

# CALIFORNIA COUNCIL OF LAND TRUSTS APPLICATION

For Land Trust and Provisional Land Trust Membership

Thank you for considering membership in the California Council of Land Trusts. We look forward to learning more about your organization and the special lands and waters you are conserving. Please do not hesitate to contact us with any questions you may have or visit our website at [www.calandtrusts.org](http://www.calandtrusts.org) for further resources about membership.

The Council's membership consists of organizations that support and advance the identity and reputation of California's land trust community and land conservation generally. We seek and encourage land trusts to apply for membership who are engaged in and dedicated to sustainable land conservation, that conduct themselves in accordance with legal and equitable principles appropriate for non-profit organizations operating solely in the public interest, and that implement the highest standards and practices of non-profit charitable management.

Please review CCLT's Membership Policy for information about membership, qualifications, process, criteria, and renewal. CCLT may ask for further information beyond what is provided with your application. The information you provide will be used for CCLT's decision-making purposes and only in the aggregate for statistical purpose. CCLT reserves the sole and complete authority to make all decisions with regard to membership.

## PART I BASIC ORGANIZATIONAL INFORMATION

### LEGAL NAME OF LAND TRUST

**Application:**  Land Trust Membership  
(check one)

Provisional Land Trust Membership

**Land Trust?** Does your land trust meet the land trust definition? See CCLT Membership Policy for the two-part definition of a "land trust". The two parts concern legal status and principal purpose and activity.

yes

no – if no, please provide an explanation of why your organization is submitting an application, such as "seeking provisional membership" \_\_\_\_\_  
\_\_\_\_\_

unsure

### PLACE OF BUSINESS

Mailing Address \_\_\_\_\_ Street Address \_\_\_\_\_  
(if different) \_\_\_\_\_ City \_\_\_\_\_  
State \_\_\_\_\_ Zip \_\_\_\_\_ County \_\_\_\_\_ Phone \_\_\_\_\_  
\_\_\_\_\_ Fax \_\_\_\_\_ Website \_\_\_\_\_  
\_\_\_\_\_

### CONTACT INFORMATION FOR EXECUTIVE OR OFFICER OF ORGANIZATION

Name \_\_\_\_\_ Title \_\_\_\_\_  
Phone \_\_\_\_\_ E-mail \_\_\_\_\_



## CALIFORNIA COUNCIL OF LAND TRUSTS – MEMBERSHIP APPLICATION

### LEGAL STATUS Please answer the following questions:

Are you incorporated as a non-profit, public benefit corporation in California?

- yes – year of incorporation: \_\_\_\_\_
- no – if no, please provide an explanation: \_\_\_\_\_
- unsure

Are you recognized by the Internal Revenue Service as a 501(c)3 organization?

- yes – year of ruling: \_\_\_\_\_
- no – if no, please provide an explanation: \_\_\_\_\_
- unsure

Are you a public charity as described in IRS Code Section 170(b)(1)(A)(vi) or Section 509(a)(2) which require that the organization meet the public support test? (Your annual IRS 990 report will have this information.)

- yes – year that you met the public support test: \_\_\_\_\_
- no – if no, please provide an explanation: \_\_\_\_\_
- unsure

### REVIEW/INVESTIGATION

Has your land trust ever been reviewed or investigated by the Internal Revenue Service, the Attorney General of California, or the California Franchise Tax Board (except for the routine application for non-profit incorporation or tax-exempt status)?

- yes – if yes, please attach an explanation, including whether the matter has been resolved and the manner in which it was resolved
- no
- unsure

**OTHER AFFILIATIONS.** Please answer the following questions regarding other pertinent affiliations your land trust may have. Membership in any other organization is neither required nor sufficient for membership in CCLT.

Regional. Is your land trust a member of any regional association of land trusts and/or public agencies?

Yes – please list your top three regional affiliations: \_\_\_\_\_

National. Is your land trust a member of Land Trust Alliance?

- yes – if yes, year joined: \_\_\_\_\_
- no
- unsure

Has your land trust adopted Land Trust Alliance's Standards and Practices (rev 2004)?

