



# Reference Application Packet for First-Time Accreditation

## Table of Contents

- [Overview](#)
- [Registration](#)
- [Pre-Application](#)
- [Main Application](#)
  - [Targeted Verification Documents](#)
  - [Conservation Easement Project Documentation](#)
  - [Conservation Fee Project Documentation](#)
  - [Submittal Certification](#)
- [Addendum for Multiple Corporations—Basic-Level Information](#)
- [Addendum for Multiple Corporations—Intermediate-Level Information](#)
- [Glossary & Clarification of Application Terms](#)

---

## Have additional questions?

**LAND TRUST**   
**ACCREDITATION**  
**COMMISSION**

An independent program  
of the Land Trust Alliance

If you have any questions, please contact the  
Commission.

Phone: 518.587.3143

E-mail: [info@landtrustaccreditation.org](mailto:info@landtrustaccreditation.org)

June 2026

## OVERVIEW


The application for first-time accreditation is completed entirely online using the Accreditation Management System (AMS); this reference version of the application is a guide only. Your land trust will need to answer questions and upload documents into the AMS. Step-by-step instructions are embedded in the system, along with easy access to many application resources.

*If there are differences between this reference copy and the version on the AMS, the AMS takes precedence.*

### Resources to use with this Reference Application

- [Applicant Handbook](#)—for information about the steps in the application process and timeline.
- [Requirements Manual](#)—for information on what the Commission evaluates for each accreditation indicator element.
- [Website](#)

### Tips for completing the Application

- The full application consists of a series of questions and attachments that are required over three steps in the process (registration, pre-application, and application). Some responses to questions trigger required “attachments.” In addition, based on the review of the pre-application, the Commission selects a sampling of conservation projects and targeted verification items for documentation to be provided as part of the application.
- The format of the AMS application follows the four functional groups included in the *Requirements Manual*: governance, finance, transactions, and stewardship.
- In this reference application, the  symbol denotes a document(s) to be uploaded. The <sup>?</sup> symbol means there is a definition or explanation in the [Glossary & Clarification of Application Terms](#). The definitions and explanations are also included in the AMS.
- Be sure your land trust retains documentation of meeting the accreditation requirements, even if your land trust no longer holds an interest in a property (such as selling or transferring to another entity). For example, the pre-application and application ask about activities within the last five years related to projects with conflicts, purchases for more than the value stated in the appraisal or letter of opinion, projects with Forms 8283, amendments/extinguishments, fee property management/ownership problems, and easement enforcement. It is expected that a land trust would retain that documentation and be able to provide it if requested.
- Land trusts must provide copies of complete and final documents as well as other required forms as part of providing a complete application. The Commission makes decisions based on the documentation available at the time of the decision, and it is up to the land trust to document that it has met the requirements.
- How much is too much? Your answers to the questions should be clear and candid. Do what you can to help readers understand the work that you do.

- On the rare occasion your land trust did not meet a requirement, explain the circumstances (you will be prompted) and see the *Requirements Manual* for help on what to include.
- If your land trust is legally connected to another entity (like an LLC or supporting organization), contact the Commission ([info@landtrustaccreditation.org](mailto:info@landtrustaccreditation.org)) to find out if any additional information is needed and include the required disclosure at registration. The Commission will make a determination about what, if any, additional information is required. See the applicable [Addendum for Multiple Corporations—Basic-Level Information](#) or the [Addendum for Multiple Corporations—Intermediate-Level Information](#) for what the related entity will need to provide.

## REGISTRATION

*Note: an applicant must gather the following information prior to submitting its lottery registration form via the AMS. In addition, registration requires payment of \$850. The \$850 is separate from the application fee due at the time of application. To ensure the registration form properly submits, please submit the payment last. To calculate your application fee please visit the [Timeline and Costs](#) webpage.*

### Eligibility and Registration Requirements

Your land trust must be able to answer **yes** to all of the following questions.

1. Is your land trust a U.S.-based 501(c)(3) tax-exempt public charity or quasi-governmental organization?
2. Has your land trust been incorporated for at least two years?
3. Has your land trust completed at least two direct conservation fee property<sup>2</sup> or conservation easement acquisition projects?

### Land Trust Information

Your land trust must provide general information about the organization, including address and website, and answer the following question.

1. Is your land trust a member of the Land Trust Alliance?  
 yes  no

If no, provide a brief explanation of why the land trust is not a member. (Please note the general nature of this comment will be shared with the Alliance so it can better understand the needs and interests of the land trust community.)

### Accreditation Primary Contact

Your land trust must identify a primary contact for the accreditation process and establish a password.

### Related Corporations <sup>†</sup>

Your land trust must answer the following question.

1. Does your land trust operate with or have an additional corporation, governing authority, or related entity that it is legally linked to, such as an LLC or a supporting organization?  
 yes  no

If yes, provide the name(s) of the entity or entities along with a brief description of your land trust's relationship with each.

<sup>†</sup> *Applicants that operate with or are legally linked to more than one corporation, governing authority, or related entity must contact the Commission before submitting a pre-application, so the Commission can determine the level of application information that will be required, either basic- or intermediate-level information, about the related entity. Please note that additional fees may apply. Not providing this information at the time of registration may result in a delay in the application review, as the additional information and fees will have to be provided later in the application process. For more information, see*

the Commission's policy, [Requirements for Land Trusts with Multiple Corporate Structures or Corporate Combinations](#).

## First-Time Lottery Registration Terms of Agreement

Your land trust must agree with the following Registrant Agreements.

By submitting this lottery registration form our organization agrees to the following:

**Understanding Program Requirements:** That a representative of our organization has read and is responsible for reviewing updates to and being familiar with the requirements for accreditation, including the following Commission publications.

- The *Applicant Handbook*
- The *Requirements Manual*
- The applicable Accreditation Fee fact sheet

**Requirements at Pre-Application:** That our organization will use the online system to submit a complete first-time pre-application and all required attachments, including:

- A complete Land Conservation Project List verifying that our organization complies with the following (as described in the *Requirements Manual*):
  - That each conservation easement has a baseline documentation report.
  - That each conservation easement has a record of annual monitoring.
  - That each conservation fee property has a management plan.
  - That each conservation fee property has a record of annual inspections.

**Requirements at Application:** That our organization will use the online system to submit a first-time application and provide evidence that our organization has complied with each indicator element and accreditation requirement at the time of application; evidence includes the following:

- A complete application questionnaire and all required attachments.
- Required project and other targeted verification documentation.
- Adoption of all required policies as noted in the *Requirements Manual*.

### Land Trust Accreditation Commission Agreements

Once we submit a lottery registration form, our organization understands that the Commission agrees to follow its published policies and procedures, including its confidentiality policy.


### I agree to the Registration Terms of Agreement

- I Agree

**Questionnaire & Attachments As Applicable**

(Guidance on how land trusts may organize responses can be found [here](#).)

**1. Overview of Land Conservation Holdings**

- a. Number of conservation easements now held: \_\_\_\_\_
- b. Number of conservation easement acres now held: \_\_\_\_\_
- c. Number of conservation fee properties? now owned: \_\_\_\_\_
- d. Number of conservation fee property acres now owned: \_\_\_\_\_
- e. Did your land trust acquire and then sell or transfer other conservation easements and/or conservation fee properties in the past five years?
  - yes  no
- f. Does your Land Conservation Project List indicate that there are gaps in your annual conservation easement monitoring and/or annual conservation fee property inspections, and/or missing baseline documentation reports or management plans?
  - yes  no
  -  If yes, submit explanatory statement(s) under Attachment #3

**2. Related Entities**

- Does your land trust have any related corporate entities (such as an LLC or supporting organization) that the Commission determined\* are required to provide additional information in the application?
- yes  no



**PAUSE**

\*If you have any related corporate entities but have not yet received a determination on the level of information required, please contact the Commission as soon as possible. If the Commission has already made a determination, see [Addendum for Multiple Corporations—Basic-Level Information](#) or [Addendum for Multiple Corporations—Intermediate-Level Information](#) for the information required in the pre-application. **Be sure to contact the Commission** before submitting the pre-application if you need to add or make changes to the related entities connected to this application.

**3. Conflicts of Interest – Review Team Assignments**

Please review the list of [commissioners and application reviewers](#) and the list of [Commission staff](#). If your land trust has a real or perceived conflict of interest (*positive or negative*) with anyone listed [*a list is provided in the online pre-application*], check the box next to the name(s) of the individual(s) with a brief description of the nature of the real or perceived conflict(s). (*Please note: this information will be used to assign non-conflicted members to the team that will review your land trust's application.*) If your land trust does not have any conflicts of interest with anyone listed, click the blue 'We Do Not Have Any Conflicts of Interest' button.



## Attachments

1. Accreditation Agreement ([download template](#)) Note: applicants can choose to either sign a copy of this document and upload it into the pre-application or use the e-Signature option in the pre-application to sign the agreement. The agreement should be signed by an individual with the authority to enter into contracts on behalf of the organization.
2. Land Conservation Project List ([learn more](#))
3. *If your Land Conservation Project List indicates that there are gaps in your annual conservation easement monitoring and/or annual conservation fee property inspections or that a baseline report or management plan is not yet complete:* A statement explaining the circumstances that resulted in each non-compliance to help the Commission understand if your land trust meets the pre-application requirements.

