



**Santa Fe Conservation Trust
Board of Directors Meeting
Tuesday, October 22, 2024
4 pm**

Via Zoom

<https://us02web.zoom.us/j/89233103312?pwd=9aBiQ7dzf1bEPvYXT2iOKWLFnEO6D7.1>

Meeting ID: 892 3310 3312

Passcode: 491127

AGENDA

1. Call to Order
2. ACTION ITEM: Approval of the August 27, 2024 minutes—Quinn Simons (5 mins)
3. ACTION ITEM: Approval of the Consent Agendas for Finance, Governance and Nominating and Land Program—Quinn Simons (5 mins)
4. Finance Committee Report—Marianne Dwight
 - a. Financials for the period ending September 30, 2024 (15 mins)
5. Governance and Nominating Committee Report—Al Reed
 - a. Board Recruitment Update—Sandra Ely and James Rivera (10 mins)
6. Donor Engagement Committee Report—Mark Fisher (10 mins)
 - a. Board Thank You Note effort underway
7. Stand Up For Nature 2024 Report—Joanne Smogor (15 mins)
8. Executive Director Report (see written report to come)
9. Trails and Community Conservation Report (see written report to come)
10. Group Discussion—Sarah Noss and Quinn Simons (45 mins)
 - a. An assessment of the overall trajectory of the organization in preparation for updating the strategic plan.
11. Adjourn

Next meeting: December 3, 2024 at 4 pm.

**Santa Fe Conservation Trust
Consent Agenda Items
for the October 22, 2024 Board Meeting**

Finance Consent Agenda

ACTION ITEM: Approval of the Thaw Distributions

ACTION ITEM: Approval of the revised SFCT Revenue Recognition Procedures

Governance and Nominating Consent Agenda

ACTION ITEM: Approval of the revised Board Member Recruitment & Orientation Procedures

ACTION ITEM: Approval of the revised Donor Privacy Policy

ACTION ITEM: Approval of the revised Executive Director Succession Plan

ACTION ITEM: Approval of the revised Workplace Harassment Policy

Land Program Consent Agenda

ACTION ITEM: Approval of the resolution to authorize the Executive Director to grant a conservation easement over the Riverhaven property to the Taos Land Trust

ACTION ITEM: Approval of the revised Conservation Easement Selection Criteria

ACTION ITEM: Approval of the revised Conservation Easement Cost Policy

ACTION ITEM: Approval of the revised Fee Property Stewardship Policy

ACTION ITEM: Approval of the revised Violation Policy

**Minutes of the
Santa Fe Conservation Trust
Board of Directors Meeting
August 27, 2024
Unitarian Universalist Church
107 W. Barcelona St. Santa Fe, NM 87501**

1. CALL TO ORDER

This meeting of the Santa Fe Conservation Trust was called to order by Quinn Simons, SFCT Board Chair, at approximately 4:03 p.m. This meeting was conducted as a hybrid with in person and on-line attendance.

2. ROLL CALL: A quorum was present as shown:

SFCT Board Members Present:

Quinn Simons, Board Chair
Marianne Dwight, Treasurer
Mark Fisher
Carmela Nino
Carmichael Dominguez
Carla Mattix
Luke Pierpont
Ginny Olcott

Via Zoom:

Julie Martinez
Al Reed
Michael Avery

Absent:

Peter Martin
Brant Goodman
Dennis Romero

Staff Present:

Sarah Noss, SFCT Executive Director
Melissa Houser, Land Program Manager
Brian Jensen, Org. Advancement Officer
Tim Rogers, Trails Program Manager
McAllister Yeomans, Operations Manager
Melanie Solis Alvarez, Stewardship Associate
Antoinette Armijo-Rougemont, Accounting Associate

Via Zoom:

Joanne Smoger, Events & Dev. Officer
Ariel Patashnik, Land Protection Prog. Mngr.

