation Planning

1. Identify specific conservation priorities consistent with the land trust's mission and goals

#### B. Project Selection Criteria and Public Benefit

1. Develop and implement a written process to select land and conservation easement projects
- 2. Develop and apply written project-selection criteria that are consistent with the land trust's conservation priorities
3. Document the public benefit of every land and conservation easement project

#### C. Project Evaluation

- 1. Visually inspect properties before buying or accepting donations of conservation land or conservation easements to determine and document whether:
  - a. There are important conservation values on the property
  - b. The project meets the land trust's project-selection criteria
2. Evaluate potential threats to the conservation values on the property and structure the project to best protect those conservation values
3. Evaluate any current or potential risks associated with the project, including to the land trust's reputation or to the land trust community, and modify or decline the project if the risks outweigh the benefits

● Accreditation indicator element | ■ Terminus enrollment prerequisite | ▲ Required for both

11 - Land Trust Standards and Practices - Standard 8: Evaluating and Selecting Conservation Projects

## STANDARD 9

# Ensuring Sound Transactions

Land trusts work diligently to see that every land and conservation easement transaction is legally, ethically and technically sound.

### PRACTICES

#### A. Legal Review and Technical Expertise

1. Obtain a legal review of every land and conservation easement transaction, appropriate to its complexity, by an attorney experienced in real estate law
2. As dictated by the project, secure appropriate technical expertise, such as in financial, real estate, tax, scientific and land and water management matters

#### B. Legal and Financial Advice

1. Do not give individualized legal, financial or tax advice when providing transaction-related information
2. Recommend in writing that each party to a land or conservation easement transaction obtain independent legal, financial and tax advice

#### C. Environmental Due Diligence

1. For every land and conservation easement transaction, conduct or obtain a preliminary environmental investigation, transaction screen or Phase I assessment to identify whether there are any conditions that pose environmental risks, and take steps to address any significant concerns

#### D. Determining Property Boundaries

1. Determine both the legal description and physical boundaries of each property or conservation easement
2. If a conservation easement contains restrictions or permitted rights that are specific to certain zones or areas within the property, include the locations of these areas in the easement document so that they can be identified in the field

#### D. Project Planning

1. Individually plan all land and conservation easement projects so that
  - a. The land trust identifies the best available conservation strategy for the property
  - b. The property's important conservation values are protected
  - c. The project furthers the land trust's mission and goals
2. Assess the stewardship implications of each project and the land trust's capacity to meet those obligations

#### E. Partnership Documentation

1. When engaging in a partnership on a joint acquisition or long-term stewardship project or when co-holding conservation easements, create written agreements to clarify:
  - a. The goals of the project
  - b. The roles and responsibilities of each party
  - c. Legal and financial arrangements
  - d. Communications to the public and between parties

#### E. Conservation Easement Drafting

- 1. For every conservation easement:
  - a. Individually tailor it to the specific property
  - b. Identify the conservation values being protected
  - c. Allow only uses and permitted rights that are not inconsistent with the conservation purposes and that will not significantly impair the protected conservation values
  - d. Avoid restrictions and permitted rights that the land trust cannot monitor and enforce
  - e. Include all necessary and appropriate provisions to ensure it is legally enforceable
- 2. Review, on the land trust's own behalf, each potentially tax-deductible conservation easement for consistency with the Treasury Department regulations (U.S.C. §170A-14), especially the conservation purposes test of IRC §170(h)

#### F. Title Investigation and Recording

- 1. Prior to closing and preferably early in the process, have a title company or attorney investigate title for each property or conservation easement the land trust intends to acquire
  - a. Update the title at or just prior to closing
- 2. Evaluate the title exceptions and document how the land trust addressed mortgages, liens, severed mineral rights and other encumbrances prior to closing so that they will not result in extinguishment of the conservation easement or significantly undermine the property's important conservation values
- 3. Promptly record land and conservation easement transaction documents at the appropriate records office

#### G. Recordkeeping

- ▲ 1. Adopt a written records policy that governs how and when organization and transaction records are created, collected, retained, stored and destroyed
- 2. Keep originals of all documents essential to the defense of each real property transaction in a secure manner and protected from damage or loss
- 3. Create and keep copies of these documents in a manner such that both originals and copies are not destroyed in a single calamity

