

FIRST-TIME PRE-APPLICATION

REFERENCE COPY




General

1. Overview of Land Conservation Holdings
 - a. Number of conservation easements now held: _____
 - b. Number of acres protected with conservation easements now held by your land trust: _____
 - c. Number of conservation fee properties now owned: _____
 - d. Number of acres now owned in fee for conservation purposes by your land trust: _____
 - e. Does your Land Conservation Project List indicate that there are gaps in your annual conservation easement monitoring and/or annual fee inspections? yes no
2. Land Trust Overview
 - a. Number of board members: _____
 - b. Number of full-time staff: _____
 - c. Number of part-time staff: _____

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, disclose each [*note: there will be a list and form provided in the online pre-application*] 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 application.*)

Attachments

-  Accreditation Agreement ([download template](#)) *Note: applicants can chose to sign a copy of this document and upload 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.
-  Land Conservation Project List ([download template](#))
-  Land Conservation Project List Explanatory Statements
If your Land Conservation Project List indicates that there are gaps in your annual conservation easement monitoring and/or annual conservation fee property inspections: A statement explaining the circumstances that resulted in each non-compliance and how your organization has since ensured compliance with this practice

Related Entities (*This section only applies to those organizations with multiple related entities.*)

For each entity providing basic-level information (as determined by the Commission), [see the Addendum for Basic-Level related entities for required attachments.](#)

For each entity providing intermediate-level information (as determined by the Commission), provide the following information and submit the required renewal pre-application attachments. [See the Addendum for Intermediate-Level related entities for required attachments.](#)

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 your land trust's total anticipated operating expenses for its current fiscal year?
2. What are your required Legal Defense Reserves as determined by your completed [Legal Defense Reserves Calculator](#) (right-click and select save link as). *If your organization operates in more than one state, please use the [Multiple State Legal Defense Reserves Calculator](#).*


Using the results from your land trust's completed Legal Defense Fund Reserves Calculator, does your land trust have the necessary board-designated or restricted defense funding?

Governance

1. Has your land trust had a land or conservation easement transaction (acquisition, sale, amendment, violation) with an insider in the past five years?
 yes no

 If yes, then describe each land or conservation easement transaction (acquisition, sale, amendment, violation) with an insider over the last five years and include for each:
 - a. The name of the insider;
 - b. Insider's relationship to the land trust;
 - c. Date of the transaction;
 - d. Description of the transaction; and
 - e. Description of how private inurement was avoided
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, then describe each financial transaction with an insider over the past five years and include for each:

- a. The name of the insider;
- b. Insider's relationship to the land trust;
- c. Date of the transaction;
- d. Description of the transaction;
- e. The dollar value and how the value was determined; and
- f. Description of how private inurement was avoided

Finance


1. What are your land trust's total anticipated operating expenses for its current fiscal year:
\$ _____
2. Required Legal Defense Fund Reserves as determined by calculator: \$ _____
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 restricted defense funding?
 yes no
4. Does your land trust have the necessary board-designated or restricted conservation easement stewardship funding (*\$3,500 per conservation easement*)?
 yes no

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 a 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*).

 Most recent Form 990 (or Form 990-EZ or Form 990-N) with all schedules and statements


 Final tax determination letter from the Internal Revenue Service

 Schedule of Dedicated and Restricted Funds (SDRF) ([download template](#))


 [Legal Defense Reserves Calculator](#) ([view tutorial on competing calculator here](#)) Note: [save the file to your desktop before completing the form.](#)

Stewardship


1. In the past five years, have any of your land trust's conservation easements been violated or is your land trust continuing to address older unresolved conservation easement violations?
 yes no

 If yes, then describe each violation and include for each:
 - a. The nature of the violation;
 - b. How and when the issue was discovered, documented and investigated;
 - c. Who was involved at major steps in the violation process, including the role of the board and any co-holders; and
 - d. How the violation was resolved (or if unresolved, the steps being taken to resolve it)

2. In the past five years, have you had any ownership challenges on your land trust's conservation fee properties or is your land trust continuing to address older unresolved ownership challenges (*such as significant trespass, encroachments, adverse possession claims*)?
 yes no


 If yes, then describe each ownership challenge and include:
 - a. The nature of the ownership challenge;
 - b. How and when the issue was discovered, documented and investigated;
 - c. Who was involved at major steps in the process, including the role of the board and any co-holders/owners; and
 - d. How the ownership challenge was resolved (or if unresolved, the steps being taken to resolve it)

3. In the past five years, have any of your land trust's conservation easements been amended?
 yes no

 If yes, then describe each amendment and include:
 - a. Who requested the amendment and why;
 - b. How the amendment resulted in a net beneficial or neutral effect on the protected conservation values;
 - c. How your land trust analyzed the potential for private inurement and/or impermissible private benefit as a result of granting the amendment; and
 - d. Who was involved at major steps in the amendment process, including the role of the board and any co-holders

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

 If yes, then describe each extinguishment and include:

- a. Who requested the extinguishment and why;
- b. How much land was released from the conservation easement and how much, if any, land was added;
- c. 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);
- d. How your land trust analyzed the potential for private inurement and/or impermissible private benefit;
- e. What steps your land trust took to avoid or mitigate harm to conservation values;
- f. Whether your land trust obtained any proceeds and how they were used; and
- g. Who was involved at major steps in the process, including the role of the board and any co-holders