Guest Speakers:

Kristin Rothballer of Rothballer Consulting
Randle Charles of Charles Consulting

3. APPROVAL OF CONSENT AGENDA

Quinn stated that we would be going through a different format for the agenda in an effort to save time for our guest speakers and we would be approving a consent agenda and he asked for any questions on the action items on the consent agenda.

Sarah read a Land Acknowledgement, acknowledging Indigenous communities and introduced the guest speakers:

Kristin Rothballer is a social change leader who seeks to dissolve the myth of separation. She consults for equity programs for nonprofits, social and land-based enterprises, and as a guide working to build an exclusive green economy. She has worked with earth-based retreat centers and is the Director of Programs at Bioneers. She has a Certificate in Spirituality in social change in Berkely, California, has been a trustee for 20 years and works with Keep Tahoe Blue. She lives in San Francisco and Tesuque.

Randle Charles is Oneida of the Thames and Six Nations. He works with many Indigenous communities. He inspires art and facilitation and has worked with wilderness and professional settings for over 25 years. He strives to continue in his ancestors' paths.

Quinn asked for any questions on action items on the consent agenda.

Carmichael Dominguez pulled item #2 from the consent agenda:

2. Resolution to authorize the ED to submit grant applications and enter into grant contracts and other contracts as necessary to further the organization's mission.

After discussion, this statement was amended to specify contracts with the Natural Resources Conservation Service.

MOTION: Carmichael Dominguez moved to adopt the resolution as amended, Quinn Simons seconded the motion. The motion passed unanimously.

4. **APPROVAL OF THE MINUTES:** Ginny – brought up changes to the minutes

Motion: Quinn Simons moved to approve the minutes as amended with the two typos that Ginny pointed out, and Luke Pierpont seconded the motion. Motion passed unanimously.

Sarah noted a change in the resolution, on pond tract add the word resolution. The Pond tract in Tesuque.

Motion: Quinn Simons moved to approve change in last line in the resolution for the Pond Tract and Mark Fisher seconded the motion. Motion passed unanimously.

Sarah and Melissa explained the history of the easement, there is no legal trail easement, but this one will have legal public access to go on the Windsor trail and you can sit at the pond. It's close to the river.

Carmichael Dominguez moved for approval of the rest of the consent agenda, to include: adoption of the Land Trust Alliance Standards and Practices, the Land Review Committee Charter, the Archeological Procedures Policy, the Cash Disbursement Procedures and the Land Trust Accreditation Commission renewal resolution. Quinn Simons seconded the motion. **The motion passed unanimously.**

5. FINANCE COMMITTEE REPORT.

Marianne stated that she had met several times with staff on the final draft of financials. She asked Carmichael if he had questions on the financial statements. He stated that he had questions on the reserves, if it's for three or six months of operating expenses. Marianne stated that the checking account is short term because we don't earn as much money on it and both accounts are unrestricted. She explained that the Finance committee makes decisions on moving funds between accounts.

McAllister explained that the Century checking is our primary checking account to pay the bills on a regular basis and that \$250k is the FDIC insurance limit, so we move any overage to another account, a long-term investment account. He explained each of the accounts and stated that the operating reserve is in a money market account that we could either put money in or take money out. The two Operating reserves should be at least six months of operating expenses, and it's currently a little under \$900k.

McAllister talked about the Investment Policy Statement and stated that all our policies are located on our website under Board Resources at the bottom of the page.

Marianne asked if there were any other questions about the audit. She stated that we have packets of materials from the meeting with the investment officer if anyone would like one. She explained that we directed the investments to be allocated more into ESG accounts - Environmental, Social, and Governmental.

Mark asked if there were any material findings in the audit.

Marianne stated none. She reported that we were in a good position for the first half of the year in comparison to last year. Our current assets were ahead compared to last year. The majority of our accounts receivables are for the Aeby property (conservation easement that we did in La Mesilla – funded by our Quickstart Fund. The Aeby's will repay the transaction costs to the Quickstart Fund when they sell their tax credit.