#### H. Purchasing Land or Conservation Easements

- 1. When buying land, conservation easements or other real property interests, obtain an independent appraisal by a qualified appraiser in advance of closing to support the purchase price
    - a. However, a letter of opinion from a qualified real estate professional may be obtained in the limited circumstances when:
      - i. A property has a very low economic value
      - ii. A full appraisal is not feasible before a public auction
      - iii. Or the amount paid is significantly below market value
  - 2. In limited circumstances where acquiring land, conservation easements or other real property interests above the appraised value is warranted, contemporaneously document:
    - a. The justification for the purchase price
    - b. That there is no private inurement or impermissible private benefit
- #### I. Selling or Transferring Land or Conservation Easements
- 1. When selling land, conservation easements or other real property interests,
    - a. Establish protections as appropriate to the property
    - b. If the sale is to a party other than another tax-exempt organization or public agency, obtain an independent appraisal by a qualified appraiser or a letter of opinion from a qualified real estate professional to determine the value of the asset and to support the selling price
      - c. Select buyers in a manner that avoids any appearance of impropriety
  - 2. When selling or transferring conservation land or conservation easements to another tax-exempt organization or public agency, consider whether the new holder can fulfill the long-term stewardship and enforcement responsibilities

## STANDARD 10

# Tax Benefits and Appraisals

Land trusts work diligently to see that every charitable gift of land or conservation easement meets federal and state tax law requirements, to avoid fraudulent or abusive transactions and to uphold public confidence in land conservation.

### PRACTICES

#### A. Landowner Notification

- 1. Inform potential land or conservation easement donors who may claim a federal or state income tax deduction (or state tax credit), in writing and early in project discussions, that:
    - a. The project must meet the requirements of IRC §170 and the accompanying Treasury Department regulations and any other federal or state requirements
    - b. The donor is responsible for any determination of the value of the donation
    - c. The Treasury Department regulations require the donor to obtain a qualified appraisal prepared by a qualified appraiser for gifts of property valued at more than \$5,000
    - d. Prior to making the decision to sign IRS Form 8283, the land trust will request a copy of the completed appraisal
    - e. The land trust is not providing individualized legal or tax advice
  - 2. Do not make assurances as to:
    - a. Whether a particular land or conservation easement donation will be deductible
    - b. What monetary value of the gift the IRS and/or state will accept
    - c. What the resulting tax benefits of the deduction or credit will be, if any
- #### B. Legal Requirements: Land Trust Responsibilities
- 1. If the land trust holds federally tax-deductible conservation easements, it meets the requirements for a qualified organization under IRC §170(f)
  - 2. Sign the Form 8283 only if the information in Section B, Part I, "Information on Donated Property," is complete and is an accurate representation of the gift
    - a. Refuse to sign the Form 8283 if the land trust believes no gift has been made or the property has not been accurately described
  - 3. File IRS Form 8282 when conveying a donated real property interest within three years of the date the land trust received the property

#### C. Avoiding Fraudulent or Abusive Transactions

1. Review, on the land trust's own behalf, each transaction for consistency with federal and state income tax deduction or credit requirements
- 2. Evaluate the Form 8283 and any appraisal to determine whether the land trust has substantial concerns about the appraised value or the appraisal
- 3. Discuss substantial concerns about the appraisal, the appraised value or other terms of the transaction with legal counsel and take appropriate action, such as:
  - a. Documenting that the land trust has shared those concerns with the donor
  - b. Seeking additional substantiation of value
  - c. Withdrawing from the transaction prior to closing
  - d. Or refusing to sign the Form 8283
- 4. When engaging in transactions with pass-through entities of unrelated parties, particularly those offered or assembled by a third party or described as a syndication by the IRS:
  - a. Require a copy of the appraisal prior to closing
  - b. Decline to participate in the transaction if the appraisal indicates an increase in value of more than 2.5 times the basis in the property within 36 months of the pass-through entity's acquisition of the property, the value of the donation is \$1 million or greater and the terms of the transaction do not satisfy the Land Trust Alliance Tax Shelter Advisory

## STANDARD 11

# Conservation Easement Stewardship

Land trusts have a program of responsible stewardship for their conservation easements.

