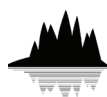


Models of Collaboration Among Land Trusts

A Research Report Prepared for Maine Coast Heritage Trust

Commissioned by the Maine Land Trust Network
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Maine Coast Heritage Trust
A Statewide Land Conservation Organization

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EXECUTIVE SUMMARY

Collaborations are a wonderful opportunity to maximize the collective effectiveness of land trust work. But they also are a supreme challenge because they are so much more complex than any one organization alone. Every collaboration and partnership is different. There are, however, some underlying elements that make for successful collaborations. These elements include vision, planning, mutual respect and trust, adequate financial resources, committed partners and leadership, clearly articulated roles and responsibilities, and sound communications.

More and more organizations are coming to realize that partnering with other land trusts, public agencies or other entities will benefit a land trust. Greater transaction expertise, more organizational capacity, increased funding opportunities, credibility, opportunities for long-term partnerships, positive publicity, and increased land protection overall are some of the many benefits that successful collaborations can offer.

The range of conservation partnerships between land trusts is diverse. Collaboration usually begins by sharing information. A land trust may meet formally or informally with other groups to exchange ideas and open lines of communications. Land trusts in overlapping service areas may choose to share information about the types of projects they are currently working on, or form alliances for special initiatives such as a bond campaign or regional planning effort. Cooperation on land protection projects is perhaps the most common form of collaboration, ranging from single project joint ventures to more complex multi-party projects to large-scale landscape initiatives involving many partners.

In addition to direct land protection activities, many groups cooperate on easement stewardship. Sometimes, larger land trusts provide stewardship services to smaller land trusts. Some land trusts co-hold easements with other organizations or agencies, where one of the grantees takes primary responsibility for the easement but each has equal legal standing to enforce the easement. Others participate in back-up or executory interest arrangements.

On a larger scale, some land trusts enter into broader cooperative relationships on land protection efforts within overlapping service areas. Such arrangements are usually detailed through a memorandum of understanding. More formal affiliations, such as chapters, 509(a)(3) supporting organizations and alliances with neighborhood groups can offer several advantages: each group can retain its own identity, concentrate its activities in a limited geographic area, and draw on existing local support without the burden of creating a new organization.

Other collaborative models among land trusts involve sharing staff—for land protection, administrative duties and other functions—and sharing staff and services, such as technical assistance, outreach and advocacy. These types of arrangements sometimes evolve into land trust service centers or coalitions and may offer a wide array of programs and activities to assist its member organizations.

Ultimately, a collaborative relationship may result in a merger of the partners into a single organization. Many land trusts consider mergers with adjacent organizations, seeking to maximize their resources, thereby protecting more land. Mergers can involve two or many organizations, as well as land trusts of differing sizes, backgrounds and cultures. A successful merger can be an effective way to move compatible land trusts to higher levels of professionalism and effectiveness.

INTRODUCTION

Conservation partnerships have grown in both number and effectiveness in recent years. More and more organizations have come to realize that by reaching out to those who share their priorities, they can not only think more boldly, but accomplish more ambitious and compelling goals as well.

As land conservation becomes more urgent, complex and expensive, land trusts must expand their capabilities and leverage their resources in every way they can. Many join forces with neighboring land trusts or with other organizations and agencies that share their goals. Whether they formally merge, or simply find new ways to collaborate for efficiency and effectiveness, land trusts are discovering that working with others is often the best—and sometime the only—way to succeed.

This research report explores models of collaboration ranging from short-term partnerships along a continuum to mergers of organizations. The focus of the report is on organization/organization collaborations, as opposed to collaborations between organizations and state agencies. Models from Maine have been used to the extent possible.

Maine Coast Heritage Trust (MCHT) hopes land trusts considering different types of partnership arrangements will use this report to help inform their discussions and guide their decision-making. Each section describes in detail the type of collaborative arrangement, when and how it is best used, and includes case study examples of land trusts that have followed the specific model. Additional references and helpful resources, including contact information, follow each case study and model.

All reference materials are available through the Maine Land Trust Network (MLTN), and most can be found on *LTAnet*, the Land Trust Alliance's on-line service and searchable library (see www.LTAnet.org). Those available directly through *LTAnet* are marked with asterisks (**).

The Value of Collaboration¹

Partnering with other land trusts, public agencies or other conservation organizations can benefit a land trust in a number of ways:

- **Greater transaction expertise.** All-volunteer land trusts may choose to partner with a larger staffed land trust that can bring to the table its expertise in conducting land transactions. Participation in a partnership with a more experienced or better-financed partner can be especially beneficial to a land trust conducting its first project.

¹ Adapted from Practice 8I, *Land Trust Standards and Practices*, Land Trust Alliance, 2004.

- **More organizational capacity.** In addition to transaction expertise, an experienced partner can also offer more internal resources to accomplish the work and streamlined procedures, such as standardized easement terms. In partnerships involving multiple parcels of land, partnership participants can often benefit from the economies of scale. For example, one appraisal company can be engaged to handle all appraisals for the partnership's land or easement purchases.
- **Increased funding opportunities.** Whether it's a larger donor pool of private dollars or public agency grant funding, partnerships with other private and public entities bring with it the opportunity for increased financial resources. More participants mean more potential dollars that can be brought to the project.
- **Credibility.** When the Executive Office of Environmental Affairs sought to protect more than 9,100 acres of land in north-central Massachusetts, it turned to the Mount Grace Land Conservation Trust, which acted as a broker for the state in negotiating the purchase of conservation easements. Mount Grace had been well known and well respected in the area for years. Local landowners were somewhat wary of state government involvement, so having a trusted local nonprofit organization as the "face" of the initiative made the project much more palatable to landowners.
- **Opportunities for long-term partnerships.** A successful short-term partnership on a land conservation project can often lead to a more long-term formal relationship over time resulting in additional protection opportunities. A land trust should invest in long-term partnerships with other entities by building trust and cooperation into the relationship from the start.
- **Positive publicity for all.** Successful partnership activities can have a direct impact on the land trust and bolster its profile in the community. The Mount Grace Land Conservation Trust reports that it received direct credit and publicity for helping a substantial number of local landowners sell their development rights, although the initial impetus and funding for the initiative came from state government.
- **Increased land protection.** Cooperation and collaboration ultimately result in more land being protected. Successful partnerships allow land trusts to use their resources most effectively, to play to their strengths and to achieve more strategic land conservation.

A RANGE OF MODELS

The types of conservation partnerships among land trusts are as diverse as land trusts themselves. Collaboration among land trusts can range from jointly planning a project or strategizing on land protection goals for a region, to staff sharing and mergers of organizations.

The process usually begins with informal discussions to measure the interest among potential participants. Ultimately, everyone wants to protect more land, and land trusts need to be willing to explore all of the opportunities available. That means building skills and networks to be better and more effective partners. If interest is adequate, this often leads to more formal discussions to determine shared conservation goals, assess the shared capacity and needs of the participants, and outline strategies to accomplish the goals.

Sharing Information and Mutual Cooperation

Collaboration begins by sharing information and building trust. Communication among land trusts and other organizations toward achieving mutual goals can be the first step toward a more formal, beneficial relationship.

Building successful long-term relationships takes time. Most land trusts will want to start by communicating with other organizations in their area of operation. This could involve general cooperation, communicating on active projects or joining forces for special projects or initiatives. A memorandum of understanding may be helpful in clarifying roles and ensuring follow through by each organization. In geographic regions where service areas overlap, there is often the potential for competition—perceived or actual—for limited funding and other resources. A written agreement that spells out how these resources will be shared can help alleviate friction and lay the groundwork for future collaboration.

General cooperation

It can be particularly important for a land trust to meet formally or informally with other land trusts and conservation organizations in the area to share ideas and exchange information. Each organization, to some extent, is a potential competitor for members and funds, and may conduct activities that overlap with or affect the programs or issues of concern of other organizations. There may also be opportunities to work together on certain projects. Opening lines of communication and clarifying roles will help ensure good relationships with such allies.

EXAMPLE 1 – CONCORD CONSERVATION TRUST AND TURKEY RIVER BASIN TRUST (NEW HAMPSHIRE)

The all-volunteer Turkey River Basin Trust operates in a small watershed in the Concord region, sharing its territory with the Concord Conservation Trust (now the Five Rivers Conservation Trust). A 1992 agreement between these two organizations outlines the parameters for their general cooperation, including using one another as backups, cosponsoring workshops and cooperating on advocacy efforts. In addition, each organization has a nonvoting representative serving on its respective board.

See also

[Memorandum of Agreement – Concord Conservation Trust and Turkey River Basin Trust](#)

EXAMPLE 2 – VALLEY LAND CONSERVANCY AND THREE RIVERS LAND TRUST (COLORADO)

The Valley Land Conservancy served the Uncompahgre River watershed, while the Three Rivers Land Trust operated in the Delta County region, both in western Colorado. Both organizations were founded independently of each other in the early 1990s in response to the growing loss of agricultural land. A portion of their service areas overlapped. This led to an agreement between the two organizations to embark on a policy of “communication, information sharing and mutual cooperation”. The agreement spells out the details concerning sharing board members (one member of each organization was appointed to serve on the other’s board), notifying the other land trust when entering into substantive negotiations with a landowner, cooperating on press releases, and jointly participating in outreach activities. This agreement ultimately led to a merger of the two organizations in 2000 to form the Black Canyon Land Trust (see below).

Observations and insights

The region served by the two land trusts was fairly low in population. This resulted in constant competition against each other for state funding, local funding and members.

Helpful contacts

Adell Heneghan, Executive Director, Black Canyon Land Trust, 1500 East Oak Grove Road, Suite 201, Montrose, CO 81401-5460, 970-252-1481, adell@montrose.net

See also

[Memorandum of Understanding Between the Valley Land Conservancy, Inc. and the Three Rivers Land Trust, Inc.](#)

Communicating on active projects

Land trusts that share overlapping territories may choose to meet once or twice a year to share information about the types and locations of projects they are currently working on (within the limits of landowner confidentiality). This helps avoid potential competition and duplication of effort, and paves the way for possible collaboration on specific projects.

Informal or formal cooperation for special initiatives

Sometimes, land trusts and other organizations collaborate on projects or special initiatives that are not land protection projects in and of themselves, but further shared goals of increasing land conservation activity overall.

EXAMPLE 1 – PUBLIC POLICY: LAND BOND CAMPAIGN TEAM (MAINE)

In 1999, the state's land trusts, through the Maine Land Trust Network (see below) worked together to help pass a \$50 million bond issue to fund the Land for Maine's Future Program (LMF), the state-funded land acquisition program. This year, the group is promoting a land bond to voters that would fund the LMF program at \$75 million over four years. The Land Bond Campaign Team is a coalition of more than 300 businesses and organizations, spearheaded by six statewide groups, including Maine Coast Heritage Trust, The Nature Conservancy and the Trust for Public Land. The lead organizations have invested substantial staff resources and have also hired a lobbyist. The local land trusts serve as the grassroots arm of the campaign, contacting legislators and giving testimony at public hearings.

Observations and insights

In addition to being the most active players in the coalition, the local land trusts also tend to be the most influential because they are made up of ordinary people within their communities who know and can often best convince their local representatives.

Helpful contacts

Jeff Romano, Public Policy Coordinator, Maine Coast Heritage Trust, One Main Street, Suite 201, Topsham, ME 04086, 207-729-7366, jromano@mcht.org

EXAMPLE 2 – EDUCATION: OPEN SPACE PROTECTION COLLABORATIVE (NORTH AND SOUTH CAROLINA)

Five local and regional land trusts and one national land conservation organization comprise this collaborative: Catawba Lands Conservancy (*North Carolina*); Foothills Conservancy of North Carolina; Katawba Valley Land Trust (*South Carolina*); Land Trust for Central North Carolina; Nation Ford Land Trust (*South Carolina*); and the Trust for Public Land. These partners work to acquire and protect important natural areas, waterways and green spaces in 25 counties in North and South Carolina. Last year, the John S. and James L. Knight Foundation awarded a three-year \$385,000 grant to the collaborative to provide financial and estate planning expertise to landowners and their advisors in the Carolinas. The collaborative recently launched a new informational website (see www.openspaceprotection.org), and hired a certified financial planner as the project coordinator.