Marianne reported that our contributions and gifts are a little behind budget compared to last year's and that the mid-year appeal went out last Thursday. Some grants don't come in till the end of the year. She stated that the fundraiser is coming up on September 7th and some expenses have been incurred for that. She stated that our investment income is doing better and that our cash flows are doing well. There were no questions.

Sarah reiterated that the reallocation of our investments into ESG is nice because it's socially responsible and in line with our mission, and she thanked the Board for approving that.

6. Stand Up for Nature Update

Joanne stated that everything is moving very quickly. She said there would be a few different things this year, offering live auction items, 41 sponsors and underwriters, a little under \$103k and pledges, \$42k, still dealing with the venue, how to fit everything, tables, bar. Lots to do but going well. Asked if there were any questions.

Sarah stated that we are still seeking sponsorships. Bill McKibben's fee is covered, but we still need more sponsors, and we still have 80-90 seats. Joanne stated that a few more people ordered tickets today, assuming sponsors won't use all their seats we still have 70-75 tickets to sell. It has about a 350 seat capacity.

Sarah reminded everyone that we're nine days away from the party, stating to buy tickets now, "tell your friends and everyone. It's going to be fun, Bill McKibben will be great."

Quinn called for the next item on the agenda.

7. Review of the Strategic Plan Outcomes and next steps

Sarah stated that she's been meeting with staff to discuss the strategic plan and we'll set it up as a 3-year plan like the 2021-2024 plan was set up, and that we're hoping to get it renewed at the October board meeting. She stated that she asked staff for input and that we're comfortable with a 3- year plan going forward. In our prior staff meeting, Ariel had suggested that we should talk about our current plan to see what our outcomes have been and walk through that. Some goals will be carried forward. Sarah addressed some of the issues brought up:

Expand organizational capacity – There's not enough people to fulfill the mission. We will need to increase fundraising to deal with that to get more support for a personnel standpoint. Sarah stated that we've brought on four new employees in the past few years to include Ariel, Melanie, Brian and Antoinette. Now we have other problems to deal with. She said she's not just worried about fundraising all the time, but also that we have personnel on board to work on the mission. Sarah stated that the strategic conservation plan of 2018 called us to create more conservation corridors. "When completed we thought we needed more capacity in the land office. We need more money to talk with land owners who can't afford to lose equity, so we created the quick start fund, endowment fund, and we want to make sure that we have a system to fairly assess how to use money and on whom, so we did a GIS layering map of our three county region that showed land owners where water is, assesses values, and other tools that helps us understand which land owners we should reach out to. We finished a policy for the Quick Start Funds for guidance, and the other huge innovation is the Total Transaction funding, that is generated by earnings on the \$1 mil endowment.) Our first Total Transaction project is underway and is being used now to help land owners, such as at Rancho Los Lagunas.

We paid them so they wouldn't have to lose so much value in their land. We have all the things we need to move forward with the implementation plan. It's a total transaction project. We have pieces in place so now we need to think about what we want to see in the next few years. Melanie has brought value to our organization, using Landscape software, creating reports, remote monitoring, - 2/3 of properties are monitored remotely, we can rotate boots on the ground, restoration work in Galisteo Basin, community participation, impressive outcome, landowner relations have improved, we have time to interact with them". Sarah talked about Vámanos, doing Safe Routes to School for 2.5 years and it got transferred to the public schools. Tim will continue support with them. She said that we want to support and expand programs to underserved communities and Tim is doing well with that. He took over 500 kids on field trips on 30 walks last year. She said that it's helpful to have a staff that reflects the audiences we want to reach. Community programs have been incredibly beneficial, trails maintenance, good public relations and doing county work as well. Gratifying to see those grow.