### PRACTICES

#### A. Funding Conservation Easement Stewardship

1. Estimate the long-term stewardship and enforcement expenses of each conservation easement transaction
2. Track stewardship and enforcement costs

#### B. Baseline Documentation Report

- 1. For each conservation easement, have a baseline documentation report (BDR), with written descriptions, maps and photographs, that documents:
  - a. The conservation values protected by the easement
  - b. The relevant conditions of the property as necessary to monitor and enforce the easement
- 2. Prepare the report prior to closing and have it signed by the landowner and land trust at or prior to closing
  - a. In the event that seasonal conditions prevent the completion of a full baseline documentation report by closing, the landowner and land trust sign a schedule for finalizing the full report, and an acknowledgment of interim data (that for donations and bargain sales meets Treasury Regulation §1.170A-14(g)(5)(X)) at closing
- 3. When there are significant changes to the land or the conservation easement (such as a result of an amendment or the exercise of a permitted right), document those changes in an appropriate manner, such as through monitoring reports, a baseline supplement or current conditions report

#### C. Conservation Easement Monitoring

1. Adopt a written policy and/or procedure for monitoring conservation easements that establishes consistent monitoring protocols and recordkeeping procedures
- ▲ 2. Monitor each conservation easement property at least once per calendar year
  - ▲ a. if the land trust uses aerial monitoring; conduct on-the-ground monitoring at least once every five years
  - ▲ b. Promptly document the annual monitoring activities for each conservation easement

#### D. Landowner Relationships

1. Maintain regular contact with owners of conservation easement properties to maintain relationships and avoid potential easement conflicts
2. Establish systems to track changes in land ownership
3. When the property changes hands, attempt to meet with the new owner or property manager and provide information in writing about the conservation easement and the land trust's stewardship policies and procedures

#### E. Conservation Easement Enforcement

- 1. Adopt a written policy and develop written procedures for documenting and responding to potential conservation easement violations
- 2. Investigate potential violations in a timely manner and promptly document all actions taken
- 3. Involve legal counsel as appropriate to the severity of the violation and the nature of the proposed resolution

#### F. Approvals and Permitted Rights

1. Respond to landowner required notices or requests for interpretation or approvals in a timely and consistent manner, as specified in the conservation easement deed or in a written procedure
2. Establish written procedures to guide the land trust's decision-making if using discretionary approvals or if conservation easement deeds contain such clauses
- 3. Maintain a permanent record of all notices, approvals, denials, interpretations and the exercise of any significant permitted rights

● Accreditation indicator element | ■ Terrafirma enrollment prerequisite | ▲ Required for both

18 - Land Trust Standards and Practices - Standard 11: Conservation Easement Stewardship

● Accreditation indicator element | ■ Terrafirma enrollment prerequisite | ▲ Required for both

19 - Land Trust Standards and Practices - Standard 11: Conservation Easement Stewardship

#### G. Contingency Strategy

1. Take reasonable steps to provide for the disposition of conservation easements in the event the land trust ceases to exist or can no longer steward and administer them

#### H. Amendments

1. Adopt and follow a written policy or procedure addressing conservation easement amendments that is consistent with the Land Trust Alliance Amendment Principles
2. Evaluate all conservation easement amendment proposals with due diligence sufficient to satisfy the Amendment Principles
3. If an amendment is used to adjust conservation easement boundaries (such as to remedy disputes or encroachment) and results in a *de minimis* extinguishment, document how the land trust's actions address the terms of J.I. below

#### I. Condemnation

1. If a conservation easement is threatened with condemnation,
  - a. Take steps to avoid or mitigate harm to conservation values and document the actions taken
  - b. Have or obtain appropriate documentation of the percentage of the full value of the property represented by the conservation easement
  - c. Document the land trust's attempts to receive its proportional share of the proceeds and use any proceeds in a manner consistent with the conservation easement deed

#### J. Partial or Full Extinguishment

1. In the rare case that it is necessary to extinguish a conservation easement, in whole or in part,
  - a. Follow the terms of the conservation easement with respect to taking appropriate action, and obtain judicial or regulatory review when required by law or specified in the easement deed
  - b. Ensure there is no private inurement or impermissible private benefit
  - c. Take steps to avoid or mitigate harm to conservation values and/or use any proceeds in a manner consistent with the conservation easement deed
  - d. Consider the land trust's actions in the context of its reputation and the impact on the land conservation community at large

## STANDARD 12

# Fee Land Stewardship

Land trusts have a program of responsible stewardship for the land held in fee for conservation purposes.