- yes – if yes, year of adoption: \_\_\_\_\_
- no
- unsure

Are you acting as a fiscal sponsor for any other organization?

yes – if yes who : \_\_\_\_\_

no

Is any other organization acting as a fiscal sponsor for your organization?

yes – if yes who : \_\_\_\_\_

no

## PART 2 CONSERVATION ACTIVITIES

**MISSION.** What is your mission statement?

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**CONSERVATION FOCUS.** Does your mission include the protection of any of the following conservation values?  
(Check all that apply.)

- |   |   |   |  |
|---|---|---|--|
| <input type="checkbox"/> wildlife habitat     | <input type="checkbox"/> space              | <input type="checkbox"/> historical resources | <input type="checkbox"/> community engagement & outreach |
| <input type="checkbox"/> natural lands        | <input type="checkbox"/> trails             | <input type="checkbox"/> wetlands             | <input type="checkbox"/> education                       |
| <input type="checkbox"/> farmland             | <input type="checkbox"/> forests            | <input type="checkbox"/> coast                | <input type="checkbox"/> research                        |
| <input type="checkbox"/> rangeland            | <input type="checkbox"/> cultural resources | <input type="checkbox"/> lakes, reservoirs    | <input type="checkbox"/> stewardship                     |
| <input type="checkbox"/> parks, public access | <input type="checkbox"/> rivers, creeks     | <input type="checkbox"/> community gardens    |  |
| <input type="checkbox"/> scenic open          | <input type="checkbox"/> deserts            | <input type="checkbox"/> urban green space    |  |
| <input type="checkbox"/> other: _____         |   |   |  |

**Activities.** Identify your land trust's activities and relative percentages of time spent (e.g., 50%).

\_\_\_ acquiring land/easement/transfer/broker (either purchase, donation, mitigation)

\_\_\_ land management

\_\_\_ easement stewardship

\_\_\_ restoration, enhancement

## CALIFORNIA COUNCIL OF LAND TRUSTS – MEMBERSHIP APPLICATION

- land use or policy advocacy  
 education and community programs  
 administration (including fundraising)  
 research  
 recreational programming  
 youth job training  
 other: \_\_\_\_\_

**GEOGRAPHIC AREA OF OPERATIONS.** What is the geographic area of the organization's land protection activities?

Counties in which land trust has worked: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  statewide

Are there additional areas land trust would consider working? \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  statewide

## CALIFORNIA COUNCIL OF LAND TRUSTS – MEMBERSHIP APPLICATION

**ORGANIZATIONAL STRUCTURE.** In a short narrative or table, please identify and describe the following elements of the organization: (1) officer positions, (2) committees, (3) staff (titles and percentage time for CA staff only), (4) numbers of volunteers, groups of volunteers (such as monitoring volunteers; if applicable), and (5) any other key features

**CONSERVATION ACCOMPLISHMENTS.** Please indicate your answers to the questions below that are relevant to your land trust.

### Fee Title Purchase or Donation that You Presently Hold

1. number of projects: \_\_\_\_\_  n/a
2. total acreage: \_\_\_\_\_  n/a

### Conservation Easement Purchase or Donation that You Presently Hold

1. number of projects: \_\_\_\_\_  n/a
2. total acreage: \_\_\_\_\_  n/a

### Mitigation

1. number of fee projects: \_\_\_\_\_  n/a
2. total fee acreage: \_\_\_\_\_  n/a
3. number of easement projects: \_\_\_\_\_  n/a
4. total easement acreage: \_\_\_\_\_  n/a

**Transfer/Broker** – these are properties that your land trust played a material role in protecting but to which you do not hold title (e.g., you may have transferred to a public agency)

1. number of fee projects: \_\_\_\_\_  n/a
2. total fee acreage: \_\_\_\_\_  n/a
3. number of easement projects: \_\_\_\_\_  n/a
4. total easement acreage: \_\_\_\_\_  n/a

**Stewardship/Management** – these are properties for which your land trust holds a responsibility although

It may not hold a property interest:

1. number of fee projects: \_\_\_\_\_  n/a
2. total fee acreage: \_\_\_\_\_  n/a
3. number of easement projects: \_\_\_\_\_  n/a
4. total easement acreage: \_\_\_\_\_  n/a
5. total acreage of land managed for agencies: \_\_\_\_\_  n/a
6. number of Agreement(s) Restricting Use: \_\_\_\_\_  n/a