Sarah stated that one of the goals is staff development and another to have more representation, every voice at the table. She said that when she started at SFCT, there were 14 men and 2 women on the board, and it takes time to even out the imbalances. There are further opportunities presented to us tonight with the renaming process. Many items have been achieved and some will be carried forward. We'll send out a summary to look at for the October meeting to get everyone's input. Thanks for helping us move forward on these goals.

8. SFCT'S Value Statement – Integrating it into Our Work

Quinn – The next section of our agenda will be with Kristin and Randle. We have been working hard on a DEI statement to reflect our organization and values. He stated that we approved this in April and he read it aloud.

Randle asked if we could take a break and go outside to the tree, so everyone went outside.

Kristin welcomed everyone to get into a circle. Randle told a story of an offering, a prayer--its purpose is to bring people together and reflect on the idea that no matter what our differences are, we all share the natural world together. The prayer described various aspects of mother nature and how she nurtures us, from water and all the incredible life that exists in the water, and insects, plants that provide food and medicine, animals around the world and our relationship with them, that we give our greeting, thanks and love to the animals, then the trees and all that they give us and the birds, the winds, clouds and thunder, a symbolic ladder of life, and the sky, moon and sun. He told a prayer story of all of this and how we each share a relationship with all of the natural aspects of life.

Kristin thanked Randle and everyone for participating. She stated that understanding and reconciling with history will lead to rich opportunities for the organization. She said they have spent a lot of time with Brian and Sarah and they're learning themselves, trying to understand in a way that strengthens, from a place of what's missing, a word can be used and not seen as problematic. They want to facilitate and bring voices to the table. They are collaborators to support and strengthen us, creating more space for native voices, reckoning with history and

stakeholders, land and environmental work. She thanked us for inviting them in and trusting them saying it's an honor and learning opportunity. She stated that the goal is to have a new name by the February board meeting, one that will open up more to the public so they feel a sense of belonging on that land, feel they were represented.

Sarah said we will have 2-3 days out at the land to introduce the property to people and get them to share their thoughts and feelings about the land, to support the renaming effort. She hopes to bring the new name recommendation from the Community Advisory Group to the board at the February meeting.

Carla asked if there a committee that's going through the process.

Sarah said that we have a community advisory committee, and we're taking everyone's input through surveys and trips out to the land. The group is not totally formed yet and won't meet until October and we want native voices and are working on that. There are 2 board members on the group.

Kristin said that three names will be presented to the board.

Sarah said it's not linear and we're looking for opportunities to follow. She said the board needs to trust themselves and trust the process and it's going to be really fascinating. She said that we come from a dominant culture and it's okay to feel a little adrift. She said we're going to propose bringing a Native person to this board. How do we do that authentically and in such a way that the person can come on and be their full self? It takes time to build trust. And part of it, too, is letting go a little and being humble and vulnerable.

Randle said the bottom line is this opportunity will make the organization better. Being more inclusive makes us better and provides more opportunities for funding. There's an incredible opportunity that's arisen from this small misstep.

Sarah said that we can't dismiss the Hispanic voice either and everyone needs to be considered.

Kristin said we're reprogramming and thanks again for making space with us and giving more time to the process and the work.

Motion: Quinn moved to adjourn at 6:29 p.m. and Sarah seconded the motion. Motion passed unanimously

Consent Agenda for the August 27, 2024 Board Meeting

For more information, see the committee reports and documentation in your board packet.

1. Minutes from the previous Board Meeting

ACTION ITEM: *Approval of the Minutes from the April 23, 2024 Board Meeting*

2. From the Land Review Committee:

ACTION ITEM: *Resolution to authorize the ED to submit grant applications and enter into grant contracts and other contracts as necessary to further the organization's mission.*

ACTION ITEM: *Resolution to authorize the ED to execute documents necessary too accept a conservation easement over the Pond Tract, as well as an access easement over adjacent property owned by Henry Carey.*

ACTION ITEM: *Resolution stating that the SFCT Board of Directors adopts and implements LTA's Standards and Practices as guidelines for the organization's operations.*