### PRACTICES

#### A. Funding Land Stewardship

1. Determine the immediate financial and management implications of each conservation property acquisition and estimate the long-term implications
2. Anticipate and track costs associated with long-term land management, stewardship and enforcement of conservation properties

#### B. Land Management and Stewardship

1. Develop a written land management plan for each conservation property (■) within 12 months after acquiring the land to:
  - a. Identify the property's conservation values, including any significant cultural and natural features or those that have significant community value
  - b. Identify the overall management goals for the property
  - c. Identify activities to achieve the goals and to reduce any risks or threats to the conservation values
  - d. Specify the uses that are appropriate for the property, in keeping with the property's conservation values, any restrictions and donor or under requirements
    1. Provide public access opportunities as appropriate to the property and the land trust's mission
2. Manage each conservation property in accordance with its management plan, and review and update the plan as necessary
3. Perform administrative duties (such as paying insurance, filing required forms, keeping records) in a timely and responsible manner
4. Maintain the property in a manner that retains the land trust's public credibility, manages community expectations and minimizes risk

## DEFINITIONS OF KEY TERMS

### C. Inspecting Land Trust Properties

1. Determine the boundaries of land trust properties and physically mark them to the extent possible or necessary.
2. Inspect properties at least once per calendar year for potential management problems and promptly document the inspection.
3. Address management problems, including encroachments, trespass and other ownership challenges, in an appropriate and timely manner and document the actions taken.

### D. Contingency Strategy

1. Take reasonable steps to provide for the continuing protection of conservation properties in the event the land trust ceases to exist or can no longer own or manage them.

### E. Condemnation

1. If a conservation property is threatened with condemnation, take steps to avoid or mitigate harm to conservation values and document the actions taken.

**Amendment Principles:** An amendment should meet all of the following: (1) clearly serve the public interest and be consistent with the land trust's mission; (2) comply with all applicable federal, state and local laws; (3) not jeopardize the land trust's tax-exempt status or status as a charitable organization under federal law; (4) not result in private inurement or confer impermissible private benefit; (5) be consistent with the conservation purpose(s) and intent of the easement; (6) be consistent with the documented intent of the donor/grantor and any funding source; and (7) have a net beneficial or neutral effect on the relevant conservation values protected by the easement.

**Capacity:** The ability to perform all the actions required to acquire and manage conservation land and manage other programs by having adequate human and financial resources and organizational systems in place.

**Conflict of Interest:** A conflict of interest arises when a person in a position of authority in an organization, such as a director, officer, manager or other "insider," is in a position, or perceived to be in a position, to be able to benefit personally (or to create a benefit to a family member or other organization with which he or she is associated) from a decision he or she could make.

**Conservation values:** The key values on a site that are the focus of protection efforts. Important conservation values are determined during property evaluation and project planning.

**Form 990:** Most tax-exempt organizations are required to file an annual return with the IRS. Which form of the Form 990 (Form 990-N, Form 990-EZ or full Form 990) a land trust must file depends on its financial activities.

**GAAP:** The Federal Accounting Standards Board (FASB) issues Generally Accepted Accounting Principles (GAAP). FASB's guidance for nonprofit organizations can be found in ASU 2016-14, Not-for-Profit Entities (Topic 958), "Presentation of Financial Statements of Not-for-Profit Entities."

**Impermissible private benefit:** Occurs when a tax-exempt organization provides more than an "incidental" benefit to a non-insider.

**Independent appraisal:** An independent appraisal prepared in compliance with the Uniform Standards of Professional Appraisal Practice by a state-licensed or state-certified appraiser who has verifiable conservation easement or conservation real estate experience.

**Independent board member:** Per the Independent Section, independent members should not: (1) be compensated by the organization as employees or independent contractors; (2) have their compensation determined by individuals who are compensated by the organization; (3) receive, directly or indirectly, material financial benefits from the organization except as a member of the charitable class served by the organization; or (4) be related to anyone described above (as a spouse, sibling, parent or child) or reside with any person so described.

