

Canadian Land Trust Standards and Practices

2019 Revisions

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Marie-Michèle Rousseau-Clair



If we don't change, we don't grow

Revision Objectives

- Maintain the already established consistency in the professional standards of the conservation sector while ensuring S&P stay tailored to Canada's context
- Integrate and benefit from lessons learned from our international peers, and strengthen the credibility and effectiveness of the Canadian land trust community

Changes in a nutshell...

A NEW, MORE READABLE FRAMEWORK FOR EASY IMPLEMENTATION

- Each wordy practice in the 2005 Standards – many of which consisted of more than one sentence or concept – was broken down into practice “elements” for clarity
- We reorganized the elements, eliminated the redundancies and focused on those practices that apply broadly to the land trust community (e.g. Ecological Gifts, Contingency Plans)
- We added new elements deemed important and useful for the land trust community (e.g. Fundraising Plans, Indigenous Communities)

What has been left out...

- 2F Current Information
- 6H Sale or Transfer of Assets (Including Land and CA)
- 8L Public Issues
- 9F Documentation of Purposes and Responsibilities
- 9M Split Receipting
- 9N Subsurface Rights
- 11H Contingency Plans for Backup Holder
- 11L Plans and Agreements
- 12B Stewardship Principles

Standard 1: Ehtics, Mission and Community Engagement

- **Practice 1A. Ethics** now asks land trusts to adopt a written code of ethics and/or values statement and a whistleblower policy, and affirms that land trusts should not participate in transactions that are potentially fraudulent or abusive.
- **Practice 1C. Community Engagement** contains four new elements that reflect the importance of (1) developing an inclusive and welcoming organizational culture, (2) fostering opportunities to connect people with the land, (3) developing an understanding of the land trust's community to facilitate authentic communications and engagement and (4) building relationships with community leaders (including engagement with indigenous communities).

Standard 3: Board Accountability

- **Practice 3A. Board Responsibility** strengthens the board's duty to provide oversight of the land trust's finances and operations by, among other things, working to ensure that sufficient financial resources are available and reviewing the financial audit.
- **Practice 3B. Board Composition and Structure** clarifies the need to having a board substantially composed of independent members, ensuring the board's presiding officer and treasurer are not the same individual and that no staff member should serve as the board's president officer or treasurer.

Standard 5: Fundraising

- **Practice 5B. Accountability to Donors** adds a requirement for a written policy or procedure to ensure land trusts honor donor privacy concerns
- ****Practice 5C. Fundraising Plan** asks land trusts to develop and implement a fundraising plan or program
- **Practice 5D. Non-conservation Real Property for Resale** focuses on its use to advance the land trust's mission

Standard 6: Financial Oversight

- **Practice 6A. Fiscal Health** includes three new elements asking land trusts to (1) address deficit spending trends, (2) assess revenues and diversify funding sources and (3) build and maintain operating reserves

Standard 7: Human Resources

- **Practice 7D. Transition Planning** requires land trusts to develop a process or plan to provide for continuity in the leadership and management of the land trust's functions
- ****Practice 7F. Occupational Health and Safety** reinforces the important of health and safety in the workplace and requires land trusts to provide safe working conditions

Standard 8: Evaluating and Selecting Conservation Projects

- **Practice 8C. Project Evaluation** now insists on documenting outcomes of the visual inspection prior to accepting conservation projects: conservation values, threats, and liabilities

Standard 9: Ensuring Sound Transactions

- **Practice 9C. Environmental Due Diligence** clarifies that a land trust should conduct or obtain a preliminary environment investigation for every land and conservation agreement transaction.
- **Practice 9F. Title Investigation and Recording** makes clear that a land trust should use a title company, lawyer or notary to investigate title and that the title should be updated at or just prior to closing.

Standard 10: Tax Benefits and Appraisals

- **Practice 10A. Landowner Notification** focuses on landowner tasks to meet tax law requirements including a comprehensive list of actions and on the need to notify owners in writing to obtain independent advice
- **Practice 10C. Avoiding Fraudulent or Abusive Transactions** explicitly asks land trusts to discuss substantial concerns about the appraisal, the appraised value or other terms of the transaction with legal counsel and take appropriate action.

Standard 11: Conservation Easement Stewardship

- **Practice 11B. Baseline Documentation Report** adds a new element that clarifies how land trusts should document significant changes to the land.
- **Practice 11C. Conservation Easement Monitoring** now requires a written policy or procedure for monitoring conservation easements and clarifies the timing of monitoring.
- **Practice 11F. Approvals and Permitted Rights** asks land trusts to establish written procedures to guide their decision-making if using discretionary approvals.
- **Practice 11H. Amendments** now specifies guiding principles to be considered when evaluating conservation agreement amendment requests.

Standard 12: Fee Land Stewardship

- **Practice 12B. Land Management and Stewardship** adds a 12-month timeline for the preparation of a written management plan and asks land trusts to manage their properties in accordance with the management plan and to maintain all properties in a manner that retains the land trusts public credibility and minimizes risk.
- **Practice 12C. Inspecting Land Trust Properties** clarifies the timeline for conducting property inspections and asks to promptly document outcomes and actions taken to address problems

Marie-Michèle Rousseau-Clair
National Director of Securement and Stewardship
Nature Conservancy of Canada
marie.rousseau@natureconservancy.ca
514-688-1665

Thank You!