EXAMPLE 3 – CONSERVATION PLANNING: VIRGINIA’S UNITED LAND TRUSTS

Virginia’s United Land Trusts (VaULT) was organized in 2000 to address the growing interest and number of organizations involved in land conservation in the state. The coalition represents about 30 private land conservation organizations in Virginia. In cooperation with the state Department of Conservation Resources and the Virginia Department of Forestry, VaULT began writing a plan to identify regional priorities for land conservation in Virginia. Six public meetings were held across Virginia during the spring of 2002 to gather input from key land conservation interests. More than 250 people participated in the process of the plan’s development. The Heritage Virginia Plan was released in January 2004 to serve as a blueprint for public and private land conservation efforts over the next several years. It also formed the foundation of a proposal to generate funding for land conservation through a real estate transfer fee.

Helpful contacts

Paul Gilbert, Chair, Virginia’s United Land Trusts, and President, Northern Virginia Conservation Trust, 4022 Hummer Road, Annandale, VA 22003-2403, 703-354-5093, pgilbert@nvct.org

Cooperation on Land Protection Projects

While land trusts engage in partnerships with other entities in many different facets of their work, this section focuses on partnerships for the protection of a property or multiple properties.

Land protection is the heart of a land trust’s work. Because land protection happens one parcel at a time, it often takes many partners to achieve the protection of significant landscapes. Whether through single project joint ventures, multi-party projects or landscape level initiatives, land trusts and other organizations often find greater success pooling their resources rather than working alone.

The advantages to cooperative land protection projects are many. Each organization can bring its own expertise and professional resources to bear on the larger project. Access to critical dollars often increases as each group has its own pool of donors and funding sources. Public recognition and credit for success are spread among each member of the partnership. For a small land trust, participation in such a collaborative land protection initiative can be an empowering learning experience, giving the organization access to new skills and the confidence to attempt future projects on its own. In some projects, the involvement of a more experienced land trust may give a greater level of comfort to landowners and increase a smaller organization’s credibility.

Successful cooperative land protection projects include the following:

- **Ongoing, consistent communications.** The old adage “knowledge is power” applies in these situations. Sharing information—from the complex to the mundane (such as who is working on what project, the status of landowner negotiations and funding deadlines)—is key to avoiding duplication, confusion and unnecessary embarrassment. Communication needs to be a priority.
- **Mutual interest.** All partners need to share the goal of the protection of the particular property, resource or landscape. Sometimes, projects with a simple focus that can demand high visibility and the sincere commitment of all parties are the most successful. Not every land protection project is a high priority for all the potential partners working in a given geographic area.
- **A compelling case.** Maps are an extremely effective way to make a compelling case to potential partners, landowners, funders, and the public at large. They can help energize a group and visually impress the significance of the protection effort among potential supporters.
- **Careful coordination.** The more organizations involved in a partnership, the more challenging the coordination, especially regarding fundraising. It requires careful navigation and a degree of sacrifice to minimize the competition between the needs of the partnership and the needs of the individual partner organizations.

Single project joint ventures

In many cases, partnerships are formed for one particular transaction. A land trust may join with another land trust, a national conservation organization like The Nature Conservancy, the Trust for Public Land or the American Farmland Trust, or a government agency to finance or jointly share responsibility for the protection of a property.

EXAMPLE 1 – CATERPILLAR HILL: TWO LOCAL LAND TRUSTS COOPERATING (MAINE)

In 2001, the Blue Hill Heritage Trust (BHHT) and the Island Heritage Trust (IHT) successfully completed the acquisition of 124 acres on Caterpillar Hill. Offering scenic views from a major public road en route to Deer Isle, there was tremendous public interest in seeing the property protected. When it came on the market, BHHT launched a \$300,000 campaign to purchase the land. IHT volunteered to help with the fundraising and raised one-third of the total from its contributors and members on Deer Isle. BHHT handled the negotiations with landowner, developed the fundraising materials and now owns the land. IHT brought its considerable local energy and devotion to the project.

Observations and insights

This case is an illustration of how simple projects often work best. Collaborations need to be catalyzed by the right project. BHHT and IHT shared a mutual interest in a place that also had high public interest. Both land trust constituencies were served well. The initiative also helped

the relationship between the land trusts. They have since talked about working together on other projects and are currently conducting some common planning studies.

Helpful contacts

James Dow, Executive Director, Blue Hill Heritage Trust, P.O. Box 222, Blue Hill, ME 04614-0222, 207-374-5118, bhht@downeast.net

EXAMPLE 2 – LARGE LAND TRUST HELPING LOCAL LAND TRUST: MAINE COAST HERITAGE TRUST AND NORTH HAVEN CONSERVATION PARTNERS

In 2002, the North Haven Conservation Partners (NHCP) and Maine Coast Heritage Trust (MCHT) collaborated to permanently conserve 26 acres of open fields on North Haven. Reluctant to involve themselves with local politics, the owners of the property had initially approached MCHT. MCHT referred the landowners back to NHCP, but provided the staffing assistance to complete the details of the easement donation. At the time, NHCP was a relatively young land trust without much transaction experience. NHCP participated in the landowner negotiations, completed most of the baseline documentation and ultimately received the primary interest in the conservation easement. The back-up or 3rd party easement holder is MCHT. NHCP conducts the annual monitoring of this property, and submits its monitoring reports to MCHT. NHCP and MCHT have since collaborated on a number of other projects on the island.

Observations and insights

It was valuable for NHCP to have MCHT helping the smaller, less experienced land trust with the details of the transaction. Having MCHT involved in the project also provided an important level of comfort to the landowners. The partnership enabled NHCP to be part of a project in their focal area that it may not have otherwise have been part of, and allowed the land trust to recognize a local family for their significant gift to the community.

While the benefits of the partnership far outweighed the costs, there were some downsides: MCHT and NHCP were not always totally in agreement on the details of the project, which created some tension and frustrated the landowners. Open, ongoing and consistent communications is essential to making such collaboration successful.

Helpful contacts

Henry Nichols, President, North Haven Conservation Partners, 313 Hodsdon Road, Pownal, ME 04069-6412, 207-688-4931 (home), 207-847-9339 (office), nibsnich@maine.rr.com

EXAMPLE 3 – CROOKED FARM: ONE LAND TRUST HOLDS FEE INTEREST; THE OTHER HOLDS A CONSERVATION EASEMENT (MAINE)

Approximately six years ago, the Damariscotta River Association (DRA) was approached with the opportunity to acquire a property called Crooked Farm. At the time, DRA was not interested in holding fee title to land, but was focusing its resources on protecting land through conservation easements. After discussion among the board, DRA decided to acquire the property and transfer the underlying fee to the Pemaquid Watershed Association (PWA) while retaining a conservation easement on the property.

Observations and insights

A small land trust working in a sub-region of the Damariscotta watershed area, PWA did not have the resources to complete the Crooked Farm project on its own. The partnership approach allowed the larger DRA to use its expertise in negotiating land transactions, while the more local PWA could then be responsible for managing the land.

Helpful contacts

Jennifer Brockway, Executive Director, Pemaquid Watershed Association, P.O. Box 552, Damariscotta, ME 04543, 207-563-2196, pwa@midcoast.com

Marc DesMeules, Executive Director, Damariscotta River Association, P.O. Box 333, 109-110 Belvedere Road, Damariscotta, ME 04543, 207-563-1393, dra@draclt.org

OTHER HELPFUL RESOURCES

- [Joint Venture Agreement – between the Trust for Public Land and the White Horse Valley Land Trust for the acquisition of a property**](#)
- [Letter of agreement between the Vermont Land Trust and the Middlebury Area Land Trust regarding the purchase of development rights on a farm property**](#)

Multi-party projects

More complicated projects may involve a number of partners to succeed. As land prices rise and land trusts become more strategic about pursuing larger parcels, the cooperation of several different parties—local and national, public and private—is often essential.

EXAMPLE 1 – DUCKTRAP RIVER COALITION (MAINE)

The concept of the Ducktrap River Coalition began with the expansion of the Coastal Mountains Land Trust (CMLT) into the Town of Lincolnville in 1992, where it consequently overlapped in service area in the Ducktrap River watershed with the Belfast-Northport-Lincolnville Land Trust. (These two land trusts ultimately merged into a single organization. See Mergers, below.) Representatives from eight or nine organizations and public agencies met to discuss their mutual interest in the Ducktrap River. A second meeting took place in 1993. No direct action resulted from either of those meetings.

Then in 1995, the US Fish and Wildlife Service began to look at Candidate 2 endangered species salmon rivers, including the Ducktrap. It contracted with CMLT to provide GIS mapping

services for the Ducktrap watershed. As a result of the mapping project, the coalition was galvanized. It expanded its membership to the watershed towns and state agencies, drafted a mission statement, and formulated goals and strategies for the protection of the river. In the meantime, CMLT, The Nature Conservancy and Maine Coast Heritage Trust actively began acquiring interests in land within the watershed, working together to leverage as much land protection as possible. Today, the 20-member coalition has successfully protected almost 83 percent of the river frontage and nearly 23 percent of the watershed. There is a solid education and outreach program for landowners, and most of the previously degraded areas proximate to the river have been restored.

Observations and insights

Maps were the key element in catalyzing the coalition—having good resource maps can be a very compelling reason for people to start acting. Also, almost everyone involved in the coalition was part of an organization. They brought their organizational resources and professional skills to the coalition's work. Each member was truly engaged and eagerly shared his or her expertise with support from their individual organizations.

Helpful contacts

Scott Dickerson, Executive Director, Coastal Mountains Land Trust, 101 Mount Battie Street, Camden, ME 04843, 207-236-7091, scottd@coastalmountains.org

See also

To Save a River, by Scott Dickerson and Dennis C. Schultz. Published by Aperture, 2002. <http://www.aperture.org/store/books-detail.aspx?ID=218>

EXAMPLE 2 – RIVER~LINK (MAINE)

The River~Link partnership consists of Maine Coast Heritage Trust, Boothbay Region Land Trust, Sheepscot Valley Conservation Association, and the Damariscotta River Association. Its goal is to link existing public trails in the Mid-Coast Region and create a wildlife corridor between the Damariscotta and Sheepscot Rivers. In addition to the four land trusts involved in this initiative, the Towns of Newcastle, Edgecomb and Boothbay are also honorary partners, having agreed not to assess any real estate taxes on the properties acquired by the land trusts. Since 2002, the River~Link project has received a total of \$650,000 in funding through the Land for Maine's Future (LMF) program, and protected five parcels totaling 300 acres.

The land trusts were anxious to undertake the River~Link project without creating an enormous new bureaucracy. LMF, however, wanted assurance that the groups would all work together. As a condition of funding, it required an MOU between the parties that will go into effect once stewardship of the properties begins. The MOU describes who will be responsible for creating and maintaining trails and conducting other management activities. A separate committee, consisting of the smaller land trust executive directors and possibly town representatives, will oversee the management agreement and likely hire a part-time staff person.

Observations and insights

Communications is a priority at all times. It is also extremely important for each group to know what projects the others are working on so a landowner will not be approached by two different groups with two different offers. The River~Link initiative has been quite successful to date and

a rewarding effort for all of the land trusts. Each has received credit and public recognition for every project completed by a partner organization.

Helpful contacts

Marc DesMeules, Executive Director, Damariscotta River Association, P.O. Box 333, 109-110 Belvedere Road, Damariscotta, ME 04543, 207-563-1393, dra@draclt.org

Boothbay Region Land Trust, P.O. Box 183, Boothbay Harbor, ME 04538-0183, 207-633-4818, brlt@bbrlt.org

Maureen Hoffman, Executive Director, Sheepscot Valley Conservation Association, 624 Sheepscot Road, Newcastle, ME 04553, 207-586-5616, svca@sheepscot.org

Large-scale landscape initiatives involving many partners

There are a number of examples across the country of partnerships between land trusts, state and federal agencies, and other conservation organizations to accomplish significant landscape-level protection initiatives. Landscape-scale conservation is difficult to achieve alone, but working in partnership and utilizing the strengths of each group, land trusts and government agencies can imagine and complete larger and more ambitious projects than were previously possible.

EXAMPLE 1 – MOUNT AGAMENTICUS TO THE SEA CONSERVATION INITIATIVE (MAINE)

The Mount Agamenticus region contains the largest unfragmented coastal forest between Acadia National Park and the New Jersey Pine Barrens. It includes the York River watershed, which may be the most ecologically and biologically diverse coastal drainage area for its size in southern Maine. The initiative's mission is to conserve the diverse landscapes encompassing the York River, the Brave Boat Harbor estuary, Gerrish and Cutts islands, and the Mount Agamenticus region. The initiative is coordinated by a 10-member coalition consisting of The Nature Conservancy (TNC), Maine Coast Heritage Trust, Rachel Carson National Wildlife Refuge, Maine Inland Fish and Wildlife Service, Trust for Public Land, York Land Trust (YLT), Great Works Regional Land Trust (GWRLT), Kittery Land Trust, York Rivers Association, and Wells National Estuarine Research Reserve.