**Insiders:** Board and staff members, substantial contributors, parties related to the above, those who have an ability to influence decisions of the organization and those with access to information not available to the general public. The IRS generally considers "insiders" or disqualified persons under IRC Section 4958 to be persons who, at any time during the five-year period ending on the date of the transaction in question, were in a position to exercise substantial influence over the affairs of the organization. "Insiders" generally include: board members, key staff, substantial contributors [see IRC Section 507(d)(2)], parties related to the above and 35-percent controlled entities. While these are strict definitions within the tax code, land trusts are advised to take an even more proactive approach to the potential damage that conflicts of interest may cause an organization and also include in the definition of "insiders" all staff members and those with access to information not available to the general public (such as certain volunteers). Related parties is defined by the IRS to include spouse, brothers and sisters, spouses of brothers and sisters, ancestors, children, grandchildren, great-grandchildren and spouses of children, grandchildren and great-grandchildren.

**IRC:** Internal Revenue Code.

**Land trust:** A nonprofit organization that, as all or part of its mission, actively works to conserve land by acquiring land or conservation easements (or assisting with their acquisition) and/or stewarding/managing land or conservation easements.

**Letter of opinion:** A written estimation of a property's value, most often prepared by a qualified real estate professional. A letter of opinion may be used instead of an independent appraisal prepared by a qualified appraiser when the economic value of the property is so low as to negate concerns about private inurement or private benefit, when a full appraisal is not feasible before a public auction or when the amount paid is significantly below the market value of the property. (A letter of opinion is not sufficient in the case of transactions with insiders.) An appraiser may call this document a Restricted Use Appraisal Report.

**OCBOA:** Other Comprehensive Basis of Accounting is the term used for a comprehensive basis of accounting other than generally accepted accounting principles (GAAP).

**Pass-through entity:** Pass-through entities include sole proprietorships, partnerships, LLCs and S corporations. Unlike traditional C corporations, pass-through entities do not pay income tax. Instead, income, losses and deductions pass through<sup>11</sup> to the shareholders in proportion to their ownership interest. For purposes of the Standards, sole proprietorships consisting by definition of only one person are not included in this definition.

**Phase 1 assessment:** A formal investigation conducted by a qualified environmental consultant or engineer into the presence or absence of hazardous materials on or near a property that satisfies the "all appropriate inquiries" rule of the Environmental Protection Agency.

**Policy:** A written, board-adopted document specifying a course of action to guide and determine present and future decisions.

**Private inurement:** When the net earnings of a tax-exempt organization come to the benefit of any private shareholder or individual. Federal tax-exempt law requires that "no part of ...

[a tax-exempt organization's] net earnings [may] inure to the benefit of any private shareholder or individual." An action in which a person who is an "insider" to the tax-exempt organization, such as a director or an officer, derives a benefit from the organization without giving something of at least equal value in return. The IRS prohibition on inurement is absolute. The IRS also imposes penalties on directors, officers, key employees and other insiders who engage in transactions that confer an excess benefit on the individual ("excess benefit transactions").

**Tax Shelter Advisory:** Refers to the advisory first issued by the Land Trust Alliance in 2015 on tax shelters using conservation for potentially abusive federal income tax deductions. The Advisory includes recommendations to maintain public confidence and cautionary measures land trusts should take to avoid tax shelter transactions. [www.lta.org/tax-shelter-advisory](http://www.lta.org/tax-shelter-advisory)

## ACKNOWLEDGEMENTS

The Land Trust Alliance extends its sincere appreciation to the members of the 2017 Standards Advisory Team and Core Team and to the hundreds of land conservationists across the country who participated in the development of the 2017 revisions. The Land Trust Alliance also gratefully acknowledges the individuals involved in establishing the Standards in 1989 and revising them in 1993, 2001 and 2004.