# Governance

## Questionnaire & Attachments As Applicable

(Guidance on how land trusts may organize responses can be found [here](#).)

1. Did your land trust acquire (purchase or donation) land or a conservation easement from an insider<sup>2</sup> in the past five years?  
 yes  no  
 If yes, include Attachment 1
2. Has your land trust completed a financial transaction (*such as contracts for legal or bookkeeping services, rental payments, purchases of goods or services, loans*) with an insider in the past five years?  
 yes  no  
 If yes, include Attachment 2

## Attachments

1. *If your land trust answered yes to questionnaire number 1*, briefly describe each conservation land or conservation easement acquisition (purchase or donation) with an insider in the past five years and include:
  - a. The name of the project;
  - b. The name of the insider;
  - c. Insider's relationship to the land trust;
  - d. Date of the acquisition;
  - e. Description of the acquisition (purchase or donation); and
  - f. How private inurement was avoided.
2. *If your land trust answered yes to questionnaire number 2*, briefly describe each financial transaction in the past five years and include:
  - a. The name of the insider;
  - b. Insider's relationship to the land trust;
  - c. Date of the transaction;

- d. Description of the transaction, including, if applicable, length of contract, frequency of payments, etc.;
- e. The amount paid to the insider and how the amount was determined; and
- f. How private inurement was avoided.

## Finance

### Questionnaire & Attachments As Applicable

(Guidance on how land trusts may organize responses can be found [here](#).)

1. What are your land trust's total anticipated operating expenses? for its current fiscal year?  
\$ \_\_\_\_\_
2. What are your land trust's required Legal Defense Reserves as determined by the [Legal Defense Reserves Calculator](#) (Remember to download a PDF of the calculator results to upload under Finance Attachments) \$ \_\_\_\_\_
3. Using the results from your land trust's completed [Legal Defense Fund Reserves Calculator](#), does your land trust have the necessary board-designated or donor-restricted defense funding?  
 yes  no
4. Does your land trust have the necessary board-designated or donor-restricted conservation easement stewardship funding (*\$3,500 per conservation easement*)?  
 yes  no  not applicable (please explain)

Note: If no to #3 or #4, your land trust will need to provide a stewardship and/or defense funding plan in your application (*such as plan that includes specific funding targets, specific strategies with timelines to meet the funding targets by the time of first renewal, a description of any new policies or procedures that will be implemented to carry out the plan*).

### Attachments

1. Most recent Form 990 (or Form 990-EZ or Form 990-N) with all schedules and statements
2. Final tax determination letter from the Internal Revenue Service
3. Schedule of Dedicated and Restricted Funds (SDRF) ([learn more](#))
4. A completed [Legal Defense Reserves Calculator](#)

## Transactions

### Questionnaire & Attachments As Applicable

(Guidance on how land trusts may organize responses can be found [here](#).)

1. In the past five years, has your land trust participated in any transactions with a pass-through entity of unrelated parties that either was prohibited by the Standards\* or would not be treated as a qualified conservation contribution under law^?

(\*Before December 2022, the Standards prohibited participating in transactions where the appraisal indicated an increase in value of more than 2.5 times the basis in the property within 36 months of the pass-through entity's acquisition of the property and the value of the donation was \$1 million or greater. ^After December 2022, the law disallows a tax deduction if the contribution exceeds 2.5 times the sum of each partner's relevant basis in the donor entity, the contribution is made within three years of the latest of each member/entity acquiring an interest in the property or the entity, and less than 90% of the contributing entity is owned by members of a family.)


yes  no

 If yes, include Attachment 1

2. In the past five years, has your land trust completed a land or easement project where it had substantial concerns\* about the Form 8283, landowner's appraisal, appraised value, or other terms of the transaction?

(\*If the title investigation or other documentation shows the property was held for a short period, the landowner appeared to have inflated expectations for the value of the donation, the appraised value did not appear defensible in light of the land trust's knowledge of local land values, the appraisal appeared to contain unjustified extraordinary assumptions, the appraised value was significantly in excess of the donor's cost or adjusted basis [if recent].)

yes  no

 If yes, include Attachment 2





## Attachments

1. *If your land trust answered yes to questionnaire number 1, provide a chart of transactions with a pass-through entity of unrelated parties that either was prohibited by the Standards or would not be treated as a qualified conservation contribution under law with the following information:*
  - a. Date of acquisition;
  - b. Project name;
  - c. Grantor;
  - d. Type (fee or conservation easement);
  - e. *As reported on the Form 8283, appraised Fair Market Value;*
  - f. *As reported on the Form 8283, date acquired by donor; and*
  - g. *As reported on the Form 8283, donor's cost or adjusted basis.*
2. *If your land trust answered yes to questionnaire number 2, for the most recent project where there were concerns, provide the project name and describe the concerns and action(s) the land trust took to resolve the concerns.*

# Stewardship

## Questionnaire & Attachments As Applicable

(Guidance on how land trusts may organize responses can be found [here](#).)

1. In the past five years, were any of your land trust’s conservation easements violated (whether resolved or unresolved) or is your land trust continuing to address older unresolved violations?
  - yes  no  not applicable (please explain)
  -  If yes, include Attachment 1
2. In the past five years, have you had any management/ownership problems (*such as encroachment or trespass,*) on your land trust’s conservation fee properties or is your land trust continuing to address older unresolved management/ownership problems?
  - yes  no  not applicable (please explain)
  -  If yes, include Attachment 2
3. In the past five years, have any of your land trust’s conservation easements been amended?
  - yes  no  not applicable (please explain)
  -  If yes, include Attachment 3
4. In the past five years, have any of your land trust’s conservation easements been extinguished in whole or in part (*such as boundary line adjustments or amendments releasing land from the conservation easement*)?
  - yes  no  not applicable (please explain)
  -  If yes, include Attachment 4

## Attachments

1. *If your land trust answered yes to questionnaire number 1, briefly describe each violation and include:*
  - a. The name of the project;
  - b. The nature of the violation;
  - c. How and when the issue was discovered;
  - d. Who was involved at major steps in the violation process, including the role of the board and any co-holders; and
  - e. How the violation was resolved (or if unresolved, the steps being taken to resolve it).
  - f. If the violation involved an insider, indicate the name of the insider, their relationship to the land trust, and how they were involved with the violation.
2. *If your land trust answered yes to questionnaire number 2, briefly describe each management/ownership problem and include:*
  - a. The name of the project;
  - b. The nature of the problem;
  - c. How and when the problem was discovered;
  - d. Who was involved at major steps in the process, including the role of the board and any co-holders/owners; and
  - e. How the problem was resolved (or if unresolved, the steps being taken to resolve it).
  - f. If the problem/resolution involved an insider, indicate the name of the insider, their relationship to the land trust, and how they were involved with the problem/resolution.
3. *If your land trust answered yes to questionnaire number 3, briefly describe each amendment and include:*
  - a. The name of the project and when the amendment occurred;
  - b. Who requested the amendment and why;

- c. How the amendment resulted in a net beneficial or neutral effect on the protected conservation values;
  - d. How your land trust analyzed the potential for private inurement and/or impermissible private benefit as a result of granting the amendment; and
  - e. Who was involved at major steps in the amendment process, including the role of the board, legal counsel, and any co-holders.
  - f. If the amendment involved an insider, indicate the name of the insider, their relationship to the land trust, and how they were involved with the amendment.
4. *If your land trust answered yes to questionnaire number 4, briefly describe each extinguishment and include:*
- a. The name of the project and when the extinguishment occurred;
  - b. Who requested the extinguishment and why;
  - c. How much land was released from the conservation easement and how much, if any, land was added;
  - d. How your land trust followed the conservation easement terms with respect to obtaining judicial review or regulatory review (or obtained written legal counsel determination why judicial or regulatory review was not needed);
  - e. How your land trust analyzed the potential for private inurement and/or impermissible private benefit as a result of granting the extinguishment;
  - f. What steps your land trust took to avoid or mitigate harm to conservation values;
  - g. Whether your land trust obtained any proceeds and how they were used; and
  - h. Who was involved at major steps in the process, including the role of the board, legal counsel, and any co-holders.
  - i. If the extinguishment involved an insider, indicate the name of the insider, their relationship to the land trust, and how they were involved with the extinguishment.

## General



### Questionnaire and Attachments

(Guidance on how land trusts may organize responses can be found [here](#).)

#### Land Trust Description

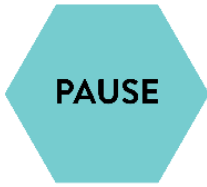
1. Provide a brief description of your land trust (approximately 5-10 sentences; see sample). Include the following:
  - Any work your land trust does beyond holding conservation easements or conservation fee properties.
  - Highlights of your land trust's major accomplishment or proudest achievement.
2. Share comments about the value of accreditation and any challenges related to the application process, if any.