The Mount Agamenticus to the Sea Conservation Initiative evolved over 18 years. The threat of development to the Mount Agamenticus region in the mid-1980s was one of the driving forces for the creation of both the York and the Great Works Regional land trusts. A loose coordination between the two land trusts and TNC over 11 years resulted in roughly 1,500 acres being protected in the focus area. In 1999, a more formal collaboration was initiated that resulted in \$3.2 million being raised and spent on conservation projects over four years. A TNC staff person, the executive director of YLT and volunteer board members sustained the effort. In 2001, a shared part-time land protection specialist was contracted to help get projects through the requirements of government and foundation funding programs (see Sharing Staff, below). In 2003, in acknowledgement of the region's increasing growth and development, the two land trusts and TNC expanded the project to include a watershed and some coastal areas. Today, the groups share a project coordinator, development director, land protection specialist, and office assistant.

An “Oversight Committee”, made up of representatives of the 10 coalition partners, oversees the initiative. Membership in the Oversight Committee is not strictly controlled—there are no designated slots and no term limits. The local land trusts that do most of the work on the ground have the most representation. The committees are open to anyone who wishes to participate.

From 1999 to 2002, TNC was initially responsible for tracking the financials because it had the staff and skills already in place. For the current period (2003-2005), the YLT has assumed financial responsibility. This occurred because at the time of the decision, it had the most professional situation of the three local land trusts—an office, an executive director and a part-time stewardship position. It also had a treasurer willing to assume the task. The burden of this work is high, however, and as of this writing, the current structure is being revisited.

Observations and insights

One of the coalition’s greatest strengths is that the grants come through the appropriate coalition member. Proposals can be fit to funder requirements. The diverse makeup of the coalition has allowed it to submit several successful \$1 million proposals to private, state and federal funding sources. The downside is that the coalition needs to coordinate all grant proposals from the three land trusts—even those that have nothing to do with the Mount Agamenticus to the Sea Conservation Initiative—to ensure that competition between the individual groups’ needs and those of the initiative are kept to a minimum.

From all accounts, the Mount Agamenticus to the Sea Initiative is exceeding its goals and objectives and is a model example of the benefits that successful collaborations can bring to smaller land trusts. Just a few years ago, GWRLT had an operating budget of \$500,000. Today it is a partner in a conservation project involving the raising of \$9 million.

Helpful contacts

Roger Cole, Coordinator, Mount Agamenticus to the Sea Conservation Initiative, P.O. Box 1241, York Harbor, ME 03911, 207-439-9133, mntatosea@comcast.net

Beverly Shadley, Campaign Director, P.O. Box 1241, York Harbor, ME 03911, 207-363-7400, bshadley@zwi.net

Tin Smith, Great Works Regional Land Trust, 342 Laudholm Farm Road, Wells, ME 04090-4703, 207-676-2209, tjsmith@zwi.net

See also

An Evaluation of the Mt. Agamenticus to The Sea Conservation Initiative, by Martha West Lyman, August, 2005. <http://www.mntatosea.org/mtareportfinal.pdf>

EXAMPLE 2 – NORTH QUABBIN REGIONAL LANDSCAPE PARTNERSHIP (MASSACHUSETTS)

The North Quabbin Regional Landscape Partnership was formed in 1997 by 25 public and nonprofit organizations. Created to coordinate regional land conservation, the North Quabbin

partnership consists of public agencies and nonprofit conservation and educational organizations, including the Mount Grace Land Conservation Trust (MGLCT) and the Massachusetts Department of Environmental Management. Its mission is “to collaborate to identify, protect and enhance strategic ecological, cultural and historic open space within the rural landscape of the North Quabbin region.”

Shortly after its formation, the partnership endorsed the conservation of Tully Mountain as its signature project, with MGLCT taking the lead in negotiating its acquisition for the state Division of Fisheries and Wildlife. Tully Mountain is on the edge of the North Quabbin corridor, the largest continuous expanse of forestland in southern New England. In 1998, 1,200 acres on Tully Mountain were protected.

With a strong push from the National Park Service, the North Quabbin partnership also worked to create the 18-mile Tully Loop Trail to connect local trail segments from the mountain’s summit to Doane’s Falls. By the end of 2002, more than 9,100 acres (representing 104 separate transactions) were protected in the Tully watershed, with MGLCT acting as broker for both the state’s Department of Environmental Management and the Division of Fisheries and Wildlife.

While nearly all of the Tully Trail land was protected by state agencies, each partner played an active role in its development. MGLCT organized volunteer trail building days while The Trustees of Reservations published a map for public distribution. The state Division of Fisheries and Wildlife authorized construction of a parking area, and the National Park Service funded a professional trail designer. The U.S. Army Corps of Engineers leased lakeside land alongside the trail for a wilderness campground, while the New England Forestry Foundation trained forest guides and promoted the economic uses of open space, including locally made wood products. Each partner has upkeep responsibility for the Tully Trail.

The full partnership meets quarterly, as does its executive committee. Meeting minutes are distributed to keep partners informed and to document actions. Partners continue to suggest new projects for endorsement.

Observations and insights

None of the individual organizations involved in the partnership would have undertaken a project like the loop trail on their own. It was too large. The partnership made this project possible. A relatively small, concerted effort by each organization resulted in an outcome that each could take pride in and credit for.

Helpful contacts

Leigh Youngblood, Executive Director, Mount Grace Land Conservation Trust, 121 Hope Street, Greenfield, MA 01301-3516, 978-248-2043, landtrust@mountgrace.org

See also

“Better Conservation Through Partnerships”, by Martha Nudel, *Exchange*, Spring 2003 (Vol. 22 No. 2), Land Trust Alliance**

EXAMPLE 3 – LAKE SUPERIOR LAND TRUST PARTNERSHIP (*MICHIGAN, MINNESOTA, WISCONSIN, ONTARIO*)

The Lake Superior Land Trust Partnership was created in 2002 and includes 23 groups representing local, regional and national nonprofits. Lake Superior, the largest of the Great Lakes with an area of 31,820 miles, has a watershed that reaches south into Minnesota, Wisconsin and Michigan, and north into Ontario. Around its shores, communities depend on resource-based industries, linked by freshwater and sea-faring ships and a 1,300-mile highway, known as the Lake Superior Circle Tour. Historically, the great distances among communities presented barriers to development and helped to maintain the natural landscapes of forests and rugged shorelines, and their plant and wildlife habitats. With land prices, interest in tourism and second home development all rising significantly, the watershed and its ecosystem face diverse threats ranging from forest fragmentation to decreased water quality.

The Lake Superior Land Trust Partnership seeks to protect the Lake Superior Basin by strengthening the capacity and coordination of the land conservation community to:

1. Identify and protect the important natural and scenic areas around the basin;
2. Leverage resources for increased land protection;
3. Facilitate land protection information/data sharing among public and private organizations;
4. Communicate the benefits of land conservation and foster awareness of conservation options;
5. Create an informed and effective land trust partnership to share talents, tools and knowledge in ways that benefit all member organizations; and
6. Undertake projects in areas not served by land trusts.

In 2003, the Land Trust Alliance received a two-year \$150,000 grant from the Charles Stewart Mott Foundation to help build the framework for the partnership and coordinate the initial effort. The partners have shared tasks and assignments on grants and other plans. The Central Lake Superior Land Conservancy (*Michigan*) provides administrative support and has taken the lead on a project to make existing GIS data more accessible. The Minnesota Land Trust has coordinated and written grants, while others have hosted meetings and conservation planning workshops.

Observations and insights

For young land trusts, like the Rainy Lake Conservancy (*Ontario*) participation in the partnership meetings has been a source of learning. The partnership has linked the land trust to people who can help it and connected it to the whole Lake Superior Basin.

The partnership is succeeding by turning ideas into action for on-the-ground conservation. It is building the collective expertise of the land conservation community in the Lake Superior Basin, empowering the individual organizations to increase their ability to achieve the land conservation goals they identified.

Helpful contacts

Renee Kivikko, Director, Midwest Program, Land Trust Alliance, 6869 South Sprinkle Road, Suite C, Portage, MI 49002-9708, 269-324-1683, rkivikko@lta.org

See also

“Collaboration in the Lake Superior Basin”, by Linda Hamilton, *Exchange*, Fall 2003 (Vol. 22 No. 3), Land Trust Alliance**

EXAMPLE 4 – CHATTAHOOCHEE RIVERWAY (*GEORGIA*)

An interesting twist on partnership arrangements at the landscape scale is that represented by the Chattahoochee Riverway initiative. The campaign to create a Chattahoochee River Greenway began in 1997. This 200-mile ribbon of green would stretch from the north Georgia mountains to Columbus, protecting safe drinking water and enhancing communities with recreational and natural lands. Eight years later, more than 70 miles along the river (representing more than 50 separate land acquisitions and about 13,500 acres) have been protected. Added to previously existing parkland, more than 150 miles of riverbank are now permanently preserved. While this collaboration resembles the others described above and consists of many public partners, there are some differences. In this case, the lead organization—the Trust for Public Land—contracts directly with the Georgia Land Trust, paying it an hourly rate and reimbursing the organization for direct expenses, to negotiate and hold conservation easements along the river.

Helpful contacts

Katherine Eddins, Executive Director, Chattowah Open Land Trust (Alabama Land Trust), 226 Old Ladiga Road, Piedmont, AL 36272, 256-447-1006, katherine@chattowah.org

OTHER HELPFUL RESOURCES

- Lessons from Landscape-Level Collaborations – Land Trust Alliance Rally 2003 presentation**
- “Multi-State Blufflands Alliance Benefits Ecosystem, Partners”, by Cathy Engstrom, *Exchange*, Spring 2000 (Vol. 19 No. 2), Land Trust Alliance**

Cooperation on Easement Stewardship

In addition to direct land protection activities, many land trusts and other organizations cooperate on easement stewardship activities. Annual monitoring, landowner approvals and relationship building, and defending a property’s resources are some of the tasks shared by these organizations. These relationships are usually formally defined through the easement deed itself (either through co-holding arrangements or an executory interest) and often further clarified through a memorandum of understanding.

As with partnerships to protect land, cooperation on stewardship activities allows each organization to utilize the other’s specific expertise and share each other’s strengths. One co-holder may have the forestry or wildlife management skills necessary to ensure the property is managed appropriately. Another may have the financial resources vital to defend a challenge to the easement. And yet another may serve as the local contact, enjoying a strong relationship with the easement landowner.

In addition to carefully defining respective roles and responsibilities, usually through a memorandum of understanding, a system needs to be implemented to ensure that the partners follow-through on their commitments. For example, monitoring should be conducted annually, monitoring reports should be submitted on a timely basis, and any

potential violations need to be addressed promptly. This requires close communication between the parties and often additional training to ensure that an organization is adequately fulfilling its obligations.

Conducting stewardship/monitoring activities for other land trusts

Sometimes, larger land trusts provide stewardship services to smaller land trusts, municipalities and other organizations. These services range from completing the baseline documentation to conducting the annual monitoring to providing technical assistance on landowner requests. The Forest Society of Maine, for example, provides annual monitoring services to the State of Maine for several of its easement holdings.

Co-holding conservation easements

A co-held easement is an easement whose rights, duties and responsibilities are shared by two grantees. Often one of the grantees informally takes primary responsibility for the easement, and the other acts as a backup, providing resources when necessary. They have equal legal standing and responsibility to enforce the easement. Since co-holders are legally equal partners, conflicts can occur when they disagree about enforcement issues or expenses.

Land trusts opt to co-hold conservation easements for a number of reasons. Sometimes it is to accommodate a landowner who wants to donate an easement to two organizations, or to assuage a landowner's concerns that their conservation easement will disappear should one grantee organization cease to exist. In other cases, easements are co-held when more than one land trust or government entity partnered to negotiate and complete the easement.

Successfully co-holding an easement stems from good communication between the co-holders as well as with landowners. If the relationship between easement co-holders is strong, the easement will be doubly effective.