**Trails and Restoration**

1. miles of trails constructed: \_\_\_\_\_  n/a
2. acres restored: \_\_\_\_\_  n/a

**Preserves and Outdoor Education; Public Participation**

1. annual number of visitors to preserves and properties: \_\_\_\_\_
2. annual number of children attending outdoor classes/camps or other organized activities on land trust's preserves or properties:  
\_\_\_\_\_
3. annual number of participants in land trust-organized activities that do not occur on land trust's preserves or properties:  
\_\_\_\_\_
4. Does your land trust have a program with your local schools \_\_\_\_\_  yes  no

**Other.** Please share any other accomplishments of note, e.g., managing annual educational program for local 3rd graders or any community engagement activities.

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## PART 3 | MEMBERSHIP QUALIFICATIONS

For each qualification listed below, please indicate your response and submit the indicated materials with the completed application.

**MISSION****1. Mission**

The land trust's principal purpose and activity is the direct conservation and stewardship of land and/or water resources. This purpose is reflected in its articles of incorporation, by-laws, and mission statement.

- Yes, our land trust meets this qualification
- No, our land trust does not meet this qualification

If uncertain, please explain: \_\_\_\_\_

Document(s) to be submitted: (1) mission statement, (2) articles of incorporation and (3) by-laws.

**2. Nonprofit Incorporation and Tax-Exempt Status**

The organization is incorporated as a non-profit, public benefit corporation in California. It is recognized as a public charity by the Internal Revenue Service as a 501(c)(3) organization. Private operating foundations and supporting organizations [509(a)(3)] will be considered if they meet the other qualifications: If the organization holds conservation easements, it meets the foregoing requirements, has met a public support test, and has a conservation purpose as required by California Civil Code 815.

Yes, our land trust meets this qualification.

No, our land trust does not meet this qualification.

Uncertain.

If uncertain, please explain: \_\_\_\_\_

Documents to be submitted: (1) IRS letter indicating tax status; and (2) most recent filing with the California Attorney General.

**3. Community Integrity Principles**

Land trust operates in ways consistent with the Community Integrity Principles for California Land Trusts and commits to continuing to so operate.

Yes, our land trust meets this qualification.

No, our land trust does not meet this qualification.

Uncertain.

If uncertain, please explain: \_\_\_\_\_

Document to be submitted: none

**CONSERVATION ACTIVITY****4. Recent/Current Activity**

The land trust has actively acquired land or water of state, regional or local significance in at least two instances in the last two years, and/or it is actively stewarding the lands and waters previously conserved, and/or has materially partnered with, or conveyed conservation land or easements to, public agency(s) in the last two years. It plans to continue its active conservation and/or stewardship activities in the next two years.

Yes, our land trust meets this qualification.

No, our land trust does not meet this qualification.

Uncertain.

If uncertain, please explain: \_\_\_\_\_

Document to be submitted: (1) list of projects completed for the last two years with date of completion

**5. Stewardship Policy**

The land trust has adopted, and is actively implementing, an umbrella stewardship policy or collection of policies and procedures that taken together address the range of stewardship practices for the lands and waters it holds for conservation purposes. The single policy or collection of policies should include elements and goals necessary for the sound stewardship of each of the land trust's holdings (e.g., land ownership or easement holding).

- Yes, our land trust meets this qualification.
- No, our land trust does not meet this qualification.
- Uncertain.

If uncertain, please explain: \_\_\_\_\_

Document(s) to be submitted: (1) stewardship policy or collection of policies

**6. Public Information and Community Support**

At least annually, the land trust provides information to the public about its mission and activities to conserve land and/or water resources (e.g., in annual report, newsletters, website). The names of all board members are readily-accessible to the public. In addition, the land trust also demonstrates evidence of community engagement and/or support.

- Yes, our land trust meets this qualification.
- No, our land trust does not meet this qualification.
- Uncertain.

If uncertain, please explain: \_\_\_\_\_

Documents to be submitted: (1) organizational brochure, annual appeal, recent annual report, and recent newsletter; (2) indication of where board member names are readily-accessible and sample of document(s); (3) evidence of community engagement or support as demonstrated by numbers on mailing list, donors, volunteers; and (4) list of public events in the last three years.