#### Preliminary Information

3. Has your land trust been advised or does it have reason to believe that it is under investigation or is being audited by any government entity (such as the Internal Revenue Service, public agency, state tax department, etc.)?  
 yes  no  
If yes, describe.
2. Does your land trust need to correct<sup>2</sup> the Land Conservation Project List submitted in its pre-application?  
 yes  no  
 If yes, provide an updated Land Conservation Project List
3. Does your land trust have any significant changes (or corrections)<sup>2</sup> to make to the Schedule of Dedicated and Restricted Funds to demonstrate more clearly how your land trust meets the stewardship and defense funding requirements?  
 yes  no  
 If yes, provide a revised Schedule of Dedicated and Restricted Funds

#### Attachments

1. Documentation of [stakeholder notification](#) of public comment period
2. *If your land trust has corrections to its Land Conservation Project List*, updated Land Conservation Project List
3. *If your land trust has corrections or updates to its Schedule of Dedicated and Restricted Funds*, updated Schedule of Dedicated and Restricted Funds





### Related Entities

If your land trust is applying with multiple, related corporate entities (such as an LLC or a supporting organization), it should have received a determination from the Commission. See [Addendum for Multiple Corporations—Basic-Level Information](#) or [Addendum for Multiple Corporations—Intermediate-Level Information](#) for the information that is required in the main application.

## Governance

### Questionnaire and Attachments

(Guidance on how land trusts may organize responses can be found [here](#).)

1. Is your land trust in “good standing” in the state it was incorporated?  
 yes  no  not applicable (please explain)  
 If no, include G2.
2. Describe the procedures for a) recruiting board members and b) training new board members.
3. Does your land trust employ staff?  
 yes  no  
*If yes:* Describe a) the board’s process for evaluating the performance of the chief staff person and b) the date of the most recent evaluation.
4. Board and Staff  
Number of board members: \_\_\_\_\_  
Number of full-time staff: \_\_\_\_\_  
Number of part-time staff: \_\_\_\_\_
5. Number of board meetings in the last 12 months with a quorum: \_\_\_\_\_
6. Describe how the board established the strategic goals or strategic plan:  
6a. Date the board last reviewed strategic goals or strategic plan: \_\_\_\_\_
7. Did your land trust have an instance when it was not able to show compliance with the [requirements in the Governance section](#) in its recent work?  
 yes  no  
 If yes, include G10.

### Attachments

- G1. Signed and dated Board Resolution ([download template](#)) *\*Note: applicants can choose to either sign a completed copy of this document and upload it to the application or use the e-Signature option in the application to complete and sign the resolution. An individual with proper authority*




*should sign the resolution. Only one form of signature is needed; instructions on how to digitally sign the resolution are on the AMS.*









- G2. *If your land trust is not in “good standing” in the state it was incorporated: Statement and/or other related documents explaining a) the circumstances, b) how your land trust is addressing the circumstances and c) when the land trust expects to be reinstated in “good standing”*
- G3. Articles of incorporation (or similar document such as articles of trust, corporate charter)
- G4. Current bylaws
- G5. List of board members and board biographies
- G6. For the most recent board meeting,
  - a. Meeting materials (*such as an agenda and background information for decision items*)
  - b. Statement or evidence of date materials sent
  - c. Corresponding board-adopted minutes (or draft, if not yet adopted)
- G7. Strategic goals or strategic plan
- G8. Board-adopted Records Policy
- G9. Board-adopted Conflict of Interest Policy
- G10. *If your land trust has an instance when it was not able to show compliance with the [requirements in the Governance section](#) in its recent work: Statement and/or related documentation explaining a) the circumstances, b) the alternative steps your land trust took to meet the intent of the requirement and/or mitigate risks associated with the non-compliance and c) how your land trust typically complies with the requirement (*The Commission will review the information to determine if the instance was isolated and rare and risks were reasonably mitigated.*)*

## Finance

### Questionnaire and Attachments

(Guidance on how land trusts may organize responses can be found [here](#).)

- 1. Did your land trust obtain an audit of your land trust’s financial statements for the most recently completed fiscal year?
  - yes  no
  -  If yes, include F2
- 2. Did the correspondence that accompanied the most recent audit (including findings from a “Single Audit,” if applicable) indicate that significant changes should be made to your land trust’s financial procedures?
  - yes  no
  -  If yes, include F2a.
- 3. Has your land trust amended or filed a new Form 990 (or Form 990-EZ or Form 990-N) since submitting its pre-application?
  - yes  no
  -  If yes, include F3.

4. Based on the most recent audit, review, or compilation, did your land trust have an operating surplus<sup>2</sup> at the end of its last fiscal year?
- yes  no
-  If no, include F4.
5. Based on the most recent audit, review, or compilation, did your land trust have sufficient operating reserves<sup>2</sup> at the end of its last fiscal year to cover at least three months of that year's operating expenses?
- yes  no
-  If no, include F5.
6. Does your land trust hold one or more conservation fee properties?
- yes  no
-  If yes, include F12.
7. Does your land trust have the necessary board-designated or donor-restricted conservation easement stewardship funding (*\$3,500 per conservation easement*)?
- yes  no  not applicable (please explain)
-  If no, include F13.
8. Using the results from your land trust's Legal Defense Fund Reserves Calculator submitted in the pre-application, does your land trust have the necessary board-designated or donor-restricted defense funding for your conservation fee properties and conservation easements?
- yes  no
-  If no, include F13.
9. Does the land trust currently carry:
- a. Directors & officers liability insurance  yes  no
- b. Property insurance  yes  no  not applicable (please explain)
-  If no to either a or b, include F14.
10. Do the classifications of net assets without donor restrictions, with board-designation, and with donor restrictions in the land trust's most recent financial audit, review, or compilation (submitted in F1) align with the classifications on the Schedule of Dedicated and Restricted Funds?
- yes  no
-  If no, include F16.
11. Did your land trust have an instance when it was not able to show compliance with the [requirements in the Finance section](#) in its recent work?
- yes  no
-  If yes, include F17.

## Attachments





- F1. Audited, reviewed, or compiled financial statements including footnotes and disclosures for last three fiscal years
  - *If an audit, review, or compilation was not completed for all three years:* a balance sheet that shows net assets without donor restrictions, with board-designation, and with donor restrictions and a statement of activities for each missing year
  - *If an audit, review, or compilation is not available yet for the most recent fiscal year:* a statement describing when the evaluation will be complete
- F2. *If your land trust obtained an audit for the most recently completed fiscal year,* management letter? and/or related correspondence from the preparer (including Schedule of Findings from a “Single Audit,” if applicable
  - *If your land trust did not receive correspondence from the preparer:* Statement of that fact
- F3. *If the management letter and/or Schedule of Findings indicates significant changes should be made to your land trust’s financial procedures:* Statement describing the actions taken to address the recommended changes
- F4. *If your land trust has an updated or new Form 990:* Form 990 (or Form 990-EZ or Form 990-N) with all schedules and statements
- F5. *If your land trust did not have an operating surplus at the end of the last fiscal year:* Statement from a board officer or executive director explaining the reason for the deficit
- F6. *If your land trust did not have operating reserves to cover three months of operating expenses at the end of the last fiscal year:* Plan with specific funding targets, fundraising methods, and timelines to have the full amount by the time of first renewal F6. Budget for the current fiscal year
- F7. Most recent financial reports provided to the board, such as a statement of financial position (balance sheet) and a statement of activities (budget-to-actual report), annotated as necessary to show how the reports meet the requirement.
- F8. Minutes from the following board meetings:
  - a. When the budget submitted in F6 was approved
  - b. When the financial reports submitted in F7 were discussed
  - c. When the results of the most recent audit, review, or compilation were presented
- F9. Description of how the land trust obtains funds for conservation easement or conservation fee property stewardship or defense, including an example or template materials used to solicit/obtain and acknowledge funds and a statement explaining how the moneys received are classified
- F10. A gift acknowledgement letter for a recent monetary gift of \$250 or more and the solicitation materials used to acquire the donation
  - *If your land trust does not have recent documentation:* Statement of that fact
- F11. Written internal controls? or accounting procedures that address the risks of misuse, loss, or misstatement of funds.
- F12. If your land trust holds conservation fee properties, description of how your land trust ensures it has sufficient financial resources to cover conservation fee property stewardship?.
- F13. If your land trust does not have the full amount of required board-designated or donor-restricted stewardship and/or defense funds: Stewardship and/or defense funding plan that includes specific funding targets, specific strategies with timelines to meet the funding targets by the time of first renewal, and a description of any new policies or procedures that will be implemented to carry out the plan

- F14. *If your land trust answered no to 8(a) or 8(b), evaluation of the need for that type of insurance coverage based on the land trust’s risk exposure (such as board or committee meeting minutes, analysis of insurance needs by delegated staff member, recommendations from insurance provider given to the board, report presented to the board or delegated committee)*
- F15. Certificate of general liability insurance or equivalent documentation *(such as premium summary, declarations page, or other summary page)*
- F16. *If the classifications of net assets without donor restrictions, with board-designation, and with donor restrictions in the audit, review, or compilation do not reconcile with the classifications on the SDRF: Annotated balance sheet or explanation reconciling the SDRF with the financial statements*
- F17. *If your land trust has an instance when it was unable to show compliance with the [requirements in the Finance section in its recent work](#): Statement and/or related documentation explaining*
- d. the circumstances
  - e. the alternative steps your land trust took to meet the intent of the requirement and/or mitigate risks associated with the non-compliance and
  - f. how your land trust typically complies with the requirement (The Commission will review the information to determine if the instance was isolated and rare and risks were reasonably mitigated.)

## Transactions


### Questionnaire and Attachments

(Guidance on how land trusts may organize responses can be found [here](#).)

