



### **Volunteer Conservation Easement Steward** ~ **Job Description and Monitoring Guidelines** ~

#### **Role of Conservation Easement Stewards:**

Volunteer Conservation Easement Stewards serve as representatives of the Finger Lakes Land Trust (FLLT) and share responsibilities with land trust staff for the routine monitoring and inspection of privately-owned properties with conservation easements held and enforced by FLLT. The principle role of the conservation Easement Steward is to observe and document any changes that take place on the easement property. To do that, the Steward will visit their assigned property (or properties) once a year, during a time frame appointed by the land trust. During the visit the Steward will meet with the landowner if possible, and conduct a walking tour and physical inspection of the interior of the property and boundaries. Notes are made of any observed changes and relevant information obtained from the landowner, photos are taken as necessary, and an annual monitoring report is prepared and submitted to the land trust soon after the visit. Stewards, therefore, provide key assistance in helping the land trust become aware of all changes taking place on the property, regardless of whether or not the change or activity in question is permissible or regulated by the easement (land trust staff will determine how changes on the property relate to the terms and conditions of the easement agreements). Thorough annual monitoring visits are essential for the land trust to achieve our land protection mission, meet the responsibilities we have committed to by accepting these easements, and protect the integrity of conservation easements as an important and effective land protection tool.

#### **Responsibilities and Protocol:**

1. Prior to arranging the annual monitoring visit, you will need to review this Easement Steward job description and monitoring guidelines document, and review the background information available on the easement property, including the name and contact information for the landowner, maps of the property, the baseline documentation prepared at the time the easement was recorded, and monitoring reports and photographs from previous inspection visits. The land trust will supply these materials to you, unless you already have them from previous years. It will be helpful to take maps and photos of the property into the field with you when conducting the monitoring visit, partly to help you get around the property and partly to help you know whether something you observe was there at the time of the last visit or not.
2. Contact the landowner and arrange to visit the property sometime during the timeframe specified by FLLT. Verify that the property is still owned by the same person or people, and if not find out the name and contact information for the new landowner. Sometimes property is conveyed from parents to children, but the parents still reside on the property – FLLT will still need to know if there is a change in the legal ownership of the property. Also look for “For Sale” signs when you arrive at the property, and if seen remind the landowner to notify you and the land trust of any future change in ownership. Also verify from the landowner that there has not been any subdivision of the easement property since the last visit. Make an attempt to schedule the property visit at a time when the landowner is there and can accompany you on the tour of the property or at least meet with you sometime while you are there.
3. Prepare for the field visit by arranging the following things to take in the field with you:
  - Field map, field copy of baseline photographs, and field copy of subsequent monitoring reports and accompanying photographs (so you will be able to know whether something on the property was already documented or not).
  - Note pad and pen.

- Camera (film or digital is ok), with good batteries and either film or a blank memory card. For digital photography, use a medium or high resolution setting.
  - Extra FLLT CE boundary signs and boundary disc markers (new in 2009), with hammer and nails, and orange flagging tape.
  - Loppers or hand nippers if needed to get through areas with thick brush or thorns.
  - Compass and GPS, if needed as an aid to navigation or locating photo points.
4. During the monitoring visit you will walk around and view as much of the property boundary and interior that you can, with the goal of being confident that you saw enough of the property to say with assurance that there were no notable changes or that you observed all changes. Pay particular attention to all man-made structures and improvements on the property, as these are regulated in some way by all conservation easements. Look for new or expanded buildings; other structures such as wells, utility lines, towers, signs, fences, agricultural structures; and improvements such as roads, trails, ponds, drainage ditches, gravel pits, and excavations or grading for other purposes. Also document any changes in land use or land management activities, such as those relating to agriculture or forest management/timber harvesting, and problems such as erosion or pollution. Along the property borders, check easement boundary signs and markers (regular posted signs, however, are the responsibility of the landowner) and add new nails when old ones begin to pull through (do not pound nails in all the way); attach new orange flagging tape to survey pins as old flagging wears out; and note any problems that might be caused by neighbors, such as encroachment, dumping, tree cutting, ATV use, clearing of unauthorized trails, etc. If additional boundary signs are needed, or if you are not certain where a boundary is, notify the Director of Stewardship. On smaller properties (those less than ~100-150 acres), the entire boundary should be walked each year, in addition to assessing the interior areas of the property. For larger properties (those more than ~100-150 acres) it is acceptable to walk the entire boundary over the course of two consecutive annual monitoring visits, however all of the interior areas of the property should be visited each year. A compass can be useful in following boundary lines. If you need help, notify the FLLT Director of Stewardship. Natural changes to the property that might be of interest in regard to the conservation values of the property should also be noted, such as the occurrence of floods, fires, or storm damage, presence of rare or unique species, shifts in habitat, problems related to tree or forest health, new or expanding non-native invasive plant or insect infestations, etc.
5. During the monitoring visit you will need to document what you see and prepare for post-visit reporting to the land trust.
- If there are no changes, simply make a note of that.
  - Make notes of any information the landowner provides, especially as might be related to future plans for the property, such as an intent to sell or otherwise convey the property to a new owner, to construct or enlarge new buildings or other structures, or to engage in new land use activities.
  - Describe in writing all changes observed on the property, whether natural or man-made. Provide as much detail in your description as possible, including information on the location, nature, and extent of the change observed.
  - In addition to written descriptions of changes, photographs should also be taken “as needed” to document observed changes. To determine if a photograph is “needed”, and how photographs should be taken, use the following guidance:
    - Be certain to photograph all new, expanded, or relocated buildings or other man-made structures.