**GOVERNANCE****7. Independent Board of Directors**

The Board of Directors is an independent decision-making body guiding the affairs of the organization. The land trust's governing body does not include more than one member who is directly or indirectly compensated by the land trust, and that a compensated board member does serve as the board's treasurer. An exception to this qualification applies to a single occasion for a board member to conserve his land in a transaction involving the land trust. In such a case, the board member must fully recuse himself from the discussion, review and decision-making for the project.

- Yes, our land trust meets this qualification.
- No, our land trust does not meet this qualification.
- Uncertain.

If uncertain, please explain: \_\_\_\_\_

Documents to be submitted: (1) list of board members with officers identified; (2) biographical statement for each board member that includes major employment(s) and key affiliations for each; (3) list of committees and members of each; (4) identification of board members who are directly or indirectly compensated; and (5) board member job description if land trust has created such.



**8. Board engagement**

The Board of Directors is actively engaged in governing the organization's activities and meets a minimum of three times per year. Board members consistently participate in board and committee meetings.

- Yes, our land trust meets this qualification.
- No, our land trust does not meet this qualification.
- Uncertain.

If uncertain, please explain: \_\_\_\_\_

Documents to be submitted: (1) dates of board meetings for last two years; (2) number of absent board members for each meeting.

**9. Conflict of Interest**

The Board of Directors has adopted a Conflict of Interest Policy, implements it, and it is annually reviewed and reaffirmed. The policy must include provisions for the identification and recusal of any board member with a material financial interest in a decision of the organization, including land transactions.

- Yes, our land trust meets this qualification.
- No, our land trust does not meet this qualification.
- Uncertain.

If uncertain, please explain: \_\_\_\_\_

Document to be submitted: (1) conflict of interest policy with form that board members complete annually

**10. Transaction Approval**

The Board of Directors approves each acquisition of real property interests.

- Yes, our land trust meets this qualification.
- No, our land trust does not meet this qualification.
- Uncertain.

If uncertain, please explain: \_\_\_\_\_

Document to be submitted: none

**11. Related For-Profit Organizations**

A land trust cannot have one or more board members or executive staff who are owners, employees or consultants to a for-profit firm who may use their position on the board to consistently benefit or advance the purposes of the same for-profit organization.

- Yes, our land trust meets this qualification.
- No, our land trust does not meet this qualification.

Uncertain.

If uncertain, please explain: \_\_\_\_\_

Document to be submitted: none

## FISCAL RESPONSIBILITY

### 12. Financial Records

The land trust prepares a complete, annual financial statement in compliance with generally accepted accounting principles and federal and state reporting requirements, including California's Nonprofit Integrity Act.

- Yes, our land trust meets this qualification.
- No, our land trust does not meet this qualification.
- Uncertain.

If uncertain, please explain: \_\_\_\_\_

Document to be submitted: none

### 13. Financial Review or Audit

The land trust meets federal and state filing requirements, such as filing the IRS Form 990. Additionally, if its annual operating budget:

- exceeds one million dollars, the land trust has an annual, independent audit of its finances (as required by the California Nonprofit Integrity Act) by a qualified professional of its year-end financial condition.
- is between \$100,000 and \$1,999,999, the land trust has an annual financial review or audit by a qualified professional of its year-end financial condition.

- Yes, our land trust meets this qualification.
- In 20\_\_\_\_, we had a \_\_\_\_ financial review, or \_\_\_\_ audit, or \_\_\_\_ neither (check one)
- In 20\_\_\_\_, we had a \_\_\_\_ financial review, or \_\_\_\_ audit, or \_\_\_\_ neither (check one)
- In 20\_\_\_\_, we had a \_\_\_\_ financial review, or \_\_\_\_ audit, or \_\_\_\_ neither (check one)

No, our land trust does not meet this qualification.

Uncertain.

If uncertain, please explain: \_\_\_\_\_

Documents to be submitted: (1) last three years of IRS Form 990

### 14. Investment and Management of Funds

If the land trust maintains endowments or is investing funds in instruments or accounts other than savings, checking or money market accounts, the land trust has adopted an investment policy that is consistent with the *Uniform Prudent Management of Institutional Funds Act* (Probate Code Secs. 18500-18509) ("the Act") with regard to Endowment Funds, and that is consistent with Secs. 18505 and 18506 of the Act with regard to funds that are not Endowment Funds.