1. Has your land trust purchased a conservation easement or conservation fee property in the past five years?
  - yes    no
  -  If yes, include T2.
  
2. Has your land trust paid more than the value stated in the appraisal or letter of opinion value when purchasing a conservation fee property or conservation easement in the past five years?
  - yes    no
  - If yes, how many times? \_\_\_\_\_
  -  If yes, include T3.
  
3. Has the board delegated decision-making authority for final project approval?
  - yes    no
  -  If yes, include T4.
  
4. Does your land trust have and use a conservation easement template?
  - yes    no    not applicable (please explain)
  -  If yes, include T5.


5. Does each of your land trust’s baseline documentation reports include the following required contents?
- Date of completion
  - Written descriptions, maps, and photographs that document the following:
    - Protected conservation values
    - Relevant conditions of the property as necessary to monitor and enforce the conservation easement
  - Acknowledgement attesting to the accuracy of the report signed by the following:
    - Land trust
    - Landowner, for all easements completed in 2004 or later (or documented attempt to obtain signature)

yes    no    not applicable (please explain)

 If no, include T6.

6. In the past five years, has your land trust had any donated conservation fee properties or conservation easements or does it have any in process?

yes    no

 If yes, include T7.

7. Does your land trust plan to close on one or more conservation easements or conservation fee property transactions in the next year?

yes    no

If yes, provide a brief summary of the types of projects in process, including whether they are conservation easements or conservation fee properties and the expected method of acquisition (bargain sale, donation, purchase, mitigation, other).

8. Describe your land trust’s recordkeeping practices:
- a. How originals (primary, permanent records whether maintained in paper or electronic) are kept in a secure manner (*such as in a locked cabinet or archive facility with limited access, password protected server*)
  - b. How originals (paper or electronic) are protected from damage or loss (*such as in a fireproof safe, a bank vault, file protection against accidental document deletion or revision*)
  - c. How originals and copies are stored in a way so both are not destroyed in a single calamity (*such as paper originals and duplicates being stored in separate locations, electronic duplicates backed up on a remote server or cloud storage*)


9. Complete the online chart to indicate where each type of the land trust’s records are located. If a type of record is held in multiple locations, please explain.

Document	Location of Original	Location of Duplicate
<b>Legal agreements, deeds, conservation easements, amendments</b>		
<b>Critical correspondence, including those related to project goals, tax and legal</b>		

Document	Location of Original	Location of Duplicate
matters, enforcement, other matters essential to the project		
Baseline documentation reports (for conservation easements)		
Title insurance policies or evidence of title investigation <i>(Note: only title insurance policies are required to be duplicated)</i>		
Surveys, if any <i>(Note: only unrecorded surveys are required to be duplicated)</i>		
Appraisals used to substantiate the purchase price or used by the landowner to substantiate the value on the Form 8283		
Forms 8283		
Conservation easement monitoring reports		
Conservation fee property inspection records		
Contracts and leases in effect for long-term land management activities		
Conservation easement stewardship records, including substantive notices, approvals, denials, interpretations, exercise of significant permitted rights		

10. Did your land trust have an instance when it was not able to show compliance with the [requirements in the Transaction section](#) in its recent work?

yes  no

 If yes, include T8.

## Attachments

T1. Project Selection Criteria

T2. *If your land trust purchased a conservation fee property or conservation easement in the past five years, for the most recent purchase or bargain sale conservation transaction:*

- a. Independent appraisal (or letter of opinion) used to substantiate the purchase price
- b. Purchase price documentation (*such as purchase and sale agreement, engagement letter, closing statement*)

- T3. *If your land trust paid above the value stated in the appraisal or letter of opinion for a conservation fee property or conservation easement in the past five years, for the most recent transaction:*
- Independent appraisal (or letter of opinion, as applicable)
  - Purchase price documentation (*such as purchase and sale agreement, engagement letter, closing statement*)
  - Contemporaneous evidence justifying the purchase price (*such as with trend data for market appreciation, range of value of similar purchases, market factors not covered in the appraisal*) and documenting that there was no private inurement or impermissible private benefit (*analysis in memo to file, board materials, letter from attorney, etc.*)
- T4. *If the full board has delegated decision-making authority for final project approval::* Delegation of Transaction Approval Policy (or bylaw provisions with applicable limits)
- T5. *If your land trust uses a conservation easement template:* Conservation easement template
- T6. *If any of your land trust's baseline documentation reports do not contain the required contents:* Plan for updating baseline documentation reports (*such as a plan that includes a summary of which baseline documentation reports need updates, specific timeline for the updates so they are complete by the time of first renewal, description of how your land trust will carry out the plan*)
- T7. *If your land trust completed donated projects in the past five years or has any in process:* Recent example of how your land trust notified a potential donor of tax code requirements (if no recent projects, a template notification along with statement of when the notification is typically provided)
- T8. *If your land trust has an instance when it was not able to show compliance with the [requirements in the Transactions section](#) in its recent work:* Statement and/or related documentation explaining
- the circumstances,
  - the alternative steps your land trust took to meet the intent of the requirement and/or mitigate risks associated with the non-compliance and
  - how your land trust typically complies with the requirement (*The Commission will review the information to determine if the instance was isolated and rare and risks were reasonably mitigated.*)


## Stewardship

### Questionnaire and Attachments


(Guidance on how land trusts may organize responses can be found [here](#).)

- Does each of your land trust's conservation fee property management plans include the following required contents?
  - Date plan completed (if plans completed or updated in 2022 and beyond)
  - Identification of conservation values
  - Management goals
  - Activities to achieve management goals

yes    no    not applicable (please explain)


 If no, include S1.
- Does your land trust hold one or more conservation easements?
 

yes    no

 If yes, include S2, S3, S4, and S5.

3. Did your land trust have an instance when it was not able to show compliance with the [requirements in the Stewardship section](#) in its recent work?

yes  no

 If yes, include S6.

## Attachments

- S1. *If any of your land trust's management plans do not contain the required contents: Plan for updating management plans (such as a plan that includes a summary of which management plans need updates, specific timeline for the updates so they are complete by the time of first renewal, description of how your land trust will carry out the plan)*
- S2. Conservation Easement Violation Policy and/or Procedures
- S3. Conservation Easement Amendment Policy and/or Procedures
- S4. *If your land trust holds conservation easements, provide:*
- A statement describing a recent example of a significant change to land covered by a conservation easement (such as resulting from natural disaster or exercise of a permitted right) or change to a conservation easement (such as resulting from an amendment) completed over the past five years
  - The conservation easement deed
  - Documentation of that change (such as with a monitoring report, baseline supplement, or current conditions report)  
*If your land trust has had no such changes to document in the past five years, provide a statement of that fact*
- S5. *If your land trust holds conservation easements, recent example of stewardship records related to a notice, approval, denial, substantive interpretation, or the exercise of a significant permitted right completed in the past five years. Provide:*
- Brief description of the situation
  - The landowner's request/notice
  - Your land trust's response to the landowner
  - The conservation easement deed
  - If activity required land trust approval, documentation used to determine the approved activities were consistent with conservation easement purposes and terms (such as a memo to file, board or committee minutes, communication with landowner)*
  - If activity required land trust approval, documentation used to determine the approved activities did not result in private inurement or impermissible private benefit*
    - If your land trust has had no such activities to document in the past five years, provide a statement of that fact.*
- S6. *If your land trust has an instance when it was not able to show compliance with the [requirements in the Stewardship section](#) in its recent work: Statement and/or related documentation explaining a) the circumstances, b) the alternative steps your land trust took to meet the intent of the requirement and/or mitigate risks associated with the non-compliance and c) how your land trust typically complies with the requirement (The Commission will review the information to determine if the instance was isolated and rare and risks were reasonably mitigated.)*

## Subsection of Main Application






# TARGETED VERIFICATION DOCUMENTS

Based on the applicant's answers and documentation provided in the Pre-Application, the following verification documents could be requested. This list helps you understand what documents may be requested for each type of targeted verification item that is selected; however, additional information may be requested by the Commission. Please note: this documentation is separate from the project documentation for projects selected by the Commission (click for [Conservation Easement Project Documentation](#)) (click for [Conservation Fee Project Documentation](#)) for projects selected by the Commission.





- If you have already included the information as part of your main Application, you will not need to upload it again. You will be able to simply cross-reference that document using the online application system.
- For your convenience we have included an "Additional Document" opportunity in each section to explain any missing documentation or provide additional explanations or documents that could be material to the understanding of how the land trust met the requirements. See instructions on the online system for "Optional: Provide Additional Documentation."