3. From the Governance and Nominating Committee

ACTION ITEM: *Approval of changes to the Land Review Committee Charter*

ACTION ITEM: *Approval of changes to the Archaeological Procedures Policy*

4. From the Finance Committee

ACTION ITEM: *Approval of the Cash Disbursements Procedures, raising the amount from \$5,000 to \$10,000 and above for checks that require two signatures.*

5. For Accreditation Renewal

ACTION ITEM: *Approval of the Renewal Resolution required by LTA*

THAW CHARITABLE TRUST

P.O. BOX 2422, SANTA FE, NM 87504-2422 • TEL. (505) 982-7023 FAX (505) 982-7027

GRANT AGREEMENT - Revised

The Eugene V. and Clare E. Thaw Charitable Trust (the "Thaw Trust") is pleased to provide a grant to the **Santa Fe Conservation Trust (SFCT)** in the amount of **\$1,000,000** subject to the following terms and conditions, reporting requirements and submission of documents:

1. Purpose of grant: To establish the *Santa Fe Conservation Trust Endowment Fund*

The principal of the Endowment Fund shall be invested and maintained in perpetuity, with a fund distribution of up to 5% of the 3-year rolling average of the market value on September 30th of each year to be used at the discretion of the SFCT Board of Directors

The specific amount of the allocation for the following year shall be determined by the SFCT Finance Committee and Board of Directors after taking into consideration the 3-year rolling average of the market value as of Sept. 30th of each year; the first distribution shall not be taken prior to 2023

In accordance with IRS regulations, no part of the funds shall be used to carry on propaganda or attempt to influence legislation, participate in any political campaign, or engage in any voter registration drive

- 2. Payment Schedule:** \$100,000 was included in the payment of \$350,000 given to SFCT on Nov. 19, 2021; \$900,000 shall be sent by wire transfer by Dec. 31, 2021 to Citibank N.A. ABA #: 021000089; For benefit of: Charles Schwab & Co., acct: 4055-3953; For further credit to: SFCT Endowment Fund, acct: 7682-8861
- 1. Evaluation:** The Thaw Trust may monitor and conduct evaluations, which may include a review of all financial documents that relate to the Endowment Fund and use of funds
- 2. Reports:** SFCT agrees to provide the Thaw Trust with an update of the attached report detailing the account income/(loss) and the expenditure of funds as of Dec. 31st of each year for a period of 10 years, and subsequently at the Thaw Trust's request; Reports shall be submitted within 60 days of year-end
- 3. Required Documents:** Signed copy of the Grant Agreement
- 4. Donor acknowledgment:** Eugene V. and Clare E. Thaw Charitable Trust
- 5. Miscellaneous:** SFCT will inform the Thaw Trust of any changes to the organization's qualifications as an IRC Section 501(c)(3) charitable entity
- 6. Termination:** Non-compliance with any terms, conditions, reporting requirements or submission of documents specified in this agreement may be the basis for the Thaw Trust's termination of the grant and the Thaw Trust will have the discretion to request a refund of any unexpended portion of the grant previously made. The basis for termination will include, without limitation, the grantee's non-compliance with (a) the provision for use of grant funds; (b) the exempt organization requirements of 501(c)(3) of the Internal Revenue code; (c) the requirements of state law for remaining in good standing as a non-profit corporation; or (d) the reporting requirements of the State of New Mexico

On behalf of Santa Fe Conservation Trust


Sarah Noss, Executive Director

12/20/21
Date

Eugene V. and Clare E. Thaw Charitable Trust


Kathleen Flanagan, President

12/17/21
Date

THAW CHARITABLE TRUST

P.O. BOX 2422, SANTA FE, NM 87504-2422 • TEL. (505) 982-7023 FAX (505) 982-7027

GRANT AGREEMENT - REVISED

The Eugene V. and Clare E. Thaw Charitable Trust (the "Thaw Trust") is pleased to provide a grant to the **Santa Fe Conservation Trust (SFCT)** in the amount of **\$250,000** subject to the following terms and conditions, reporting requirements and submission of documents:

1. **Purpose of grant:** To establish a *Land Management Fund* for the Conservation Homestead property
2. **Specific details:** SFCT shall not use the funds for any purpose or activity not included in the attached revised grant proposal dated December 9, 2021 or that has not been otherwise approved in writing

The principal of the fund shall be invested and maintained in perpetuity, with a distribution of up to 5% of the 3-year rolling average of the market value on September 30th of each year used to help cover the cost of managing and maintaining the Conservation Homestead located at 301 Thornton Ranch Rd

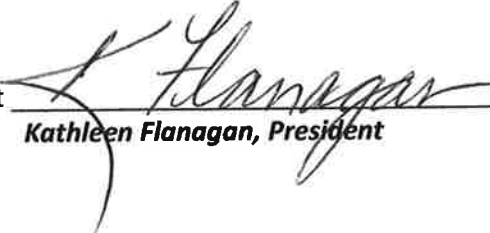
The specific amount of the allocation shall be determined each year by the SFCT Board of Directors, with distributions of expenses of up to \$10,746 as summarized in the attached grant proposal taken during the first two years in 2022 and 2023 until a 3-year average is established on September 30, 2024

This *Land Management Fund* must remain with the Conservation Homestead, should SFCT ever transfer the property to another non-profit organization, as noted in the attached Grant Agreement related to the purchase of the property

In accordance with IRS regulations, no part of the funds shall be used to carry on propaganda or attempt to influence legislation, participate in any political campaign, or engage in any voter registration drive
3. **Payment Schedule:** \$250,000 for the *Land Management Fund* was included in the payment of \$350,000 given to SFCT on November 19, 2021 based on the original grant proposal; \$100,000 from that payment shall be added to the Thaw Trust funds for establishing the SFCT Endowment Fund at Charles Schwab
4. **Evaluation:** The Thaw Trust may monitor and conduct evaluations, which may include site visits and a review of all financial documents that relate to the *Land Management Fund* and the use of funds
5. **Reports:** SFCT agrees to submit the following information to the Thaw Trust within 60 days of year-end:
 - an update of the attached report detailing the account income/(loss) and the expenditure of funds as of December 31st of each year for a period of 10 years, and subsequently at the Thaw Trust's request;
 - a brief written description of the annual activities;
 - the average 3-year market value as of Sept. 30th and amount of approved allocation for following year
6. **Required Documents:** Signed copy of the Grant Agreement
7. **Donor acknowledgment:** Eugene V. and Clare E. Thaw Charitable Trust
8. **Miscellaneous:** SFCT will inform the Thaw Trust of any changes to the organization's qualifications as an IRC Section 501(c)(3) charitable entity
9. **Termination:** Non-compliance with any terms, conditions, reporting requirements or submission of documents specified in this agreement may be the basis for the Thaw Trust's termination of the grant and the Thaw Trust will have the discretion to request a refund of any unexpended portion of the grant previously made. The basis for termination will include, without limitation, the grantee's non-compliance

with (a) the provision for use of grant funds; (b) the exempt organization requirements of 501(c)(3) of the Internal Revenue code; (c) the requirements of state law for remaining in good standing as a non-profit corporation; or (d) the reporting requirements of the State of New Mexico.