- For buildings (houses, barns, garages, sheds, etc.), two photographs should be taken of each building, with the photos being taken from opposite corners of the building (so that all four sides can be seen in the two photos) – take additional photos if necessary to document a building that is hard to see from only two angles.
  - For other “discreet”, “stand-alone” man-made structures, improvements, and other features or changes (such as carports; gazebos; swimming pools; tennis courts; fenced gardens; wells; agricultural structures such as silos, cement manure containment areas or parking pads, and storage tanks; parked or abandoned vehicles and equipment; bridges; gates; towers; ponds; garbage dumping; and encroachments) usually one photograph per structure, improvement, or change is sufficient, but take as many as necessary to document the feature or change.
  - For features or changes that extend over long distances or large areas (such as new fences; new, expanded, or eroding roads or trails; drainage ditches; timber harvesting; changed agricultural practices; and damage from natural disasters), it is sufficient to take a few representative photos of such features or occurrences, but it is not necessary to take numerous photos all along the length or extent of such features.
  - For some changes on the property, it is sufficient to simply describe the change in writing and not provide any photographs. Examples of this include natural changes in habitat, forest health, or invasive species; routine maintenance of buildings or other structures or improvements (including painting and fixing things, but not including expansions or relocations); landscaping and routine mowing; and “minor” changes in trail use or agricultural or forest management activities. Many easements, especially recent ones, have building envelopes with few restrictions on what kinds of structures and improvements can be built and maintained within the envelope. Therefore, it is not necessary to get too concerned with photographing all of the minor changes that might take place within the building envelope (but you should still note minor changes in writing), however anything deemed to be significant or that is not of a residential or agricultural nature should be documented with photos. \*The primary monitoring concern for easements with building envelopes is to make sure that all of the permitted improvements are wholly contained within the boundary of the building envelope.
  - Use the map of the property on the second page of the monitoring form to mark the route taken during the monitoring visit and the location of any changes observed and photographs taken. When marking photo locations on the map, place a point where you were standing when taking the photo and draw an arrow from the point in the direction that the photograph was taken. If you are in a place, such as interior forest, where it is difficult to determine from the map just where you are when taking a photograph or describing a change, use a GPS if possible to help determine your location.
6. During your contact and communications with the owner of the easement property, always be polite, respectful, courteous, and professional – remember, you are a representative and ambassador for the Land Trust. Do NOT make any representations as to whether or not a change observed on the property, or a pending change or activity contemplated by the landowner, is consistent with the terms and conditions of the conservation easement or not. You are there specifically to document changes that occur on the property (or that might occur, based on information obtained from the landowner), regardless of whether or not the changes are in conformance with the easement restrictions. It is the Land Trust’s responsibility to interpret the terms and conditions of the conservation easement and communicate that interpretation to the landowner. The Land Trust will follow up with landowners regarding any changes observed and described by the Steward and reported to the Land Trust, as necessary. If a landowner has questions about the easement, or is argumentative for any reason, ask them to contact the FLLT Director of Stewardship to discuss the matter.

7. After the field visit, the Steward must complete an annual conservation easement monitoring report form (provided by FLLT), which includes information about the property inspection and descriptions of any changes observed. \* If there were significant changes observed on the property, especially changes relating to activities or uses of the property that are likely to be regulated by the easement, please make every effort to submit your report quickly – within one week from the date of the visit if possible, and call the Land Trust immediately if there are any urgent problems that need to be dealt with. For reports that have only minor changes to report, or no changes at all, please submit the report to FLLT within two weeks from the date of the visit. For all reports, attach prints (if using film photography) or paper printouts (if using digital photography) of any photographs taken, with a label or caption describing each photo (if using film prints, the Land Trust can supply pre-made labels to put on the backs of photographs). If there are any notes or reminders for the next monitoring visit, or recommended follow-up actions for the Land Trust, be sure to include that on the report form.
8. Keep a copy of the monitoring report and photos for your own reference and use the following year.

Send completed annual conservation easement monitoring forms to:

Chris Olney, Director of Stewardship  
Finger Lakes Land Trust, 202 East Court St., Ithaca, NY, 14850

Call 607-275-9487 if you have any questions or concerns.

**Thank you for your dedication and assistance with this most-important responsibility!**