## Governance



### **Land or Conservation Easement Transaction with an Insider**

-  A statement describing any ways in which the project varied from any of your land trust's standard policies and procedures and, if there were variances, how your land trust avoided actual and perceived favorable treatment of the insider
-  Minutes from the meeting when the decision was made on the acquisition (purchase or donation)
-  *If the transaction involved a purchase, a) independent appraisal (or letter of opinion, as applicable) used to substantiate the purchase price and b) purchase price documentation (such as purchase and sale agreement, engagement letter, closing statement)*
-  *If the transaction involved a land or conservation easement donation or a bargain sale and a tax deduction was taken, a copy of the Form 8283, any supplemental statement, and the landowner's corresponding appraisal*
-  Additional Document:

## **Financial Transaction with an Insider**





-  A statement (and any supporting documentation) describing how your land trust managed the conflict of interest to avoid actual and perceived favorable treatment of the insider(s)
-  Documentation that shows how your land trust determined there was no private inurement (*such as comparable data of hourly or flat rates paid for similar services, competitive bid results received in response to a solicitation for services, other market analysis of the going rate for the scope of services provided, minutes from the board meeting documenting why the rate did not result in private inurement, a memo to file documenting the rate research and analysis that was conducted*)
-  Minutes of the meeting or other record of approval when the decision was made on the financial transaction
-  Additional Document:

## **Land Trusts not Members of the Land Trust Alliance**

-  A statement describing how the land trust plans to stay current on best practices and to provide professional training to its staff, board, and/or volunteers in the absence of access to programs and services available to Alliance members
-  A board resolution adopting the 2017 *Land Trust Standards and Practices*

# Transactions

## **Evidence of Title Investigation**

-  Complete, recorded deed (of fee title or conservation easement depending on project type)
-  Evidence of title investigation (*such as a title report, title insurance commitment, title insurance policy*)
-  *If the title investigation was completed early in the transaction process, evidence the title investigation was updated no earlier than 30 days before closing by a title company or attorney (such as with an updated title search or title insurance commitment, a title insurance policy, written communication from an attorney or title examiner that the title investigation was brought current at closing, written escrow or closing instructions requiring the closing agent or title company to bring the title investigation current)*
-  Documentation that shows how encumbrances that could impact the project were addressed, such as:
  - Lien or mortgage subordinations or discharges
  - Mineral remoteness report
  - Statement describing how the land trust assessed any exceptions for the investigation of water, mineral, oil, or gas rights and assessed the risk that the rights were potentially severed
  - Other documentation (*such as water rights due diligence report; memo to file with analysis of how substantial access easements or rights-of-way could impact project*)

## **Tax Deductions/Transactions of Concern**

- 📄 Complete, recorded deed (of fee title or conservation easement depending on project type)
- 📄 *If a conservation easement:* Complete, signed baseline documentation report (or current conditions report)
- 📄 Qualified appraisal used to substantiate the tax donation
  - *If the landowner did not provide the appraisal, documentation the land trust requested it from the landowner near the time of signing the Form 8283 and a statement explaining how the land trust confirmed that it did not have concerns about the appraised value when it signed the Form 8283*
- 📄 Signed Form 8283 and supplemental statement (if conservation easement donation)
- 📄 Documentation of the land trust’s comprehensive due diligence and analysis prior to closing to determine if the transaction was either prohibited by the Standards or would not be treated as a qualified conservation contribution under law (*such as understanding the people behind the donor entity; evaluating the project against Practice 10C4 [until suspended in 2022]; providing written notification to the donor of the requirements for accepting a donation of land or conservation easement; obtaining an opinion from outside legal counsel on whether the entire transaction complies with all state and federal laws, the Standards, the Internal Revenue Code, and U.S. Treasury Regulations; reviewing the due diligence documents and appraisal before closing; sharing concerns with the donor*)
- 📄 Documentation of the land trust’s actions to address substantial concerns about the appraised value, appraisal, Form 8283, or other terms of the transaction (*including one or more of the following: involving legal counsel, documenting concerns were shared with the donor, seeking an independent substantiation of value, asking to see the landowner’s appraisal prior to closing, documenting the board’s decision to proceed with the transaction and/or with signing the Form 8283, refusing to sign the Form 8283*)
- 📄 Any board meeting minutes or other dated records showing the land trust’s board was informed of potential concerns about the transaction and whether it considered taking any action in response to the potential concerns
- 📄 Material provided to the board (or other delegated authority) before the meeting for final approval of the project along with date materials sent
- 📄 Minutes of the board meeting or meeting of the designated authority when the project received final approval or other record of final decision (preliminary approvals do not need to be submitted)
- 📄 Additional Document:

## Transactions and Stewardship

### **Verification of Older Conservation Easement Project(s)**

- 📄 Complete, recorded conservation easement

- 📄 Complete, signed baseline documentation report
- 📄 Any baseline documentation report updates, current conditions reports, or supplements
- 📄 Monitoring reports from the last three years *(or since acquired if acquired within the past three years)*

*If applicable for selected project:*

- 📄 A statement describing a recent example of a significant change to the land covered by the conservation easement *(such as resulting from natural disaster or exercise of a permitted right)* or change to the conservation easement *(such as resulting from an amendment)*
- 📄 *If not included in other responses*, documentation of that change *(such as with a monitoring report, baseline supplement, or current conditions report)*

*If applicable for selected project:*

- 📄 A statement describing a recent example of a notice, approval, denial, substantive interpretation, or the exercise of a significant permitted right
- 📄 Related documentation
  - a. The landowner’s request/notice and
  - b. Your land trust’s response to the landowner
- 📄 *If activity required land trust approval*: documentation used to determine the approved activities were consistent with conservation easement purposes and terms *(such as memo to file, board or committee minutes, communication with landowner)*
- 📄 *If activity required land trust approval*: documentation used to determine the approved activities did not result in private inurement or impermissible private benefit
- 📄 Additional Document:

### **Verification of Older Conservation Fee Project(s)**

- 📄 Complete, recorded deed of fee title *(If the project has multiple parcels, please provide the recorded deed for the most recent parcel acquired)*
- 📄 Current management plan (complete with any exhibits/attachments)
- 📄 Inspection reports from the last three years *(or since acquired if during the past three years; if land trust inspects more than one time per year, provide one representative report from each year)*
- 📄 Additional Document:

## Stewardship

### **Conservation Easement Enforcement**

- 📄 Evidence of how the conservation easement violation was discovered, documented, and reviewed *(such as monitoring/inspection report, minutes of board or committee meetings, internal memos, communications with landowners)*




- 📄 Documentation that the conservation easement violation was or is being resolved
- 📄 Documentation used to determine that the enforcement actions did not result in private inurement or impermissible private benefit
- 📄 Documentation used to determine the enforcement actions were consistent with conservation values and/or restrictions
- 📄 *If not included in the above*, documentation that the board was informed or involved in the enforcement action appropriate to the scale of the violation
- 📄 *If applicable*, documentation that the co-holder was involved in the enforcement action according to the terms of the conservation easement or other agreement
- 📄 Additional Document:

### **Conservation Property Management/Ownership Problems**








- 📄 Evidence of how the significant conservation property management/ownership problem (*such as encroachment or trespass*) was discovered, documented, and reviewed (*such as inspection report, minutes of board or committee meetings, internal memos*)
- 📄 Documentation that the property management/ownership problem was or is being resolved
- 📄 Documentation used to determine that the actions taken to address the problem did not result in private inurement or impermissible private benefit
- 📄 Documentation used to determine the actions taken to address the problem were consistent with conservation values
- 📄 *If not included in the above*, documentation that the board was informed or involved in the resolution appropriate to the scale of the violation
- 📄 *If applicable*, documentation that the co-holder was involved in the resolution according to the terms of the deed or other agreement
- 📄 Additional Document:

### **Conservation Easement Amendments**

- 📄 Before- and after-version of the conservation easement deed (or a tracked-changes version)
- 📄 Materials provided to the board (or delegated entity) in advance of its approval of the amendment
- 📄 Minutes of the board meeting or meeting of the designated authority when the amendment received final approval or other record of final decision
- 📄 *If not included in the above*, documentation used to determine that the amendment resulted in a net beneficial or neutral effect on the conservation values
- 📄 *If applicable*, signed Form 8283 and supplemental statement and qualified appraisal used to substantiate a tax donation
- 📄 Documentation used to determine that the amendment did not result in private inurement or impermissible private benefit (*such as appraisal, letter of opinion from qualified real estate professional, correspondence with legal counsel, memo to file*)

-  *If applicable*, documentation that the co-holder was involved according to the terms of the conservation easement or other agreement
-  *If applicable*, documentation (*such as a monitoring report, baseline supplement, or current conditions report*) of the change to the conservation easement as a result of the amendment
-  Additional Document:

### **Conservation Easement Extinguishments**

-  Before- and after-version of the conservation easement deed (or a tracked-changes version)
-  Materials provided to the board (or delegated entity) in advance of its approval of the extinguishment
-  Minutes of the board meeting or meeting of the designated authority when the extinguishment received final approval or other record of final decision
-  Documentation used to determine that there was no private inurement or impermissible private benefit conferred by the extinguishment (*such as appraisal, letter of opinion from qualified real estate professional, correspondence with legal counsel, memo to file*)
-  Evidence that the land trust took the following actions:
  - Followed the conservation easement terms with respect to obtaining judicial or regulatory review (or obtained written legal counsel determination why judicial review not needed)
  - Took steps to avoid or mitigate harm to conservation values
  - Used any proceeds appropriately
-  *If applicable*, documentation that the co-holder was involved according to the terms of the conservation easement or other agreement
-  Additional Document:






## Subsection of Main Application

# CONSERVATION EASEMENT PROJECT DOCUMENTATION

The Commission will select a sampling of your conservation easement projects and will decide on the type of specific information needed for each one (for instance, enforcement and amendments may or may not be requested depending on timing of the project and the information provided in the pre-application). This section shows the type of information the Commission may select, to help you organize your records.