On behalf of Santa Fe Conservation Trust  12-16-2021
Sarah Noss, Executive Director **Date**

Eugene V. and Clare E. Thaw Charitable Trust  12/16/21
Kathleen Flanagan, President **Date**

Attachments:

- Copy of the revised grant proposal which summarizes the expenses that will be covered by this fund
- Copy of Grant Agreement for the purchase of 300-acre property located at 300 Thornton Ranch Rd
- Report, to be updated annually detailing the fund's income or loss and expenditure of grant funds

Thaw Endowment Funds
Three-Year Rolling Averages with Allowable Distributions

Fund Description	2022	2023	2024	3-Yr. Avg.	5% Dist.
General Endowment Fund					
Funded with \$1,000,000 on December 22, 2021					
Value on September 30:	\$ 946,913	\$1,026,310	\$1,221,410	\$1,064,878	\$ 53,244
Galisteo Property Land Management Fund					
Funded with \$250,000 on November 19, 2021					
Value on September 30:	\$ 209,229	\$ 227,262	\$ 271,358	\$ 235,950	\$ 11,797
Total Endowment Funds Distributions					\$ 65,041

General Endowment Fund distributions will be placed in the Schwab Money Market Account -6333 Special Initiatives Fund, to be used at the boards discretion on conservation projects.

Galisteo Property Land Management Fund distributions will be placed in the Century Bank checking account regular management activities on the property.

Note: The 5% distributions cannot draw down either fund below their respective principals.

Santa Fe Conservation Trust Revenue Recognition Procedures

Adopted: April 29, 2008

Revised: October 15, 2024

The purpose of establishing these procedures is to create internal controls and consistency over the recognition of revenues. The objective is to insure that all revenues are recorded in the appropriate fiscal period, and in accordance with Generally Accepted Accounting Principles.

Revenues can be generated in several ways, including:

- Unrestricted cash contributions from donors (including checks and credit cards)
- Unrestricted gifts of stocks or bonds from donors
- Gifts from donors in the above manner, but with restrictions on how that money can be spent
- Sales of tickets to fundraising and point of entry events
- Grants from foundations
- Proceeds from contractual arrangements
- Dividends, interest and capital gains/losses from investments and endowment accounts

Generally, revenues shall be recognized in the Statement of Activities in the period when they are received or unconditionally promised to the Trust.

Acknowledgements to contributors for tax purposes should cite the date or tax period it was paid. Checks may be acknowledged on the date they are mailed or hand delivered. Credit cards and other forms of electronic payment are considered paid when they are charged. Refer to IRS publication 526: Charitable Contributions.

Contributions: SFCT's programs are supported primarily by contributions and grants. All contributions are considered to be available for unrestricted use unless specifically restricted by the donor. Unconditional promises to give cash and other assets to SFCT are reported at fair value at the date the promise is received. Conditional promises to give and indications of intentions to give are reported at fair value at the date the gift is received. Gifts received with donor stipulations that limit the use of the donated assets are reported as support with donor restrictions. When a donor restriction expires, that is, when a stipulated time restriction ends or purpose restriction is accomplished by SFCT, restricted net assets are reclassified as unrestricted net assets and reported in the statements of operations as net assets released from restrictions. Donor-restricted contributions whose restrictions are met within the same year as received are reported as unrestricted contributions in the accompanying financial statements.

Contracts, Grants, and Contributions Receivable (Receivables): Contributions and pledge receivables are recognized on the date a donor makes an unconditional promise to give to SFCT. SFCT records unconditional promises to give that are expected to be collected

within one year at net realizable value. Unconditional promises to give expected to be collected in future years are initially recorded at fair value using present value techniques incorporating risk-adjusted discount rates designed to reflect the assumptions market participants would use in pricing the asset. In subsequent years, amortization of the discounts is included in contribution revenue in the statements of activities. SFCT determines the allowance for uncollectable receivables based on historical experience, an assessment of economic conditions, and a review of subsequent collections.

Investments: SFCT records investment purchases at cost, or if donated, at fair value on the date of donation. Thereafter, investments are reported at their fair values in the statements of financial position. Net investment return/(loss) is reported in the statements of activities and consists of interest and dividend income, realized and unrealized capital gains and losses, less external and direct internal investment expenses.

Beneficial Interest in Assets Held by a Community Foundation: SFCT has established and names itself beneficiary of two endowment funds held and managed by the Santa Fe Community Foundation (Foundation). The endowment funds are held and invested by the Foundation for SFCT's benefit and are reported at fair value in the statements of financial position, with changes in fair value recognized in the statements of activities.