EXAMPLE 1 – VERMONT LAND TRUST AND STATE AGENCY, LOCAL MUNICIPALITY OR LAND TRUST

The Vermont Land Trust (VLT) co-holds about 400 easements with state agencies, local governments and local land trusts. In fact, some easements VLT co-holds with as many as three other entities. The Vermont Land Trust stipulates in its agreements with co-holders that it will manage the stewardship of the conservation easement. Its memorandum of understanding also specifies how restricted activities on the easement property will be reviewed for approval. There are some activities (such as building a pond) that VLT staff can approve unilaterally. If VLT intends to approve other activities (building a barn, for example), it must notify the other co-holders. Still other actions (such as subdividing the land or amending the easement) must have written approval from all co-holders.

Observations and insights

Several years ago, the VLT experienced a timber-cutting violation on an easement co-held with the Vermont Department of Forests, Parks and Recreation. While VLT paid most of the costs of defending the easement, it relied on the state agency to provide forestry expertise on the violation.

The agency's technical expertise was invaluable—otherwise, VLT may have had to hire expert witnesses.

Helpful contacts

Leslie Ratley-Beach, Stewardship Director, Vermont Land Trust, 3117 Rose Hill, Woodstock, VT 05091-1052, 802-457-2369, leslie@vlt.org

See also

[Stewardship Memorandum of Understanding – between the Tinmouth Land Trust, the Vermont Housing and Conservation Board, and the Vermont Land Trust](#)

EXAMPLE 2 – MARYLAND ENVIRONMENTAL TRUST AND LOCAL LAND TRUST

Co-holding of conservation easements is a common practice for Maryland land trusts. The state-affiliated Maryland Environmental Trust (MET) co-holds easements with many of the local land trusts in the state, and takes responsibility for monitoring (in cooperation with the local trusts), stewardship and legal support of co-held easements. It also maintains a central archive on these easements. As of the end of 2004, MET reported co-holding 367 easements on approximately 51,000 acres.

The Maryland Environmental Trust requires a cooperative agreement with any local land trust interested in co-holding easements. The agreement must be approved by MET's board of trustees and the board of the local land trust. It describes how the two organizations will work together on joint easements, spelling out responsibilities of each party with respect to landowner outreach, processing, easement format, review, monitoring, and property tax relief for donors. (Maryland law provides a 15-year property tax exemption for land subject to easements donated to MET, including those held jointly with local land trusts.)

Maryland Environmental Trust staff and representatives of the local land trust jointly—and often alternately—monitor the conservation easement. Monitoring reports or copies are always kept at MET as well as at the local land trust. Under the cooperative agreement, each land trust absorbs the cost of its own monitoring activities.

As a quasi-state agency, MET has the backing of the Maryland Attorney General's office to undertake most legal enforcement actions and prosecute violations. Local land trusts, therefore, do not find it quite as necessary as elsewhere to solicit stewardship fund donations along with easements. (Some groups, such as the Eastern Shore Land Conservancy, have chosen to do so in case MET should fail in enforcement or monitoring.)

Observations and insights

By co-holding easements, MET and local land trusts share their strengths in maintaining the easement. The local land trusts serve an invaluable role as the “eyes and ears” of the community, keeping an eye on the easement properties between monitoring visits and maintaining contact with easement landowner and their neighbors. MET, as a centralized agency, is too thinly staffed to maintain such a personalized network of relationships statewide.

Although the shared stewardship of a co-held easement usually ensures that the easement will be carefully backed by two organizations, each co-grantee is taking a risk that the other may be lax on monitoring and stewardship. In some cases, MET must train its co-holding partners on

stewarding conservation easements. And in some cases, MET has had to assume the entire monitoring responsibility of an easement by default. Some partners honor their cooperative agreements and stewardship responsibilities in a timely manner; others do not.

Helpful contacts

Nick Williams, Acting Director, Maryland Environmental Trust, 100 Community Place, 1st Floor, Crownsville, MD 21032, 410-514-7903, nwilliams@dnr.state.md.us

See also

[Cooperative Agreement Between \[Local Land Trust\] and the Maryland Environmental Trust](#)

“The Maryland Experience: Private Local Land Trusts Co-Holding Conservation Easements with a Public Agency”, by Nick Williams and John Bernstein, *Exchange*, Fall 1999 (Vol. 18 No. 4)**

EXAMPLE 3 – BERKSHIRE COUNTY LAND TRUST AND CONSERVATION FUND AND SHEFFIELD LAND TRUST (MASSACHUSETTS)

A 1995 agreement between these two organizations outlines the details of how the Berkshire County Land Trust (BCLT) and Conservation Fund (CF) and the Sheffield Land Trust (SLT) will share the responsibility for monitoring and enforcing the Charles Twiggs Myers Conservation Restriction granted to both organizations. SLT monitors the property annually, while BCLT&CF visits the site once every three years. SLT and BCLT&CF act jointly on all matters related to the enforcement of a violation. The cost of any legal enforcement action is borne 75 percent by BCLT&CF, and 25 percent by SLT.

See also

[Memorandum of Understanding Between First National Bank of Boston, Trustee, Berkshire County Land Trust and Conservation Fund and the Sheffield Land Trust](#)

OTHER HELPFUL RESOURCES

- [Memorandum of Understanding Between Two Land Trusts – Sudbury Valley Trustees**](#)

Backups/executory interests

While there are variations on this practice, a backup or “executory” interest grantee is empowered to enforce an easement if the original grantee fails to do so, or to take over an easement if the original grantee can no longer manage it. Some termination provisions allow the backup to take over the easement simply by registering a new deed; others require that a court must first approve the substitution after finding that the primary land trust has failed in its duties.

Similarly, the easement may give another organization the power to enforce the easement with the primary holder or alone if the primary grantee fails to enforce. However, the easement title remains with the primary easement holder. Unlike reserving the right to transfer a conservation easement in the future, enlisting and naming a backup grantee in an easement requires that grantee's consent and participation.

EXAMPLE – MAINE COAST HERITAGE TRUST

Maine Coast Heritage Trust (MCHT) occasionally agrees to take on “third party enforcement rights” for conservation easements held by another land trust. A clause in the conservation easement notes that, should the easement holder fail to enforce the conservation easement, MCHT has the right to step in to enforce it. MCHT uses two approaches:

1. The first provides that the grantee is primarily responsible and MCHT will only enforce if the grantee cannot.
2. The second approach is silent on this point and provides MCHT with more discretion on when and how to participate in enforcing an easement, but also a greater obligation to monitor the easement and the grantee's actions.

In both cases, MCHT keeps baseline documentation on the easements for which it has third party enforcement rights, and obtains regular copies of the annual monitoring reports from the easement holder.

Observations and insights

The third party method requires intervention only in exigent circumstances.

Helpful contacts

Karin Marchetti Ponte, General Counsel, Maine Coast Heritage Trust, P.O. Box 100, Hebron, ME 04238-0100, 207-729-7366, karin@acadia.net

General Cooperation on Land Protection Efforts within Overlapping Regions of Operation

The following two case examples illustrate a more general kind of cooperation between land trusts that share overlapping territories. Both involve sharing resources and expertise between organizations, increasing the amount of time available for land protection, and both have detailed memoranda of understanding, defining the terms of the agreement. Interestingly enough, both examples also resulted in an ultimate merger of

the organizations involved in the partnership. The initial partnership arrangement afforded the organizations time to work together and “test out” a closer relationship.

EXAMPLE 1 – LAND TRUST PARTNERSHIP OF THE CAPITAL REGION – ALBANY COUNTY LAND CONSERVANCY, LAND TRUST OF THE SARATOGA REGION, RENSSELAER-TACONIC LAND CONSERVANCY (*NEW YORK*)

These three New York land trusts entered into a cooperative agreement in 1999 to work together on land protection efforts within the three counties of the immediate capital district region. In 2000, the partnership jointly contracted with an administrative service company to perform such tasks as database management, membership mailings and answering the telephone. (The Land Trust of the Saratoga Region has since merged with the Saratoga Springs Open Space Project to become Saratoga PLAN. See Mergers, below.)

Observations and insights

These administrative duties consumed a great deal of volunteer and staff time. By passing on those tasks, the land trusts had more time to focus on land protection.

See also

[Cooperative Agreement – between the Albany County Land Conservancy, the Land Trust of the Saratoga Region, and the Rensselaer-Taconic Land Conservancy](#)

EXAMPLE 2 – COLLABORATION BETWEEN THE CADILLAC AREA LAND CONSERVANCY, GRAND TRAVERSE REGIONAL LAND CONSERVANCY, POINTS BETSIE TO SABLE LAND CONSERVANCY (*MICHIGAN*)

Approximately four to five years ago, these three land trusts entered into a collaborative agreement that outlined how they would operate in those regions where their service areas overlapped. The Cadillac Area Land Conservancy (CALC), the Grand Traverse Regional Land Conservancy (GTRLC) and the Points Betsie to Sable Land Conservancy (PBSLC) all shared portions of the same watersheds along Lake Michigan. The agreement provides guidance concerning the sharing of technical expertise among the organizations (only GTRLC had any professional staff). A board member and staff member from each land trust met regularly to discuss ways the organizations could work together on cooperative land protection efforts. PBSLC has since merged with GTRLC (see Mergers, below), while CALC remains independent, although relatively inactive.

Helpful contacts

Glen Chown, Executive Director, Grand Traverse Regional Land Conservancy, 3860 North Long Lake Road, Suite D, Traverse City, MI 49684, 231-929-7911, glenchown@gtrlc.org

See also

[Collaboration Agreement between the Cadillac Area Land Conservancy, the Grand Traverse Regional Land Conservancy, and the Points Betsie to Sable Land Conservancy**](#)

Affiliations

There are several ways land trust can form closer relationships with each other and with similar groups through affiliations, both formal and informal. These include chapters, supporting organizations (509(a)(3) organizations) and affiliations with neighborhood groups. One of the main advantages of this approach is it obviates the need to create a new 501(c)(3) organization. It also allows a group to retain its own identity, concentrate its activities and efforts in a limited geographic area, and draw on existing local support, contacts and energies. The “parent” organization provides the necessary infrastructure and technical expertise to its “offspring” affiliate, often by conducting the transaction and ultimately holding the land or conservation easement.

For these types of arrangements to be successful, a shared mutual interest is required: either the protection of a resource both groups have in common, or complementary overarching goals. There needs to be a clear definition of how much authority the affiliate has, who can make what decisions, and how land protection projects are identified, evaluated and completed. Because most of these projects are generated locally by the affiliate, the local group usually takes the lead in any fundraising. It’s also helpful to have a designated point person in the parent organization who can act as the primary liaison between the organization and the affiliate, ensuring that communications between the two groups are open and ongoing.

(See also the example of the Chattowah Open Land Trust and the Chattahoochee Valley Land Trust in Mergers, below.)

Chapters

The chapter arrangement offers several advantages to all parties, including reduction of administrative costs, the ability to project a single identity and image throughout a state or region, and a reduction in competition for funding.

EXAMPLE 1 – ORONO LAND TRUST AND THE TOWN OF VEAZIE CONSERVATION COMMISSION (*MAINE*)

The Orono Land Trust (OLT) recently agreed to form a chapter in the neighboring town of Veazie. The Veazie Conservation Commission approached OLT for ideas and discussions after several landowners in the community indicated interest in protecting their properties. The commission explored the idea of forming its own land trust, but given Veazie’s size and population, was unsure that enough volunteers could be recruited to found and operate a new organization. While the formation of the Veazie chapter is still in its initial stages, as of this writing the commission had elected a representative to OLT’s board, and the groups are working on the details of the chapter arrangement.

Observations and insights

The Towns of Orono and Veazie share an interconnected trail network and a mutual interest in maintaining the integrity of the trail system. The conservation commission wanted to ensure that land protection projects in Veazie would receive attention and not be overshadowed by initiatives in Orono. The chapter arrangement seemed a logical solution to both groups. The commission

can continue to concentrate on projects in Veazie, relying on OLT's infrastructure and expertise to provide a home for the property or easement. If the arrangement works well, OLT may try to expand the chapter model to another neighboring community where there currently is no town conservation commission or land trust.

Helpful contacts

Gail White, President, Orono Land Trust, 26 Mainewood Avenue, Orono, ME 04473, 207-866-0041, gpwhite@maine.edu

EXAMPLE 2 – MINNESOTA LAND TRUST

The Minnesota Land Trust (MLT) took shape in 1993 when the Washington County Land Trust expanded its geographic focus to the entire state. At the time, the board concluded that chapters would provide the most effective structure for the new land trust. By 1996, three chapters were established and five more followed over the next few years. The chapters consisted of a core group of local volunteers that were drawn together because of their regional location or strong interest in protecting Minnesota's open spaces.