### Standards Advisory Team

- **Jane Cahlin**, Executive Director, Lowell Parks & Conservation Trust\* (MA)
- **Dan Cliffe**, Attorney, Conservancy Law PLC (MI) and Land Trust Accreditation Commissioner
- **Paul Doscher**, Board Chair, Piscataquog Land Conservancy (NH)
- **Ann Johnston**, Land Acquisition Program Manager, Sonoma Land Trust\* (CA)
- **Andy Lora**, Executive Director, Pennsylvania Land Trust Association
- **Connie Maues**, Executive Director, Kent Land Trust\* (CT) and Land Trust Alliance Circuit Rider
- **Garry Moore**, Attorney, GKM Consulting LLC, (KS) and Midwest Field Representative, The Conservation Fund\*
- **George Olsen**, Board President, Montana Land Reliance\* and Board Member, Land Trust Alliance
- **Emily Parish**, Vice President of Conservation, Land Trust for Tennessee\*
- **Melanie Pavlas**, Executive Director, Pines and Prairies Land Trust\* (TX)
- **Harry Pollack**, General Counsel, Save the Redwoods League\* (CA)
- **Rick Remington**, Conservation Director, West Wisconsin Land Trust\*
- **Katrina Shindedecker**, Director of Land Conservation, Hudson Highlands Land Trust\* (NY)
- **Shane Wellendorf**, Conservation Coordinator, Tall Timbers Research Station and Land Conservancy\* (FL)

\* Accredited land trust

### Standards Core Team

- **Sylvia Bates**, Director of Standards and Educational Services, Land Trust Alliance
- **Melissa Kalvestrand**, Associate Director for Reviews, Land Trust Accreditation Commission
- **Anne Murphy**, Commission, Land Trust Accreditation Commission
- **MaryKay O'Donnell**, Midwest Senior Program Manager, Land Trust Alliance
- **Judith Stockdale**, Board Member, Land Trust Alliance
- **Tammara Van Ryn**, Executive Director, Land Trust Accreditation Commission

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The Land Trust Alliance's mission is to save the places people love by strengthening land conservation across America.

Founded in 1982, the Land Trust Alliance is a national land conservation organization that works to save the places people love and need by strengthening land conservation across America. The Alliance represents more than 1,000 member land trusts supported by more than 100,000 volunteers and 5 million members nationwide. The Alliance is based in Washington, D.C. and operates several regional offices. More information about the Alliance is available at [www.landtrustalliance.org](http://www.landtrustalliance.org).

The Land Trust Alliance provides resources to assist land trusts in implementing *Land Trust Standards and Practices*. General information on the Standards and on Alliance publications and training programs related to their implementation can be found at [www.landtrustalliance.org](http://www.landtrustalliance.org). Alliance member land trusts and partners can find additional technical information and sample documents on The Learning Center at <http://tlc.lta.org>.



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**CAROLINA**  
**THREAD TRAIL.**

Meeting: August 20, 2024 Board of Directors

Department or Committee: Executive Director

Staff Contact: Bart Landess

Report Date: August 13, 2024

Agenda Item: 7.d.

Information Item

## October 17<sup>th</sup> Half Day Board Retreat

In place of the regularly scheduled meeting on October 15<sup>th</sup>, we are planning a half day retreat on October 17<sup>th</sup> from 8:30-1:00. We will meet at Foundation For The Carolinas. We will conduct regular business, but also have time for networking and socializing, as well as some intensive work on our new Strategic Plan.



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**CAROLINA**  
THREAD TRAIL.

Meeting: August 20, 2024 Board of Directors

Department or Committee: Executive Director

Staff Contact: Bart Landess

Report Date: August 13, 2024

Agenda Item: 7.e.

Information Item

## Call for Board Nominations

The Nominating Committee has had an initial meeting to discuss candidates for election to the Board, beginning service on January 1, 2025. The Committee would like to have suggestions from current Board members. Seven current Board members will finish their second terms at the end of 2024 and no longer be eligible to serve. We are looking for good candidates to help us continue our good work and push forward with our capital campaign efforts. Please let us know of any good possibilities.

### Retiring Board Members:

Blair Boggs

William Blair

Len Botkin

Bill Carstarphen

Delane Clark

Compie Newman

Steve Scruggs



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Meeting: August 20, 2024 Board of Directors

Department or Committee: Executive Director

Staff Contact: Bart Landess

Report Date: August 13, 2024

Agenda Item: 7.f.

Information Item

## Remembering Mary Lou Buck

Longtime supporter, former Board member and land donor Mary Lou Buck passed away recently. She was known for being a passionate supporter for several causes, including conservation, and for her dedicated support of people and organizations.

Mary Lou was well known for her ability to bring out the best in people. She was also known for sharing her passions, including leading the staff of CLC in yoga sessions at the office.

Please join me in joyful gratitude for Mary Lou's life and legacy, including her wonderful work with and for CLC to pursue our mission and her passion.



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