- Yes, our land trust meets this qualification.
- No, our land trust does not meet this qualification.
- Uncertain.

If uncertain, please explain: \_\_\_\_\_

Document to be submitted: (1) investment policy

### 15. Long-Term Funding

The land trust has adopted a plan or policy to accumulate sufficient funds to meet the long-term funding needs (including legal defense) of the lands, easements and other real properties it holds, and it is actively working to accumulate these funds.

- Yes, our land trust meets this qualification.
- No, our land trust does not meet this qualification.
- Uncertain.

If uncertain, please explain: \_\_\_\_\_

Documents to be submitted: (1) copy of plan or policy; and (2) short description of organization's activities to accumulate the funds.

### 16. Conservation Succession

The land trust considers and implements, when possible, provision for a nonprofit conservation organization or a public agency to assume ownership and responsibility for its conservation lands and waters in the event of its inability to continue operations.

- Yes, our land trust meets this qualification.
- No, our land trust does not meet this qualification.
- Uncertain.
- If uncertain, please explain: \_\_\_\_\_

Document to be submitted: (1) short description of organization's considerations or activities related to this qualification.

## EASEMENT STEWARDSHIP

If the land trust holds a conservation easement, the following qualifications will also apply. These may be elements of the stewardship policy (5) above or individual policies.

### 17. Baseline Documentation

The land trust has a policy requiring that each conservation easement will have a baseline document (a) created at the time of recordation or within six months, (b) describing the features of the property relevant to the purpose and terms of the conservation easement which is (c) signed by the landowner and easement holder, and (d) the original is retained by the easement holder.

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Yes, our land trust meets this qualification.

No, our land trust does not meet this qualification.

Uncertain.

If uncertain, please explain: \_\_\_\_\_

Document to be submitted: (1) baseline policy (unless substantively addressed in umbrella stewardship policy in Qualification #5 above).

### 18. Monitoring

The land trust has a policy requiring that each conservation easement is monitored on an annual basis and the land trust has made provision for ensuring that this can happen, such as employing stewardship staff or having volunteers trained to monitor easements.

Yes, our land trust meets this qualification.

No, our land trust does not meet this qualification.

Uncertain.

If uncertain, please explain: \_\_\_\_\_

Document to be submitted: (1) monitoring policy (unless substantively addressed in umbrella stewardship policy in Qualification #5 above).

### 19. Enforcement

The land trust has a written policy and/or procedure detailing how it will respond to a potential violation of an easement, including the role of all parties involved (such as board members, volunteers, staff and partners) in any enforcement action.

Yes, our land trust meets this qualification.

No, our land trust does not meet this qualification.

Uncertain.

If uncertain, please explain: \_\_\_\_\_

Document to be submitted: (1) enforcement policy or procedure (unless substantively addressed in umbrella stewardship policy in Qualification #5 above).

### 20. Amendments

The land trust has a written policy or procedure guiding amendment requests for conservation easements that includes (a) prohibition against private inurement and impermissible private benefit; (b) requires compliance with the land trust's conflict of interest policy; (c) requires compliance with any original funding requirements; (d) requires board approval and addresses any other roles of the board; and (e) contains a requirement that all amendments result in either a positive or not-less-than neutral conservation outcome and are consistent with the organization's mission.

Yes, our land trust meets this qualification.

No, our land trust does not meet this qualification.

Uncertain.

If uncertain, please explain: \_\_\_\_\_

Document to be submitted: (1) amendment policy (unless substantively addressed in umbrella stewardship policy in Qualification #5 above).

**APPLICATION SUBMISSION**

On behalf of \_\_\_\_\_ (*name of organization*),  
I affirm that the information provided in this application is correct and true to the best of my knowl-  
edge. Further, if we are accepted as Land Trust Members or Provisional Land Trust Members in the  
California Council of Land Trusts, our organization agrees to act in accordance with the Qualifica-  
tions for Membership and to promptly report any substantive changes in our legal status, purpose or  
activities to CCLT.

\_\_\_\_\_  
SIGNATURE\_\_\_\_\_  
DATE\_\_\_\_\_  
PLEASE PRINT NAME\_\_\_\_\_  
TITLE