MLT had a clear process for launching new chapters. During a series of meetings, MLT and the new chapter volunteers went over the relationship between the land trust and its chapters, discussed outreach methods, and set up the chapter's organizational structure. Each chapter named a member to sit on MLT's board of directors, and one of MLT's staff members attended or reviewed the minutes of the chapters' monthly meetings. The chapters operated with a chapter board, bylaws and committees or work groups. Their responsibilities included regional land projects, annual monitoring, community education, and promoting membership.

In 2001, MLT abandoned the chapter model in favor of a regionally based strategy for land conservation. By placing staff in those local communities where there were chapters, MLT was better able to understand local needs and craft conservation programs to address local issues. After designating this regional structure, MLT also began a process of identifying those critical landscapes within each region that give Minnesota its special sense of place.

Observations and insights

While taking a statewide view of needs and priorities, MLT ensured strong local support for land conservation activities through the formation of volunteer-run chapters in targeted regions around the state. The benefit of the chapters was that it provided a way for interested people to organize themselves around a project without starting a new organization. The model worked well for MLT at a stage in its development where it initially viewed itself more as a service organization than as a land trust that wanted to be directly involved in every land protection project.

As MLT evolved, however, it became apparent that there were a number of downsides to the chapter approach. First, it was never clear whether or not any given local chapter project would be supported by the state board, nor how much authority the local chapters had. Because the land projects came to MLT from the bottom up, MLT had not yet established overall goals or focus areas for land protection statewide. Often, once a chapter's local project was completed, it became disinterested and disengaged from MLT.

MLT also found that the chapter model required a tremendous amount of staff time and support to make it work. Minnesota is a large state. Even though the eight chapters only covered one-third

of the state, it was difficult for staff to attend chapter meetings and provide the necessary oversight and technical expertise to the all-volunteer groups' land protection activities. MLT did not have the infrastructure in place necessary to support the chapters at that level. As a statewide organization, MLT ultimately decided that it would be more effective and a better use of its resources to establish its own regional offices with trained professional staff.

Helpful contacts

Jane Prohaska, Executive Director, Minnesota Land Trust, 2356 University Avenue, West, Suite 240, Saint Paul, MN 55114-1851, 651-647-9590, jprohaska@mnland.org

EXAMPLE 3 – WESTCHESTER LAND TRUST (*NEW YORK*)

The Westchester Land Trust (WLT) has an extensive chapter program, currently consisting of four chapters with two more under discussion. The first chapter was created in the 1990s in the Town of Lewisboro by a WLT board member. The second was started two or three years ago in New Castle, and the last two chapters were created since June 2004 in North Castle and Cortland, respectively. All were formed following the passage of a town open space referendum. WLT's board of directors governs the chapters, and at least one member of each chapter is also a member of the WLT board. The chapters focus on outreach and bring easement projects to the land trust, all of which must go through the same approval process as projects that are generated directly by WLT. WLT staff, specifically an outreach coordinator, lends experience and support to the chapter's outreach activities.

Observations and insights

One of the biggest benefits of the chapter arrangement is that the groups do not need to create their own 501(c)(3) organizations. This has been a "win-win" arrangement for WLT: the chapters function as the pipeline to raise awareness about land conservation in their communities and bring projects directly to the land trust.

Helpful contacts

Eileen Goren, Outreach Coordinator, Westchester Land Trust, 11 Babbitt Road, 2nd Floor, Bedford Hills, NY 10507-1802, 914-241-6346, eileen@westchesterlandtrust.org

See also

[Westchester Land Trust – Chapter Guide, July 2004](#)

Supporting organizations – 509(a)(3)

Supporting organizations are organized and operated exclusively for the benefit of, to perform the functions of, or to carry out the purposes of one or more publicly supported organization. The advantage to being a supporting organization is that the organization *does not* have to receive a substantial part of its income from the general public, that is, it does not have to meet the IRS public support test for 501(c)(3) organizations. Certain types of supporting organizations (those that meet the IRS test of being "controlled by" one other organization) also qualify to receive tax-deductible donations of conservation

easements if they meet other IRS requirements. A possible disadvantage is that it must be operated, supervised or controlled by the supported agency or organization. The Nature Conservancy and the Open Space Institute in New York have in the past helped facilitate the start-up and operation of land trusts by making them their supporting organizations. This is also a mechanism for establishing a land trust “arm” of a more advocacy-oriented conservation organization.

EXAMPLE – PECONIC LAND TRUST, SOUTH FORK LAND FOUNDATION AND NASSAU LAND TRUST (*NEW YORK*)

The Peconic Land Trust (PLT) was established in 1983 to protect Long Island’s farmland and open space. It currently has two supporting organizations—the South Fork Land Foundation (SFLF) and the Nassau Land Trust (NLT).

SFLF was originally formed in the early to mid 1970s as a separate 501(c)(3) organization. As a small, not very active group consisting of four board members and focusing exclusively on South Hampton, it had difficulty meeting the public support test and eventually lost its tax-exempt status. In 1996, the land trust reformed as a supporting organization of PLT, and owns land and holds easements in the geographical area known as the South Fork of Long Island. SFLF and PLT have interlocking board memberships—a board member of SFLF serves on the board of PLT and vice versa. The SFLF board still only totals five and meets quarterly. Under a contractual fee arrangement, PLT staff act as staff for SFLF. They have completed all of the baseline documentation for SFLF’s easements, and conduct the annual monitoring. They will also negotiate any future land transactions on behalf of SFLF.

NLT was founded in 2001 directly as a 509(a)(3) supporting organization of PLT. A PLT board member who grew up in the Nassau area and had a special interest in the region originated the group. Nassau County is located far enough away from PLT’s headquarters that it would have been difficult for PLT to service the region directly. In this case, the PLT board appoints the five-member board of NLT; the boards also have interlocking memberships. Again, PLT serves as the staff for NLT’s conservation projects under a similar agreement as that between PLT and SFLF.

Observations and insights

For SFLF, becoming a supporting organization of PLT was a way to maintain its own identity and visibility on specific protected properties, yet not be faced with the need to broaden its constituency beyond a small focus area. Given the size of the board and its relative inactivity, PLT was able to use its own professional staff to help the smaller land trust upgrade its stewardship capabilities and ensure that any new transactions are conducted to the highest standards. SFLF is not actively pursuing and new projects, and it is likely that it will ultimately fold into PLT at some point in the future.

NLT, on the other hand, is currently funneling new projects to PLT staff. Once NLT becomes more established, it is possible that the organization may evolve into a separate 501(c)(3) organization.

Other land trusts on Long Island have approached PLT with a desire to become supporting organizations, but PLT has demurred, feeling that the structure may get unwieldy if there are too many such groups. Most of these are already separate 501(c)(3) organizations, and PLT has tried to help these smaller land trusts in other ways, such as providing them with technical assistance or inviting them to workshops and trainings.

Helpful contacts

John Halsey, President, Peconic Land Trust, P.O. Box 1776, Southampton, NY 11969-1776, 631-283-3195, jhalsey@peconiclandtrust.org

See also

[Certificate of Incorporation of South Fork Land Foundation, Inc.](#)

Affiliations with neighborhood groups

In some cases, local citizens are interested in protecting a property that may or may not be one of the area land trust's primary targets for protection. Rather than starting a new organization, many of these neighborhood groups are looking at ways they can work in coordination with the land trust to achieve their protection goals. Here are a few examples:

EXAMPLE 1 – BRUNSWICK-TOPSHAM LAND TRUST (MAINE)

Within the last four to five years, the Brunswick-Topsham Land Trust (BTLT) has worked on several projects with local community groups:

Topsham Future – this local planning and advocacy group, was able to convince a luxury retirement compound developer to place a conservation easement on 230 acres, including one and a half miles of river frontage along the Cathance River. BTLT now holds the easement.

Friends of Cox Pinnacle – BTLT helped this local group protect vulnerable property by assisting them with their fundraising efforts and acting as a conduit for the project's contribution so the local group did not have to create its own 501(c)(3) organization. The town was also a partner in this transaction, and BTLT provided the local group with a \$10,000 match to purchase the property.

Friends of the Town Common – one of the goals of this local group was to create a trail system from Bowdoin College to Middle Bay. BTLT provided technical assistance and acted as a resource/consultant for the initiative.

Pennellville – when a 40-acre historic farm came on the market in this community, the local citizens approached BTLT. The owner's asking price was \$850,000. As with the Cox Pinnacle project, BTLT acted as the conduit for the local fundraising and ultimately received an easement on 29 acres.

Observations and insights

Each of these projects was successful due to the energy and commitment of the local groups. And each avoided the creation of a new 501(c)(3) organization. In addition to protecting the land, two of these projects also generated three new strong board members for the land trust. Working with these neighborhood groups, land trusts can find new talent for their boards.

Helpful contacts

Jack Aley, Executive Director, Brunswick-Topsham Land Trust, 108 Maine Street, Brunswick, ME 04011, 207-729-7694, btlt@gwi.net

EXAMPLE 2 – BLUE HILL HERITAGE TRUST (MAINE)

The Blue Hill Heritage Trust (BHHT) has worked on several projects with local neighborhood groups in different regions of its service area.

Friends of Morgan Bay (FMB) – this informal neighborhood group has been meeting regularly for about 10 years. It did its first project with BHHT in the early 1990s on the north end of Morgan Bay. Together, the groups raised \$70,000 to purchase a key waterfront parcel now owned by BHHT. Since then, they have done several additional projects together. BHHT and FMB are currently working on an MOU, which will provide more detail on their collaboration to avoid confusion, especially in regard to how the flow of money will be handled between the two groups.

Friends of Gold Stream Marsh (FGSM) – BHHT worked with this local group to purchase land in the Town of Surry. BHHT negotiated with the landowner, with whom FGSM was unsuccessful in reaching agreement, and organized the fundraising. BHHT owns the property, and FGSM is responsible for its stewardship. An MOU between the two groups details their respective roles.

Friends and Neighbors of Brooklin (FNB)– this group sprung from the town’s comprehensive planning effort and is focused on walking paths and trail corridors. BHHT is currently working with FNB to identify local projects of mutual interest.

Blue Hill Village Improvement Association (BHVIA) – BHHT is helping to revitalize this established, but relatively inactive group to increase land protection activities in the region. One parcel in particular is currently under consideration, but BHHT hopes to ready BHVIA for other projects of importance and mutual interest.

Observations and insights

BHHT’s relationship with these neighborhood groups has been very productive. They provide the local energy, serve as champions for the project and look for new land protection opportunities. BHHT can only grow so large in terms of capacity, resources and time. Hence, in order to act strategically, it needs to find ways to leverage its work. The smaller groups provide local insight into projects of local importance and help BHHT achieve its goal of being effective locally, as well as regionally.

Helpful contacts

James Dow, Executive Director, Blue Hill Heritage Trust, P.O. Box 222, Blue Hill, ME 04614-0222, 207-374-5118, bhht@downeast.net

EXAMPLE 3 – GEORGIA LAND TRUST AND SPACE

Through its SPACE (Saving Places for Atlanta’s Community Environments) program, the Georgia Land Trust (GLT) works with neighborhood groups in metro Atlanta to protect important urban greenspace. Similar to the role of the Brunswick-Topsham Land Trust described above, GLT often helps these groups by serving as their 501(c)(3) conduit. Some examples follow:

Wolf Creek – SPACE’s first easement was on a one-acre tract of woods in Buckhead, now preserved as Wolf Creek Park. That protection effort, led by Wolf Creek residents, resulted in the creation of SPACE and its eventual merger with GLT. Two of those residents now serve as board

members of GLT, and the SPACE program continues to seek easement opportunities on large tracts of still undeveloped woodlands in the Wolf Creek neighborhood.

Blue Heron Nature Preserve – SPACE partnered with a neighborhood environmental organization to protect seven acres of woodlands adjoining Nancy Creek. Their combined efforts resulted in the creation of the Blue Heron Nature Preserve and the acquisition of pocket wetlands in the midst of a north Buckhead residential area.

Helpful contacts

Katherine Eddins, Executive Director, Chattowah Open Land Trust (Alabama Land Trust), 226 Old Ladiga Road, Piedmont, AL 36272, 256-447-1006, katherine@chattowah.org

Sharing Staff

There are a number of different examples of land trusts that share staff—for land protection, for administrative duties or for other functions. One or more staff can be hired to work on a joint land protection project (such as the Mt. Agamenticus to the Sea Conservation Initiative), one individual can work full-time by splitting his or her time between two separate land trusts, or staff of a larger organization can be made available to help an understaffed group. Sharing the work in this fashion can mean tremendous economies of scale for the organizations involved. It can also help a land trust make the transition from an all-volunteer organization to a staffed one.