- If you have already included the information requested as part of your main application, you will not need to upload it again. You will be able to simply cross-reference that document using the online application system.
- For your convenience we have included an “Additional Document” opportunity in each section to explain any missing documentation or provide additional explanations or documents that could be material to the understanding of how the land trust met the requirements. See instructions on the online system for “Optional: Provide Additional Documentation.”

### General Background Documents

-  A statement describing the project, including project name, size, type of transaction (*such as purchase, donation, bargain sale, mitigation, transfer*), date of acquisition, the role of any partners, clarification of any unusual circumstances that complicated the project, and any other information that will help the reviewer understand the project.
-  *If co-held with another entity*, any co-hold agreements
-  *If a mitigation project*, any mitigation agreements
-  *If your land trust was not able to show compliance with the requirements in this project*: Statement and/or related documentation explaining a) the circumstances, b) the alternative steps your land trust took to meet the intent of the practice and/or mitigate risks associated with the non-compliance and c) how your land trust typically complies with the requirement
-  Additional Document

## Finance

### Gift Acknowledgement and Donor Restriction <sup>5B2, 5B3</sup>

-  Letter or other written acknowledgement of easement gift (if donation or bargain sale)
-  *If applicable*, a) materials used to solicit/obtain stewardship and/or defense funds for this project and b) signed acknowledgement for the gift/grant
-  Additional Document:

## Transactions

### Project Due Diligence<sup>8B2, 8C1, 9F1, 9F1(a), 9F2,9F3, 9H1,9H2</sup>

- 📄 Evidence that your land trust reviewed the project against its project selection criteria (*such as completed criteria worksheets or checklists, project planning sheets, meeting minutes*)
- 📄 Evidence of visual inspection<sup>2</sup> as part of evaluating the project (*such as site evaluation checklists, site visit report, date-stamped photos of the property, contemporaneous notes, or internal communications*)
- 📄 Evidence of title investigation (*such as a title report, title insurance commitment, title insurance policy*)
- 📄 *If the title investigation was completed early in the transaction process, evidence the title investigation was updated no earlier than 30 days before closing by a title company or attorney (such as with an updated title search or title insurance commitment, a title insurance policy, a written communication from an attorney or title examiner that the title investigation was brought current at closing, written escrow or closing instructions requiring the closing agent or title company to bring the title investigation current)*
- 📄 Documentation that shows how encumbrances or title issues that could impact the project were addressed, such as
  - Lien or mortgage subordinations or discharges
  - Mineral remoteness report
  - Statement describing how the land trust assessed any exceptions for the investigation of water, mineral, oil, or gas rights and assessed the risk that the rights were potentially severed
  - Other documentation (*such as water rights due diligence report; memo to file with analysis of how substantial access easements or rights-of-way could impact project*)

📄 Additional Document:

*If conservation easement was purchased:*

- 📄 Purchase price documentation (*such as purchase and sale agreement, engagement letter, closing statement*)
- 📄 Independent appraisal (or letter of opinion, as applicable) used to substantiate the purchase price

*If purchased for more than the value stated in the appraisal or letter of opinion:*

- 📄 Contemporaneous evidence justifying the purchase price (*such as with trend data for market appreciation, range of value of similar purchases, market factors not covered in the appraisal*) and documenting that there was no private inurement or impermissible private benefit (*analysis in memo to file, board materials, letter from attorney, etc.*)

📄 Additional Document:

### Project Review and Approval<sup>3D1</sup>

- 📄 Material provided to the board (or other delegated entity) before the meeting to decide final approval of the project

- 📄 Minutes of the board meeting or meeting of the delegated authority when the project received final approval or other record of final decision (preliminary approvals do not need to be submitted)
- 📄 *If project significantly changed after approval*, documentation that notice of change was provided to the board or delegated entity before closing
- 📄 *If final approval delegated*, notification of project completion provided to the board
- 📄 Additional Document:

### Conservation Easement and Fee Title Deeds<sup>9D2, 9E1, 9E2, 9F3</sup>

- 📄 Complete, recorded deed of conservation easement

### Baseline Documentation Report<sup>11B1, 11B2</sup>

- 📄 Complete, signed baseline documentation report
- 📄 *If applicable*, any baseline documentation report updates, current conditions reports, or supplements
- 📄 *If baseline documentation report was not completed at closing*, interim data and a schedule for finalizing the full report that was completed and signed by closing
- 📄 Additional Document:

### Tax Deduction<sup>1A3, 9E2, 10A1, 10B2, 10C2, 10C3, 10C4</sup>

*If applicable for selected project:*

- 📄 Qualified appraisal used to substantiate the tax donation
  - *If the landowner did not provide the appraisal*, documentation the land trust requested it from the landowner near the time of signing the Form 8283 and a statement explaining how the land trust confirmed that it did not have concerns about the appraised value when it signed the Form 8283
- 📄 Signed Form 8283 and supplemental statement
- 📄 *If the land trust had substantial concerns about the appraised value, appraisal, Form 8283, or other terms of the transaction*, documentation of the land trust's actions (*including one or more of the following: involving legal counsel, documenting concerns were shared with the donor, seeking an independent substantiation of value, asking to see the landowner's appraisal prior to closing, documenting the board's decision to proceed with the transaction and/or with signing the Form 8283, refusing to sign the Form 8283*)
- 📄 Additional Document:








## Stewardship

### Conservation Easement Monitoring<sup>11C2</sup>

- 📄 Conservation easement monitoring reports from the last three years (*or since acquired, if within the past three years*)
- 📄 Additional Document:



## Conservation Easement Enforcement<sup>11E2</sup>

*If applicable for selected project:*






-  Evidence of how the conservation easement violation was discovered, documented, and reviewed (such as monitoring report, minutes of board or committee meetings, internal memos, communications with landowners)
-  Documentation that the conservation easement violation was or is being resolved
-  Documentation used to determine that the enforcement actions did not result in private inurement or impermissible private benefit
-  Documentation used to determine the enforcement actions were consistent with conservation values and/or restrictions
-  *If not included in the above*, documentation that the board was informed or involved in the enforcement action
-  *If applicable*, documentation that the co-holder was involved in the enforcement action according to the terms of the conservation easement or other agreement
-  Additional Document:

## Stewardship Records<sup>11B3, 11F3</sup>

*If applicable for selected project:*

-  A statement describing a recent example of a significant change to the land covered by the conservation easement (such as resulting from natural disaster or exercise of a permitted right) or change to the conservation easement (such as resulting from an amendment) that occurred over the accredited term
-  *If not included in other responses*, documentation of that change (such as with a monitoring report, baseline supplement, or current conditions report)

*If applicable for selected project:*

-  A statement describing a recent example of a notice, approval, denial, substantive interpretation, or the exercise of a significant permitted right that occurred over the accredited term
-  Related documentation
  - a. The landowner's request/notice and
  - b. Your land trust's response to the landowner
-  *If activity required land trust approval*, documentation used to determine the approved activities were consistent with conservation easement purposes and terms (such as memo to file, board or committee minutes)
-  *If activity required land trust approval*, documentation used to determine the approved activities did not result in private inurement or impermissible private benefit
-  Additional Document:






## Subsection of Main Application

# CONSERVATION FEE PROJECT DOCUMENTATION

The Commission will select a sampling of your conservation fee projects and will decide on the type of specific information needed for each one (for instance, addressing management/ownership problems, or inspections may or may not be requested depending on timing of the project and the information provided in the pre-application). This section shows the type of information the Commission may select, to help you organize your records.




- If you have already included the requested information as part of your main application, you will not need to upload it again. You will be able to simply cross-reference that document using the online application system.
- For your convenience we have included an “Additional Document” opportunity in each section to explain any missing documentation or provide additional explanations or documents that could be material to the understanding of how the land trust met the requirements. See instructions on the online system for “Optional: Provide Additional Documentation.”

### General Background Documents

-  Brief description of the project, including project name, size, type of transaction (*such as a purchase, donation, bargain sale, mitigation, transfer*), date of acquisition, the role of any partners, clarification of any unusual circumstances that complicated the project, and any other information that will help the reviewer understand the project.
-  *If applicable, co-hold or co-owner agreement*
-  *If a mitigation project, any mitigation agreements*
-  *If your land trust was not able to show compliance with the requirements in this project: Statement and/or related documentation explaining a) the circumstances, b) the alternative steps your land trust took to meet the intent of the practice and/or mitigate risks associated with the non-compliance and c) how your land trust typically complies with the requirement*
-  Additional Document:







## Finance

### Gift Acknowledgement and Donor Restriction <sup>5B2, 5B3</sup>



-  Letter or other written acknowledgement of land gift
-  *If applicable, materials used to solicit/obtain funds for defense and/or stewardship/management for this project and b) signed acknowledgement for the gift/grant*
-  Additional Document:

## Transactions


### Project Due Diligence<sup>8B2, 8C1, 9F1, 9F1(A), 9F2,9F3, 9H1,9H2</sup>

-  Evidence that your land trust reviewed the project against its project selection criteria (*such as completed criteria worksheets or checklists, , project planning sheets, meeting minutes*)
-  Evidence of visual inspection<sup>7</sup> as part of evaluating the project (*such as site evaluation checklists, site visit report, date-stamped photos of the property, contemporaneous notes, or internal communications*)
-  Evidence of title investigation (*such as a title report, title insurance commitment, title insurance policy*)
-  *If the title investigation was completed early in the transaction process, provide evidence the title investigation was updated no earlier than 30 days before closing by a title company or attorney (such as with an updated title search or title insurance commitment, a title insurance policy, a written communication from an attorney or title examiner that the title investigation was brought current at closing, written escrow or closing instructions requiring the closing agent or title company to bring the title investigation current)*
-  Documentation that shows how encumbrances that could impact the project were addressed, such as
  - Lien or mortgage discharges
  - Mineral remoteness report
  - Statement describing how the land trust assessed any exceptions for the investigation of water, mineral, oil, or gas rights and assessed the risk that the rights were potentially severed
  - Other documentation (*such as water rights due diligence report; memo to file with analysis of how substantial access easements or rights-of-way could impact project*)
-  Additional Document:



*If conservation fee property was purchased:*




-  Purchase price documentation (*such as purchase and sale agreement, engagement letter, closing statement*)
-  Independent appraisal (or letter of opinion, as applicable) used to substantiate the purchase price

*If purchased for more than the value stated in the appraisal or letter of opinion :*


-  Contemporaneous evidence justifying the purchase price (*such as with contemporaneous trend data for market appreciation, range of value of similar purchases, market factors not covered in the appraisal*) and documenting that there was no private inurement or impermissible private benefit (*analysis contained in memo to file, board materials, letter from attorney, etc.*)Additional Document:

### Project Review and Approval<sup>3D1</sup>

-  Material provided to the board (or other delegated entity) before the meeting to decide on final approval of the project along with date materials sent
-  Minutes of the board meeting or meeting of the delegated authority when the project received final approval or other record of final decision (preliminary approvals do not need to be submitted)





-  *If project significantly changed after approval*, documentation that notice of change was provided to the board or delegated entity before closing
-  *If approval delegated*, notification of project completion provided to the board
-  Additional Document:

### Conservation Easement and Fee Title Deeds<sup>9D2, 9E1, 9E2, 9F3</sup>

-  Complete, recorded deed of fee title



### Tax Deduction<sup>1A3, 9E2, 10A1, 10B2, 10C2, 10C3, 10C4</sup>

*If applicable for selected project:*



-  Qualified appraisal used to substantiate the tax donation
  - *If the landowner did not provide the appraisal*: documentation the land trust requested it from the landowner near the time of signing the Form 8283 and a statement explaining how the land trust confirmed that it did not have concerns about the appraised value when it signed the Form 8283
-  Signed Form 8283
-  *If the land trust had substantial concerns about the appraised value, appraisal, Form 8283, or other terms of the transaction*: documentation of the land trust's actions (*including one or more of the following: involving legal counsel, documenting concerns were shared with the donor, seeking an independent substantiation of value, asking to see the landowner's appraisal prior to closing, documenting the board's decision to proceed with the transaction and/or with signing the Form 8283, refusing to sign the Form 8283*)
-  Additional Document:

## Stewardship

### Conservation Property Inspections<sup>12C2</sup>



-  Inspection reports from over the last three years (*or since acquired, if within the past three years; if land trust inspects more than one time per year, provide one representative report from each year*)
-  Additional Document:






### Conservation Property Management Plans<sup>12B1</sup>

-  Current management plan (complete with any exhibits/attachments)
-  Additional Document:

### Conservation Property Management/Ownership Problems

*If applicable for selected project:*

-  Evidence of how the conservation property management/ownership problem (*such as encroachment or trespass*) was discovered, documented, and reviewed (*such as inspection report, minutes of board or committee meetings, internal memos*)
-  Documentation that the management/ownership problem was or is being resolved

-  Documentation used to determine that the actions taken to address the problem did not result in private inurement or impermissible private benefit
-  Documentation used to determine the actions taken to address the problem were consistent with conservation values
-  *If not included in the above*, documentation that the board was informed or involved in the resolution appropriate to the scale of the problem
-  *If applicable*, documentation that the co-holder was involved in the resolution according to the terms of the deed or other agreement
-  Additional Document:

## Submittal Certification

Once the application, attachments, and all project information are complete, the submittal certification will be visible and must be completed.

I certify that I have read this application and reviewed the attachments and attest that the material provided in this application is an accurate reflection of our organization's policies and operations.

I Agree

Submittal Certification - Contact Name and Title

*Please note: **Only the primary contact of the organization can complete the submittal certification.***



### Optional Survey

*Once the Submittal Certification is complete and submitted, the land trust will be prompted to complete a brief survey to disclose the number of hours spent responding to questions, uploading documents, and completing the application.*

## ADDENDUM FOR MULTIPLE CORPORATIONS— BASIC-LEVEL INFORMATION

*This section only applies to those organizations with related entities*

The Land Trust Accreditation Commission takes a scaled approach to its review of land trusts that operate under a multiple corporation structure. The Commission requires information about all of the organizations, but the level of information required varies depending on the nature of the relationship and the role of each organization. The purpose of examining all organizations is twofold:

1. Help preserve the integrity of the accreditation program by preventing confusion over or unauthorized use of the accreditation seal by entities affiliated with accredited organizations, and
2. Ensure that the Commission has the full set of information that it needs about the applicant and the related organization at the time of application.

This addendum is for those multiple corporate structures the Commission has determined need to provide *basic-level* information as per its policy. See the [Commission's policy on Multiple Corporate Structures](#) for more information.

For the basic level, the Commission will require additional information in the pre-application and main application sections to help it understand the structure and relationship among the entities. Project documentation, while generally not necessary, may be required at the Commission's sole discretion. The Commission will not verify a basic level entity's compliance with *Land Trust Standards and Practices* and program requirements and will not award the related entity use of the accreditation seal.

### PRE-APPLICATION

At pre-application, a related entity will need to provide:

#### Questionnaire

1. Overview of Land Conservation Activities for the related entity
  - a. Number of conservation easements now held by the entity: \_\_\_\_
  - b. Number of conservation easement acres now held by the entity: \_\_\_\_
  - c. Number of conservation fee properties now held by the entity: \_\_\_\_
  - d. Number of conservation fee property acres now owned: \_\_\_\_

#### Attachments

-  Land Conservation Project List ([download template](#))

### APPLICATION

At application, the related entity will need to provide:

## **Attachments**

1. Statement describing the nature and purpose of the relationship between the primary organization and the related entity
2. Written documentation that provides evidence of which party has the responsibility for stewardship of the conservation fee properties or conservation easements (*See Note*)
3. Articles of Incorporation
4. Current bylaws or operating agreements
5. List of current board members and board member biographies
6. [Schedule of Dedicated and Restricted Funds](#), *if the related entity holds funds*

### **Annotations**

Note: The Commission has an obligation to ensure that the lands held by the primary organization and/or its related entity are adequately stewarded. As such, the Commission will need documentation of who is responsible for the lands and conservation easements of the related entity. This documentation can take a variety of forms, including a memorandum of understanding, board resolution, attestation, etc.

## ADDENDUM FOR MULTIPLE CORPORATIONS— INTERMEDIATE-LEVEL INFORMATION

*This section only applies to those organizations with related entities*

The Land Trust Accreditation Commission takes a scaled approach to its review of land trusts that operate under a multiple corporation structure. The Commission requires information about all of the organizations, but the level of information required varies depending on the nature of the relationship and the role of each organization. The purpose of examining all organizations is twofold:

1. Help preserve the integrity of the accreditation program by preventing confusion over or unauthorized use of the accreditation seal by entities affiliated with accredited organizations, and
2. Ensure that the Commission has the full set of information that it needs about the primary organization and the related organization at the time of application.

This application addendum is for those multiple corporate structures the Commission has determined need to provide *intermediate-level* information as per its policy. See the [Commission’s policy on Multiple Corporate Structures](#) for more information.

For the intermediate level, the Commission will look to see that both the primary organization and the related entity are compliant with *Land Trust Standards and Practices* and program requirements with the understanding that in certain areas one organization may be able to draw its compliance from the other organization (see section below on Documenting Shared Compliance). Project documentation and targeted verification items from both the primary organization and the related entity will generally be required. The accreditation seal, if the primary and related entities are granted accreditation or renewed accreditation, would be awarded jointly to the organizations for the length of the accreditation term so long as both the primary organization and the related entity remain linked. If the organizations were to separate, then this action would trigger the Commission’s Compliance Confirmation Policy and Procedures as described in the Commission’s [Compiled Accreditation Policies](#) for accreditation decisions, appeals, compliance confirmation, and disciplinary action.

### **Documenting Shared Compliance**

Each organization must comply with each accreditation indicator element and requirement, but shared compliance for some Governance and Finance requirements may be acceptable if the shared compliance is demonstrated through formal agreements (such as a memorandum of agreement, board resolution, or other written agreements). The related entity can also use materials already uploaded in the primary applicant’s application as needed.

### **Documenting Shared Policies or Procedures**

If the related entity uses the same policies or procedures as the primary organization, then the related entity can simply cross-reference the location of the documentation in the primary organization’s application materials. If the document is a policy, then the related entity’s board will need to adopt the policy. If it is a procedure, then it needs to be clear that that procedure applies to the related entity

(such as the procedure listing the primary organization and related entity, the related entity’s board adopting the procedure, etc.).