Sharing staff can be challenging. Clear communications between all parties is again essential. Written job descriptions should clarify expectations and define the work to be performed, as well as the number of hours spent on each project or with each land trust. If two or more organizations share a staff person, both boards need to consider carefully the possible conflict of interest posed by one person trying to fulfill the differing demands of more than one boss.

EXAMPLE 1 – MT. AGAMENTICUS TO THE SEA CONSERVATION INITIATIVE (MAINE)

The York Land Trust, Kittery Land Trust, Great Works Regional Land Trust, and The Nature Conservancy, as part of a 10-member coalition centered on a landscape-scale conservation project in southwest Maine (see above), began sharing staff in 2001 by hiring a part-time land protection specialist. In 2003, with the help of start-up funds from The Nature Conservancy and Maine Coast Heritage Trust, the coalition hired a development director and retained the land protection specialist. An office assistant and a part-time project coordinator were added later. In 2004, the project coordinator was increased to full time. The sharing of staff is focused on a particular project area, and is viewed as a short-term (three to four years) arrangement.

The Oversight Committee, made up of representatives of the 10 coalition partners, oversees the project itself. The committee meets monthly. A subcommittee of this group oversees the staff. Ad hoc committees were used in hiring.

The staff serves the needs of the project—not of the individual coalition members. There are some gray areas where project objectives and broader land trust objectives overlap, such as reaching out to municipal officials and communities to communicate conservation messages.

Observations and insights

Sharing staff between many organizations can be difficult. The staff works hard to achieve the coalition's overall goals, which do not always perfectly align with the individual goals of the partner organizations. The bulk of the work is still done by volunteers, who have constraints on their time and abilities. There is a tremendous amount of communication that needs to take place with people who do not always have the time to communicate. The initiative has been successful in keeping disagreements to a minimum by making all committees open to any coalition member, making the minutes of those meetings available electronically, by having regular meetings, by a willingness to reconsider a decision, and by keeping focused on the initiative's long-term goals.

Helpful contacts

Roger Cole, Coordinator, Mount Agamenticus to the Sea Conservation Initiative, P.O. Box 1241, York Harbor, ME 03911, 207-439-9133, mntatosea@comcast.net

Tin Smith, Great Works Regional Land Trust, 342 Laudholm Farm Road, Wells, ME 04090-4703, 207-676-2209, tjsmith@gwi.net

Doreen MacGillis, Executive Director, York Land Trust, P.O. Box 1241, York Harbor, ME 03911-1241, info@yorklandtrust.org

See also

An Evaluation of the Mt. Agamenticus to The Sea Conservation Initiative, by Martha West Lyman, August, 2005. <http://www.mntatosea.org/mtareportfinal.pdf>

EXAMPLE 2 – NEW JERSEY CONSERVATION FOUNDATION STAFF SHARING WITH LOCAL LAND TRUSTS

In 2001, under a pilot staff-sharing program, the New Jersey Conservation Foundation (NJCF) hired two staff members who split their time assisting four land trusts for two years. The program was aimed at increasing the land protection capacity of the local land trusts. One NJCF staff member worked with the Rancocas Conservancy and the South Jersey Land Trust. The other worked with the Friends of Hopewell Valley Open Space and the Hunterdon Land Trust Alliance. While HLTA had part-time consulting assistance, none of the other land trusts had staff.

NJCF supervised the staff-sharing project and helped assure that the employees were splitting their time equally between the land trusts they served. The local land trust boards treated the staff as their own and assigned them to priority projects. The two staff members helped with a variety of tasks, ranging from donor database management to land stewardship, but spent the majority of their time on land acquisition and protection projects.

Observations and insights

The program benefited from economies of scale. The local land trusts benefited from having an office without having to start their own. They gained a statewide perspective on their work and had immediate access to NJCF's resources, without having to worry about payroll or other administrative tasks.

Helpful contacts

Michele Byers, Executive Director, New Jersey Conservation Foundation, 170 Longview Road, Far Hills, NJ 07931-2623, 908-234-1225, michele@njconservation.org

EXAMPLE 3 – OLD MISSION CONSERVANCY AND GRAND TRAVERSE REGIONAL LAND CONSERVANCY (MICHIGAN)

When the Grand Traverse Regional Land Conservancy (GTRLC) was formed in Michigan in 1991, it worked to build a cooperative agreement with the Old Mission Conservancy (OMC), a land trust that served a township in one of the four counties in which the regional conservancy planned to operate. Through their cooperative agreement, OMC was able to tap the services of GTRLC's seven-person staff, and GTRLC benefited from OMC's strong community connections in the Old Mission Peninsula Township. GTRLC provided the all-volunteer OMC with administrative support, including record-keeping, fundraising and membership mailings. OMC continued to work on protecting land and monitoring easements, which were co-held with GTRLC. GTRLC's board of directors had a liaison member from the OMC board. Old Mission Peninsula residents who joined either land trust also received a membership in the other organization. GTRLC retained 80 percent of all membership fees from township residents; OMC received 20 percent.

Observations and insights

The partnership yielded good results in land protection and membership. OMC membership rose over the subsequent years, and had one of the highest percentages of members per capita and member retention within the Grand Traverse region. These two land trusts have since merged into a single organization. The cooperative agreement was a key interim step, and a logical evolution of the relationship.

Helpful contacts

Glen Chown, Executive Director, Grand Traverse Regional Land Conservancy, 3860 North Long Lake Road, Suite D, Traverse City, MI 49684, 231-929-7911

See also

[Cooperative Agreement Between Old Mission Conservancy and Grand Traverse Regional Land Conservancy](#)

OTHER HELPFUL RESOURCES

- [Cooperative Agreement – Walloon Watershed Protection Partnership \(MI\)](#)

Sharing Staff and Services

In some states and regions of the country, several land trusts have banded together to share not only staff, but also services within a geographic area. Those services vary from technical assistance to public outreach to advocacy activities. These are more complex arrangements, and all involve the creation of a new organization and supporting infrastructure. These entities are also commonly referred to as land trust service centers or coalitions.

EXAMPLE 1 – THE COMPACT OF CAPE COD CONSERVATION TRUSTS (MASSACHUSETTS)

The Compact of Cape Cod Conservation Trusts, Inc. (see www.compact.cape.com) was formed in 1986 as a nonprofit service bureau assisting six local land trusts on the Lower Cape. Today, the Compact works with 25 local and regional land trust and watershed associations on their projects to acquire and manage important natural areas as protected open space. It has a staff of four—an executive and assistant director, and two land protection specialists. The Compact also advises its members on nonprofit administration, tax and legal questions. As a regional organization, the Compact also conducts research and promotes land projects that foster a regional approach to open space protection. Dues from member land trusts, donations and grants from private foundations support the Compact. Member land trusts pay \$1,500 per year for 20 hours of direct service on local projects. If they go beyond their 25-hour limit, they can hire the staff for \$30 per hour or make arrangements to contract for more time. Associate members in the Compact pay less than \$1,500 and still receive information and phone consultation by the Compact staff. The Compact does not hold land or easements, except as a service to its member land trusts.

Observations and insights

Because volunteers manage most of the local land trusts, they find the full-time staff support provided by the Compact crucial to fulfilling their land conservation goals. The Compact has allowed land trusts to take on a greater volume of work and more ambitious projects than their volunteers would be able to do without professional expertise and support.

The operating philosophy of the Compact is that the best way to keep the Compact strong is to build the capacity of local land trusts. There is careful attention paid so that the Compact does not compete with its member groups on fundraising. The Compact works best for groups that are active and need technical support. It does not see itself as a substitute for local land trust leadership.

In 2003, the Land Trust Alliance hailed the Compact as a “national model” of sustainable land trust collaboration. Nearing its 20th anniversary, the Compact may be the longest running, grassroots regional service bureau for local land trusts in the nation.

Helpful contacts

Mark Robinson, Executive Director, Compact of Cape Cod Conservation Trusts, P.O. Box 443, Barnstable, MA 02630-0443, 508-362-2565, compact@cape.com.

EXAMPLE 2 – GATHERING WATERS CONSERVANCY (WISCONSIN)

Gathering Waters Conservancy (GWC) (see www.gatheringwaters.org) is a land conservation organization formed in 1994 to assist land trusts, landowners and communities in their efforts to protect Wisconsin's land and water resources. Established by a coalition of land trusts, GWC serves as an education and technical assistance center for land trusts and landowners alike.

Currently, 48 of the 50 land trusts operating in Wisconsin are members of GWC. Member land trusts pay an annual fee based on their operating budgets in return for a full suite of technical

services, including strategic plan facilitation, organizational assessments, site conservation planning, fundraising workshops, and the combined power of a policy network.

A unique feature of GWC is that a major source of its funding comes from annual appropriations by the Wisconsin legislature. This state money provides about one-third of GWC's budget each year; the remainder of the funding comes from grants, individuals, member dues, and program income.

GWC runs three main programs. The Technical Assistance Program fills a knowledge gap by providing both landowners and land trusts with the most current information on conservation options. Its staff help new land trusts get started and work with existing land trusts on more complex conservation issues as well as effective management of nonprofit organizations. The Policy Program mobilizes the land trust and conservation communities on legislative issues affecting private land conservation in Wisconsin. The Outreach and Education Program works to raise the profile of land trust activities and inform various audiences about the role of land trusts and the importance of private land conservation.

Observations and insights

Early in the organization's history, GWC played a role in direct land protection, working with landowners on conservation easements on critical parcels of land. The goal of GWC's Land Protection Program was to ensure protection of these parcels until there was a viable land trust to which to transfer the easement. Realizing that their statewide scope and limited staff made negotiating and monitoring easements an inefficient use of resources, and in light of the growth of land trusts around the state, GWC no longer plays this direct conservation role.

With a wealth of databases, an extensive library and more, Gathering Waters brings its expertise to bear on educating those who need to know how best to protect Wisconsin's significant land and water resources. It has developed programs and workshops that serve as models in other areas of the country.

In addition, GWC is working with Wisconsin land trusts to facilitate the development of regional alliances or collaborations of organizations to harness better the collective power of these groups. These collaborations are able to secure grant funding at a scale that individual groups can not, are sharing contacts, expertise and tools, and speak with a unified voice on issues of concern in their regions.

Finally, GWC partners with other statewide agencies and organizations on programs, initiatives, planning, and policy to leverage even greater success and resources.

Helpful contacts

Vicki Elkin, Executive Director, Gathering Waters Conservancy, 211 South Paterson Street, Suite 207, Madison, WI 53703-4501, 608-251-9131, elkin@gatheringwaters.org

Land trust service centers and coalitions – a note

There are approximately 20 land trust service centers or coalitions around the country. These centers serve a vital role in connecting land trusts within a region, and delivering capacity-building services that mirror those the Land Trust Alliance delivers on a national

level. Their strength lies in their familiarity with state or local tax laws, local politics and the types of land that are being protected in that particular area.

Land trust service centers differ in what services they offer their local members, but in general, services most often include technical assistance, trainings, conferences, a voice in state public policy, and networking. Training often concentrates on capacity building. Some centers offer grant assistance.

For a complete list of land trust service centers, go to www.lta.org and click on “Resources for Land Trusts”, then “Service Centers”.

EXAMPLE – MAINE LAND TRUST NETWORK

The Maine Land Trust Network (MLTN) (see www.mltn.org) is a communications and coordination service provided by Maine Coast Heritage Trust to land conservation organizations throughout Maine. Its services are funded by MCHT and membership dues, and are available to all member organizations. The Network was created in 1995 to formalize the mutually advantageous relationship between the state's largest land trust, MCHT, and the state's 100 local land trusts. Today it has approximately 80 members.

The Network builds capacities of local land trusts, facilitates innovative partnerships, stimulates research on critical conservation issues, advances techniques for land protection, and coordinates public policy efforts. It organizes periodic regional meetings and training sessions, and advises MCHT on the content of its annual statewide conference. The network also produces a land trust directory and resource guide, a quarterly newsletter and public policy alerts, periodic brochures and other informational pieces, and hosts a land trust list serve and e-newsletter.

Maine Coast Heritage Trust provides a coordinator to administer the Network. A 23-member steering committee provides guidance to the Network and addresses issues facing Maine's land trust community. The committee meets quarterly.

Membership is based on payment of annual dues that are graduated according to the member organization's size, maturity and ability to pay (ranging from \$150 to \$550). Members agree to send the Network coordinator copies of their newsletter and names and addresses of their board members (to receive the Network newsletter). Additionally, members are requested to formally adopt the Land Trust Alliance's *Land Trust Standards and Practices*.

Observations and insights

Since its founding, the Network has become the vehicle for land conservation organizations in Maine to act as a supportive, cooperative community. Land trusts, state and federal agencies, foundations, housing and sprawl groups, and other conservation organizations know the Network has the information they need to connect with others working on related issues.

Helpful contacts

Megan Shore, Land Trust Coordinator, Maine Coast Heritage Trust, 1Main Street, Suite 201, Topsham, ME 04086-1240, 207-729-7366, mshore@mcht.org

OTHER HELPFUL RESOURCES

- “Land Trust Service Centers: Collaboration at the Regional Level”, by Christina Soto, *Exchange*, Spring 2004 (Vol. 23 No. 2), Land Trust Alliance**

Mergers

Many land trusts consider merging with adjacent organizations. The reasons are many - overlap in service area; the benefits of combined membership; and growth in volunteers - to name a few. Nonprofits traditionally seek to put most of their resources toward their missions, not into administration. A merger is one strategy for achieving that goal.

A land trust that is continually struggling for resources may find that it needs to coordinate better with neighboring land trusts. Sometimes there are too many organizations operating in a region, competing for the same dollars and deals.

Yet mergers are not simple to evaluate nor easy to implement. In the business world, despite their enormous popularity and much literature on the why and how of mergers, most mergers fail. Mergers involve major structural changes, and impact both board and staff members. It is important carefully to assess whether or not a merger makes sense for the organizations involved and thoroughly evaluate the costs v. the benefits of a merger. Some key questions land trusts need to consider include:

- What will the board makeup be?
- Who will lead the merged organization?
- What happens with emerging power imbalances?
- How will staff be affected?
- How will the merged organization be repositioned?
- How will the work get done during the merger and post-merger period?

Mergers also result in a loss of identity. This loss can be ego related, specific to one land trust's individual identity, including the loss of board members, members and the land trust's name. But it can also relate to organizational effectiveness, as a previously grassroots organizations grows into a larger, regional entity with less of a presence in a community it once served and knew well.

While mergers are not a magic bullet, a good match can be a very effective way to move compatible land trusts to a higher level of professionalism and effectiveness. There are certain synergies that can be achieved through a merger. Many land trusts are facing similar challenges, whether they are legal, operational or fundraising. By joining together, land trusts can pool their resources to address these common challenges.

Attorney Gwendolyn Griffin, in the *Exchange* article cited below, describes three general steps to a successful merger:

1. **Exploring compatibility.** Before venturing into merger discussions, each organization must have a clear understanding of its mission, ideas and practices.

These can be compared with the mission and practices of potential partners to see if they are compatible. According to business guru Peter Drucker, the number one predictor of merger success is compatibility of cultures.

2. **Doing due diligence and legal work.** All of the holdings and obligations of the pre-merger partners will become the obligations and assets of the surviving entity. For land trusts, this may mean reviewing multiple fee title and conservation easement holdings of their potential partner.
3. **Implementing the merger.** Once the paperwork is done, the work of forging a successful union has just begun. Inevitably there will be rough spots and surprises along the way. As problems are confronted, land trusts should stay focused on the reasons they united in the first place. Mergers are labor intensive, and it takes longer than most organizations expect to realize all of the benefits. In the meantime, land trusts should be prepared to pay more legal fees and other merger-related expenses, and to focus time and attention on internal organization.

Small organization folds into a larger organization

EXAMPLE 1 – BELFAST-NORTHPORT-LINCOLNVILLE LAND TRUST AND COASTAL MOUNTAINS LAND TRUST (MAINE)

The Coastal Mountains Land Trust (CMLT) began as the Camden-Rockport Land Trust (CRLT). In 1991, a CRLT board member from a neighboring community led an interest in expanding the land trust's service area from two to four towns. CRLT added the towns of Lincolnville and Hope to its region and changed its name to the Coastal Mountains Land Trust in 1992. The new CMLT now found itself to some extent overlapping with the Belfast-Northport-Lincolnville Land Trust (BNLLT) in the Ducktrap watershed. (This overlapping interest helped spawn the Ducktrap River Coalition. See Cooperation on Land Protection Projects, above.) BNLLT, an all-volunteer land trust, was formed in 1988, but had no land or easement holdings. Its group of dedicated members had several promising projects, but was unable to bring any to fruition.

In 1999, CMLT was approached by a landowner in Belfast who wanted to donate an easement to the land trust. Because CMLT did not operate in Belfast, it referred the landowner to BNLLT. BNLLT, however, was not prepared to complete the project. This led the landowner to return to CMLT and paved the way for discussions between the two organizations to join as one. The following year, the BNLLT board opted to dissolve the nonprofit to join with CMLT. CMLT expanded its service area to include those areas previously served by BNLLT.

Observations and insights

It was a challenge for CMLT to expand and establish itself in Belfast and the surrounding communities. None of the prior BNLLT board members joined the CMLT board, so there were relatively few contacts for and supporters of CMLT in Belfast, Northport or Lincolnville. Through targeted outreach activities, CMLT had to work hard to gain a foothold and presence in those towns before it could return to its land protection work. Since then, the transition has been successful, and CMLT is now expanding its reach into upper and western Penobscot Bay.

Helpful contacts

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EXAMPLE 2 – GRAND TRAVERSE REGIONAL LAND CONSERVANCY AND POINTS BETSIE TO SABLE CONSERVANCY (*MICHIGAN*)

These two land trusts in Michigan's northwest lower peninsula merged in 2002 to improve the efficiency with which land is protected in the area. The merger was preceded by a collaboration agreement between the Grand Traverse Regional Land Conservancy the Points Betsie to Sable Conservancy and the Cadillac Area Land Conservancy (see above). PBSC had no staff, and after finding itself drawing upon the professional resources of GTRLC more and more often to complete its land protection projects, a merger seemed a logical next step. Manistee County, the region in which PBSC operated, is a region with intense development pressure. In order to sustain the organization and respond to the growing development threat, a merger was self-evident to most PBSC board members. Since then, GTRLC remains heavily involved in Manistee County, including a current effort to protect 6,000 acres straddling the region. One of PBSC's former board members and key activists also sits on the GTRLC board.

Observations and insights

While merger discussions can be sensitive, having a neutral facilitator was very helpful. The facilitator helped both groups air their concerns and kept the focus on what is best for the land. Because GTRLC is engaged in dramatic projects in Manistee County, the few PBSC board members who initially opposed the merger quickly got over their concerns. On a less positive note, GTRLC was forced to take on some old PBSC easements that were not negotiated or drafted to GTRLC's current standards and may present some future problems for the land trust.

Helpful contacts

Glen Chown, Executive Director, Grand Traverse Regional Land Conservancy, 3860 North Long Lake Road, Suite D, Traverse City, MI 49684, 231-929-7911

EXAMPLE 3 – MERGER OF A LAND TRUST WITH A LOCAL ADVOCACY GROUP (*NEW YORK*)

Economic conditions served as a catalyst for these two organizations to merge into one. The Land Trust of the Saratoga Region and a local advocacy group for land use planning and preservation, the Saratoga Springs Open Space Project, merged to become Saratoga PLAN (Preserving Land and Nature) in 2003. The land trust was struggling with operational abilities, such as developing membership, finding organizational support and retaining staff. The Open Space Project, while well funded and successful in its growth management initiatives, was not legally able to hold the land or easements its projects generated. Rather, its executive director would bring nearly completed land protection projects to the land trust's board of directors for their approval and ultimate acceptance. In addition, the funding base of both organizations consisted of the same major donors. One individual, who was a board member of both organizations, began to question why there were two separate organizations.

The result was a number of internal discussions by both boards, culminating in a professionally facilitated meeting consisting of the boards of the land trust, the Open Space Project and the local historic preservation group. While it soon became clear that the historic preservation group needed to pursue a separate agenda, the group found much more symbiosis between the land trust and the Open Space Project. A transition team was created, consisting of four board members from each organization. The team met for several months and came up with a detailed transition plan, outlining the process for new bylaws, name, mission, and structure, ultimately leading to the merger of the two organizations.

The new Saratoga PLAN took on the tasks of both land trust and promoter of land use planning with a staff of three. (Previously, the land trust was able to hire one staff member on and off, and the Open Space Project had two and a half staff positions.) Within the first year of the merger, the organization saved almost \$40,000 in operating expenses. The merger also helped the planning and advocacy arm of the organization expand its work across the entire county, and gave the land trust arm more stable staffing and operational support. Membership in the organization has grown 20 percent since the merger. Land protection activities have also increased dramatically. While the old land trust struggled to complete a single project each year, Saratoga PLAN is currently working more than 10 separate projects covering nearly 1,000 acres.

Observations and insights

The merger process was a marvelous opportunity for both organizations to address some structural problems—for example, neither group had board terms, and both suffered to some extent from “founder’s syndrome”. It was an opportunity to start fresh and reform the existing structures into a new organization, simultaneously creating new rigorous policies and procedures. The merger also helped show the community that the organizations worked together to be efficient with its donations.

One downside to the merger has been some loss of prior contributors. The Open Space Project had enjoyed tremendous support from people in the City of Saratoga Springs. When Saratoga PLAN changed its mission to become countywide, it lost some support from individuals who were focused on very local issues. Saratoga PLAN has struggled with these growing pains to find broad representation and support in the new communities it serves.

Helpful contacts

Alane Ball Chinian, Executive Director, Saratoga PLAN, 110 Spring Street, Saratoga Springs, NY 12866-3350, 518-587-5554, alane@saratogaplan.org

Mergers of organizations of more equal size

EXAMPLE 1 – GREAT PENINSULA CONSERVANCY: A MERGER OF FOUR LAND TRUSTS (WASHINGTON)

The Great Peninsula Conservancy (GPC) was created in 2000 by the merger of four local land trusts. The Hood Canal Land Trust, Indianola Land Trust, Kitsap Land Trust, and Peninsula Heritage Land Trust were all successful at acquiring and protecting conservation lands, but were finding it difficult to raise sufficient operating funds in their limited service regions to support organizational growth that included permanent staffing. The all-volunteer land trusts, operating on the western shore of Puget Sound, spent a year working together to assess the benefits of

closer collaboration. With the assistance of the Land Trust Alliance, they formed a working group to examine various collaborative arrangements and ultimately concluded that merger into a single, regional land trust would be the most effective method by which they could grow and respond to the significant development pressures in their region.

The working group, consisting of at least two board members from each land trust, met dozens of times for a year to examine alternatives and then to develop detailed governance, financial and fundraising plans. The ideas that came out of the process convinced them that a merged organization was not only sustainable, but a wise choice.

The board of directors of the new GPC has representatives from the board of the four merged land trusts. The first executive director and another staff person were hired in 2001, six months following the merger. A half-time administrative assistant was added the following year.

Observations and insights

The boards of these four land trusts put tremendous effort into the process. There was much work, a long courtship, and an even longer engagement before the merger ultimately took place. The individual land trusts did not want to lose their strong grassroots connection with their communities, yet all recognized that it would be difficult to sustain each organization independently. The four groups were poised for the merger—all were operated exclusively by volunteers who were tired of “carrying the flag” for their organization.

One of the unexpected benefits of the merger was that it forced the GPC to put all new policies and procedures in place. Because there were four different land trusts, there were four different ways of doing things. A lot of attention was paid to those details, which often get overlooked when a new organization starts from scratch.

GPC has been fairly successful in keeping an equal focus and recognition of the original mission and goals of the four land trusts. However, GPC has turned into a very different organization and finds it hard to achieve the same level of local presence that the individual land trusts once had. There was an initial thought that the original land trusts might continue as chapters, but this hasn’t happened as the GPC board finds itself focusing on the organization as a single entity. As a result, people have left the organization, and GPC has also lost some members. But all agree that the merger and regional approach were necessary for the survival of the organization.