## PRE-APPLICATION

At pre-application, the related entity will need to provide.

### Overview of Land Conservation Activities for the related entity

- a. Number of conservation easements now held by the entity: \_\_\_\_
- b. Number of conservation easement acres now held by the entity: \_\_\_\_
- c. Number of conservation fee properties now held by the entity: \_\_\_\_
- d. Number of conservation fee property acres now owned: \_\_\_\_

### Finance Questions for the related entity

1. What are the entity’s total anticipated operating expenses for its current fiscal year?

What are the entity’s required Legal Defense Reserves as determined by the completed [Legal Defense Reserves Calculator](#)

## Attachments

If a requested attachment does not apply to the related entity, please upload a brief statement describing why it is not applicable.

Number	Attachment Name
1	<a href="#">Accreditation Agreement</a>
2	<a href="#">Land Conservation Project List(s)</a> (LCPL)
3	Most recent Form 990 (or Form 990-EZ or Form 990-N, as applicable) with all schedules and statements
4	Final tax determination letter for the Internal Revenue Service ( <i>if related entity is tax-exempt</i> )
5	<a href="#">Schedule of Dedicated and Restricted Funds</a> , <i>if the related entity holds funds</i>
6	A completed <a href="#">Legal Defense Reserves Calculator</a>
7	Briefly describe any financial transactions with an insider over the last five years and include for each: <ol style="list-style-type: none"> <li>a. The name of the insider;</li> <li>b. Insider’s relationship to the organization;</li> <li>c. Date of the transaction;</li> <li>d. Description of the transaction, including, if applicable, length of contract, frequency of payments, etc.;</li> <li>e. The amount paid to the insider and how the amount was determined; and</li> <li>f. How private inurement was avoided.</li> </ol>
8	Briefly describe any land or conservation easement acquisitions (purchase or donation) with an insider over the last five years and include for each: <ol style="list-style-type: none"> <li>a. The name of the project</li> <li>b. The name of the insider;</li> <li>c. Insider’s relationship to the organization;</li> <li>d. Date of the acquisition (purchase or donation);</li> </ol>

Number	Attachment Name
	<ul style="list-style-type: none"> <li>e. Description of the acquisition (purchase or donation); and</li> <li>f. How private inurement was avoided.</li> </ul>
9	<p>Briefly describe any transactions with a pass-through entity of unrelated parties that either was prohibited by the Standards or would not be treated as a qualified conservation contribution under law (See <i>Requirements Manual</i>) completed over the past five years. Include the project name, a description of the concerns, and action(s) the land trust took to resolve the concerns.</p>
10	<p>Briefly describe the most recent project completed by your organization where it had substantial concerns about the Form 8283, landowner’s appraisal, appraised value, or other terms of the transaction. Include the project name, a description of the concerns, and action(s) the land trust took to resolve the concerns</p>
11	<p>Briefly describe any easement violations (resolved or unresolved) that occurred over the last five years or older unresolved violations and include for each:</p> <ul style="list-style-type: none"> <li>a. The name of the project;</li> <li>b. The nature of the violation;</li> <li>c. How and when the issue was discovered;</li> <li>d. Who was involved at major steps in the violation process, including the role of the board and any co-holders; and</li> <li>e. How the violation was resolved (or if unresolved, the steps being taken to resolve it)</li> <li>f. If the violation involved an insider, indicate the name of the insider, their relationship to the land trust, and how they were involved with the violation</li> </ul>
12	<p>Briefly describe any management/ownership problems (<i>such as encroachments or trespass</i>) over the last five years, and/or any older unresolved management/ownership problems, on your organization’s conservation fee properties. Include in your description for each:</p> <ul style="list-style-type: none"> <li>a. The name of the project;</li> <li>b. The nature of the problem;</li> <li>c. How and when the problem was discovered;</li> <li>d. Who was involved at major steps in the process, including the role of the board and any co-holders/owners; and</li> <li>e. How the management/ownership problem was resolved (or if unresolved, the steps being taken)</li> <li>f. If the problem/resolution involved an insider, indicate the name of the insider, their relationship to the land trust, and how they were involved with the problem/resolution</li> </ul>
13	<p>Briefly describe any amendments that occurred over the last five years and include for each:</p> <ul style="list-style-type: none"> <li>a. The name of the project and when the amendment occurred;</li> <li>b. Who requested the amendment and why;</li> <li>c. How the amendment resulted in a net beneficial or neutral effect on the protected conservation values;</li> <li>d. How your organization analyzed the potential for private inurement and/or impermissible private benefit as a result of granting the amendment; and</li> <li>e. Who was involved at major steps in the amendment process, including the role of the board, any legal counsel, and any co-holders</li> <li>f. If the amendment involved an insider, indicate the name of the insider, their relationship to the land trust, and how they were involved with the amendment</li> </ul>

Number	Attachment Name
14	<p>Briefly describe any extinguishments (<i>such as boundary line adjustments or amendments releasing land from the conservation easement</i>) that occurred over the last five years and include for each:</p> <ol style="list-style-type: none"> <li>The name of the project and when the extinguishment occurred;</li> <li>Who requested the extinguishment and why;</li> <li>How much land was released from the conservation easement and how much, if any, land was added;</li> <li>How your organization followed the conservation easement terms with respect to obtaining judicial review or regulatory review (or obtained written legal counsel determination why judicial or regulatory review not needed);</li> <li>How your organization analyzed the potential for private inurement and/or impermissible private benefit as a result of granting the extinguishment;</li> <li>What steps your organization took to avoid or mitigate harm to conservation values;</li> <li>Whether your organization obtained any proceeds and how they were used; and</li> <li>Who was involved at major steps in the process, including the role of the board, any legal counsel and any co-holders</li> <li>If the extinguishment involved an insider, indicate the name of the insider, their relationship to the land trust, and how they were involved with the extinguishment</li> </ol>

**APPLICATION**

Each related entity will need to complete an entire application as does the primary organization, plus submit these additional documents. The related entity can also use materials already uploaded in the primary applicant’s application as applicable (see [Documenting Shared Compliance and Documenting Shared Policies or Procedures](#)).

Number	Attachment Name
1	Statement describing the nature and purpose of the relationship between the primary organization and the related entity
2	Statement describing how it is determined which entity takes a particular project
3	Evidence documenting any shared compliance for governance and/or finance requirements ( <i>such as memorandum of agreement, attestation, board resolution</i> )
4	Description of how money, if any, is transferred from one organization to the other and how this is tracked
5	If the related entity relies on the primary organization for covering expenses related to conservation fee property management and/or conservation easement stewardship, then a written agreement that formalizes this cost-sharing role

## GLOSSARY & CLARIFICATION OF APPLICATION TERMS

**AMS:** Accreditation Management System; online application and communication system between the Commission and applicants.

**Conservation fee properties:** Land held in fee for conservation purposes at the time of the application. If land is acquired because of its conservation value, even if held for transfer or sale with a conservation easement, it should be listed on the Land Conservation Project List and is subject to the applicable accreditation requirements.

**Conservation fee property ownership and stewardship costs:** Costs associated with owning and maintaining the property and annual stewardship/management activities identified in the management plan as essential for the property and its intended use.

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

**Insider:** Board members; staff (if any); substantial contributors; parties related to board members, staff, and substantial contributors; those who have an ability to influence the decisions of the land trust; and those with access to information not available to the general public.

**Internal controls:** Internal controls are a system of checks and balances designed to safeguard the assets of the organization and to help ensure that resources are directed to appropriate and authorized purposes. These financial procedures include measures to prevent or detect fraud, to ensure donations and grants are appropriately accounted for, and procedures for monitoring compliance with the controls.

**Management letter:** Correspondence from a certified public accountant (CPA) to the land trust board that presents any concerns about the reliability of the fiscal systems and accounting data that were identified as part of the audit.

**Operating expenses:** Unrestricted expenses incurred for management, fundraising, and program functions, such as outreach, education, stewardship and restoration. Purchases of land, buildings, and major equipment should be part of a capital projects budget.

**Operating reserves:** Calculated as net assets without donor restrictions, excluding a) land, property, equipment, and b) any net assets board designated for stewardship and defense; plus any net assets with time/purpose donor restrictions for operations. Reserves and expenses calculated based on the most recent audit, review, or compilation.

**Operating surplus:** An increase in net assets without donor restrictions, excluding land, property, and equipment, using the most recent audit, review, or compilation.

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

**Private inurement:** An action in which a person who is an insider to a tax-exempt organization derives a benefit from the organization without giving something of at least equal value in return. The IRS prohibition on inurement is absolute. The IRS also imposes penalties on directors, officers, key employees, and other insiders who engage in transactions that confer an excess benefit on the individual (“excess benefit transaction”).

**Visual inspection:** Site inspection conducted before deciding whether to acquire conservation land or a conservation easement.

**When to submit a corrected Land Conservation Project List (LCPL):** if the land trust has additional information (such as monitoring/inspection dates, baseline documentation reports or management plan completion dates) that might help confirm compliance with requirements or if the land trust now holds a different type of project (such as the land trust accepted its first conservation fee property).

**When to correct/change the Schedule of Dedicated and Restricted Funds (SDRF):** if there have been substantial changes from the one provided in the pre-application (such as a substantial increase or decrease in fund value or a new fund) that might impact compliance with the requirements.