Helpful contacts

Don Duprey, Director of Conservation, Great Peninsula Conservancy, 3721 Kitsap Way, Suite 5, Bremerton, WA 98312, 360-373-3500, don@greatpeninsula.org

Ann Haines, Executive Director, Great Peninsula Conservancy, 3721 Kitsap Way, Suite 5, Bremerton, WA 98312, 360-373-3500, ann@greatpeninsula.org

Kate Kuhlman, Director of Development and Outreach, Great Peninsula Conservancy, 3721 Kitsap Way, Suite 5, Bremerton, WA 98312, 360-373-3500, kate@greatpeninsula.org

EXAMPLE 2 – BLACK CANYON LAND TRUST: A MERGER THAT BEGAN THROUGH GENERAL COOPERATION (COLORADO)

The merger of the Valley Land Conservancy (VLC) and the Three Rivers Land Trust (TRLT) to form the Black Canyon Land Trust (BCLT) began with a memorandum of understanding regarding general cooperation and coordination of activities in overlapping service areas (see

Sharing Information and Mutual Cooperation, above). The land trusts—both with part-time staff—were located in neighboring counties, but overlapped in service area. The 1999 agreement was the beginning of closer communication between the two sometimes-competing land trusts, and jump-started the merger process. The land trusts combined representatives from their boards, pooled their resources and merged organizations a year later. Legally, the organization kept the by-laws and structure of VLC and absorbed TRLT into this framework. The new organization hired an executive director and an outreach coordinator, and kept one pre-existing staff member.

Observations and insights

At the time, the presidents of the two land trusts had very different visions of what the new organization should look like. It required hard work on the part of five or six core board members to instill a common vision among the combined board members. One of the greatest challenges for the board was deciding on a new name.

An additional challenge for the staff has been recreating the decision-making processes of the past, and identifying appropriate policies and procedures for the new organization. The record-keeping practices of both original land trusts were lacking. Many past board members are no longer with the new organization, and are not available to answer questions or provide clarification. For many of the owners of easement-protected land, BCLT was not the organization they had originally worked with.

Ultimately, however, the merger broadened the land trust's base of support, allowing it to hire additional staff. It also ended the confusion in the public's mind of why there were two land trusts operating in the same region. Membership increased, and the organization became stronger.

Helpful contacts

Adell Heneghan, Executive Director, Black Canyon Land Trust, 1500 East Oak Grove Road, Suite 201, Montrose, CO 81401-5460, 970-252-1481, adell@montrose.net

EXAMPLE 3 – SOUTHEAST ARIZONA LAND TRUST: MERGER OF TWO ALL-VOLUNTEER ORGANIZATIONS

The San Rafael Valley Land Trust (SRVLT) was formed in 1995 to protect working ranchlands in a geographically distinct valley in Santa Cruz County as the founders began to feel outside development pressure. A few years later, the Southern Arizona Grasslands Trust (SAGT) was created to work on a corridor management plan for a scenic highway that runs through the same county. SAGT's focus was on scenic viewshed easements. In 2000, the two all-volunteer land trusts merged to form the Southeast Arizona Land Trust (SALT). The new board of directors expanded to include representatives from both groups, as well as members representing an expanded service area. SALT received assistance from the Land Trust Alliance and the Sonoran Institute in facilitating the merger and preparing a strategic plan. A part-time executive director was hired in 2001, and became full-time shortly thereafter.

Observations and insights

Working in the same county, the two organizations looked at merger as an opportunity to combine forces and bring board members with similar interests together. It gave SRVLT an opportunity to expand its land protection efforts beyond the one valley. (The San Rafael Valley is truly a working landscape, with no centralized town or community.) The merger helped

expand both boards' views of land conservation by tying together the protection of working landscapes and scenic viewsheds. SALT has also benefited from taking on a larger area to work in and expanding its outreach efforts.

Helpful contacts

Sheldon Clark, President, Southeast Arizona Land Trust, 520-326-1898
 Stuart Leidner, Executive Director, Southeast Arizona Land Trust, P.O. Box 116, Sonoita, AZ 85637-0116, 520-455-5592, sealt@theriver.com

Merger of many land trusts

EXAMPLE – CHAGRIN RIVER LAND CONSERVANCY (OHIO)

The Chagrin River Land Conservancy (CRLC), with a staff of 13, is by far the largest land trust in the greater Cleveland area. It is, however, not the only land trust that operates in the region. A total of eight land trusts (six of which are all-volunteer) are active in northeastern Ohio. During the summer of 2004, CRLC engaged the Boston Consulting Group (BCG) to help evaluate how these organizations could best collaborate to increase the amount of land conservation in the region. BCG interviewed each land trust, as well as several others across the country, and recommended a merger as the most effective course of action.

Since that time, the eight land trusts have adopted a resolution to merge to form the Western Reserve Land Conservancy. A steering committee was created, consisting of two members from every land trust, to craft a detailed three-year implementation and transition plan for the merger. The first meeting took place in February 2005, and the committee hopes to have the plan written by June. BCG is facilitating the meetings, and CRLC has hired a project manager to oversee the details of the merger process.

Observations and insights

By the end of the BCG interviews, it became self-evident to all the parties that a merger was the right thing to do. Northeast Ohio is a single, cohesive socioeconomic unit that needs its own land trust. It just did not make sense to have that many different land trusts operating in greater Cleveland.

Helpful contacts

Dennis Bower, Project Manager, Chagrin River Land Conservancy, 2703 Rocklyn Road, Beachwood, OH 44122-2114, 440-729-9621, rdc@crlc.org
 Richard Cochran, Executive Director, Chagrin River Land Conservancy, 2703 Rocklyn Road, Beachwood, OH 44122-2114, 440-729-9621, rdc@crlc.org

See also

[Action by Unanimous Written Consent of the Trustees of Chagrin River Land Conservancy](#)
[Chagrin River Land Conservancy: Strategic Framework for SP2007 Regional](#)
[CRLC Strategic Plan, September 2004](#)
[Draft Vision Statement for WRLC](#)
[Summary of BCG Findings: Chagrin River Land Conservancy Strategic Planning, October 2004](#)
[Western Reserve Land Conservancy: Steering Committee Kick-Off, February 2005](#)

When merger is not the right approach**EXAMPLE 1 – COASTAL MOUNTAINS LAND TRUST AND GEORGES RIVER LAND TRUST (MAINE)**

These two land trusts were founded at about the same time. The Coastal Mountains Land Trust (CMLT) was organized around town boundaries, while the Georges River Land Trust (GRLT), an organization around the boundaries of the Georges River watershed. As a result, the service areas of these two land trusts overlap mostly in the Camden region, where GRLT's Georges Highland Path crosses one of CMLT's land protection focus areas.

Discussions about the possible merger of these land trusts started in 2001 in the face of rapid development and due to common desire to increase land protection and stewardship capacity. The two executive directors and two board presidents began meeting to talk about areas for potential collaboration. An "inter-merger" committee was quickly formed, consisting of three to five board members from each land trust plus their executive directors. The group discussed each other's major challenges and needs, perceptions of each other, and explored how a new organization might be structured and operate. They conducted a full due diligence review, including examination of each other's bylaws, internal policies, operating procedures, finances and conservation holdings. After eighteen months of exploration and discussion the land trusts decided jointly that it was not an appropriate time to merge for a variety of reasons, including cultural and historical differences between the two organizations as well as different protection priorities and approach. They did, however, agree that a merger was a good idea in principle, and one that should be reconsidered in the future. Meanwhile, the land trusts keep each other apprized of their conservation work and look for opportunities to partner on projects. Their land protection staff meet frequently and the executive directors meet periodically.

Observations and insights

While it appeared that what each trust would bring to a merged organization would complement the contributions brought by the other, the thorough and careful merger process led to the conclusion that this was not the right time to take that step. A closer examination and more thoughtful consideration of the cultural and historical differences between the two organizations would have been valuable, and may have helped to build the foundation of trust on which all successful mergers are based. In addition, an outside facilitator would have been useful to identify and bridge the gap between the two land trusts. It may also have been helpful to "test" the relationship through some other kind of collaboration first, before moving into the merger discussions. Partnering on projects would have provided the opportunity for building trust and understanding between the organizations.

Helpful contacts

Deborah Chapman, Board Member, Georges River Land Trust, 36 Mystic Avenue, Rockport, ME 04856, 207-236-4148, cci@midcoast.com

Scott Dickerson, Executive Director, Coastal Mountains Land Trust, 101 Mount Battie Street, Camden, ME 04843, 207-236-7091, scottd@coastalmountains.org

EXAMPLE 2 – CHATTOWAH OPEN LAND TRUST AND CHATTAHOOCHEE VALLEY LAND TRUST (GEORGIA)

In 2000, the new, all-volunteer Chattahoochee Valley Land Trust (CVLT) in Columbus approached the larger Chattowah Open Land Trust (COLT) for assistance on several conservation easement projects. Following a series of discussions and meetings, COLT suggested that the two land trusts merge to pool their resources and better serve their regions. CVLT declined, but maintained a friendly relationship with COLT and received additional assistance from the larger land trust. Sometime later, CVLT became an “affiliate” organization of the Georgia Land Trust (the name COLT uses for its operations in Georgia). CVLT maintains its own 501(c)(3) status and its own board, although two board members of each organization serve on the other’s board. It has one staff person, who is an employee of COLT. COLT serves as the back-up holder for all of CVLT’s easements.

Observations and insights

CVLT’s board consisted primarily of business leaders who wanted to make a difference in their community, but were not grassroots volunteers. It was important for CVLT to keep its own identity. While the merger attempt was unsuccessful, the affiliate relationship turned out to be a good arrangement for both parties. COLT has a presence in the Columbus area and now has access to a new pool of financial contributors. CVLT now has the staff resources to complete its many easement projects.

Helpful contacts

Katherine Eddins, Executive Director, Chattowah Open Land Trust (Alabama Land Trust), 226 Old Ladiga Road, Piedmont, AL 36272, 256-447-1006, katherine@chattowah.org

Other current merger discussions in Maine

As of this writing, the Friends of the Royal River, a conservation organization active in the 12 towns of the Royal River watershed, with a grant from the Horizon Foundation, is exploring merger possibilities with the four land trusts operating in the communities of Yarmouth, North Yarmouth, New Gloucester, and Pownal.

Helpful contacts

- Henry Nichols, Executive Director, Friends of the Royal River, P.O. Box 90, Yarmouth, ME 04096, 207-847-9399, royal@maine.rr.com

OTHER HELPFUL RESOURCES

- Considering, Deciding & Implementing a Merger – Land Trust Alliance Rally 2003 presentation**
 - *The Frontiers of Management: Where Tomorrow's Decisions are Being Shaped Today*, by Peter F. Drucker. Published by Harper and Row, 1986.
 - “United We Stand: Land Trusts Find New Strengths Through Mergers”, by Kendall Slee, *Exchange*, Winter 1999 (Vol. 18 No. 1)**
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SUMMARY – KEYS TO SUCCESSFUL COLLABORATIONS

Collaborations are both a marvelous opportunity to maximize the collective effectiveness of land trust work and a supreme challenge because they are so much more complex than any one organization. Collaborations involve many relationships and come at a high individual organizational cost. The benefits of collaborations need to be clearly recognized and exceed this high cost.

While every collaboration and partnership is different, there are some common, underlying elements that make for successful collaborations:

1. **Vision.** It is important to have a common, compelling vision. It is crucial to achieving the ultimate goal of the collaboration. It is also essential for building and sustaining the interests of the partners, as well as the public's support.
2. **Planning.** The partners need to have a clear plan with strong but realistic goals and implementation steps. Unless the collaboration has an effective game plan, individual members will lose interest and pull their focus back to their own organization's efforts.
3. **Mutual respect and trust.** Collaboration often brings together people and groups with their own organizational culture and styles of leadership. Bringing these styles together in one room can be an intense experience. It is important that each individual and each organization be respected for their own uniqueness. Creating a culture of mutual respect and support is key.
4. **Financial resources.** If the collaboration does not have adequate resources to support its work, it may drain the resources of its individual members, eventually discouraging participation. Ensure that the necessary financial resources are in place or collected to support the collaboration and the implementation of its programs.
5. **Leadership.** Identify committed, skilled and supportive leadership to carry through on the vision and implementation plan.
6. **Roles.** The roles and responsibilities of each partner need to be clearly defined, articulated and understood by all parties. A memorandum of understanding or other written agreement that spells out the terms and conditions of the collaboration and provides protection for all parties is useful to guide acquisition, management or stewardship partnerships. (See also Practice 8J. Partnership Documentation, *Land Trust Standards and Practices*, Land Trust Alliance, 2004.)
7. **Commitment.** Each of the partners needs to be strongly committed to the collaboration, not just for their own organization's sake, but also for the good of the entire collaboration community.

- 8. Communication.** Collaboration requires solid, regular communications to avoid becoming mired in misunderstanding or getting lost in the onslaught of each organization's own individual work. This is especially important in a complex collaboration, involving many partners and stakeholders.