Contributions of Long-Lived Assets: Contributions of equipment and other long-lived assets without donor-imposed stipulations concerning the use of such assets are reported as revenues of the unrestricted net asset class. Contributions of cash or other assets to be used to acquire equipment and other long-lived assets with such donor stipulations are recorded as revenues of the temporarily restricted net asset class; the restrictions are considered to be released at the time of the acquisition of such long-lived assets.

Donated Services and In-Kind Contributions: Volunteers contribute significant amounts of time to SFCT's program services, administration, and fundraising and development activities; however, the financial statements do not reflect the value of these contributed services because they do not meet recognition criteria prescribed by generally accepted accounting principles. Contributed goods are recorded at fair value at the date of donation. SFCT records donated professional services at the respective fair values of the services received.

Brant Goodman, Secretary

Date



Governance and Nominating Committee Meeting

Thursday, October 10, 2024

10:30 am

Via Zoom

MINUTES

Present: Quinn Simons, Julie Martinez, Al Reed, Frank Katz, Joanna Prukop, Sarah Noss (ED)

1. ACTION ITEM: Approval of minutes from the May 29, 2024 meeting (coming)

MOTION: Quinn moved, seconded by Frank to approve the minutes from the May 29th meeting.
Unanimously approved.

2. Review of 2025 proposed new board members: Sandra Ely, James Rivera, Aaron Schubach

Quinn reported that Aaron Schubach, head of school at the Santa Fe Prep School, had withdrawn from consideration due to his workload. Sarah reported that she had met with Elizabeth Bremner, who is very supportive of our work, but is currently on several boards and cannot assist for another couple of years. She reported that Sandra Ely and James Rivera are interested in serving. See packet for their bios/resumes. James was available to meet on 10/15, and several said they could come.

3. Review of SFCT Policies and Procedures (pls see Al's email with his edits)
 - a. Board Member Recruitment Procedures

Quinn mentioned that the orientation materials are a lot to digest and it's hard to get new board members oriented at the board retreat. Julie said that the gathering her cohort had before the board retreat was helpful to get to know more board members and better understand the organization. She thought that a social gathering would be good, as well as one more geared to talking shop.

Quinn suggested the following change to the Board member Recruitment and Orientation Procedures:

Under 2) Orientation, add a new b, to read: A new Board Member Orientation should occur after they are voted on and before the first board meeting, so new board members can meet each other and other board members and learn more about the organization before the board retreat.

Under 2) Orientation, move current b to c, with the first line edited to read: A. Board Orientation Packet is currently found on the website and made available to both new and current members, in December or January of each year.

MOTION: Quinn moved, seconded by Sarah, to approve the Board Member Recruitment Procedures as edited. Unanimously approved.

b. Harassment Policy

Discussion ensued about if this was a Harassment Policy for the general public or for internal use. Everyone agreed it was for internal use. Joanna thought we should change the title of the policy to "Workplace Harassment Policy to make that clear. In the 3rd paragraph, Quinn suggested we remove "non-employees and volunteers," as the policy doesn't apply to them, just employees and board members. We would stop working with non-employees or volunteers if they harassed anyone.

Under "Reporting Harassment," they changed the word settle to "SFCT cannot investigate or address matters of which it's management or Board is unaware."

Al suggested we look at this again in the context of the entire contents of the Employee Manual at a later date.

MOTION: Al moved, seconded by Sarah, to approve these changes to the Harassment Policy and to look at the entire employee manual and accompanying policies at a later date. Unanimously approved.

c. Donor Privacy Policy

The last paragraph was changed to say: "In addition to protecting a donor's financial information, SFCT will not sell, share or trade donors' personally identifiable information with any other entity, nor will SFCT send solicitations to its SFCT donors on behalf of other organizations, unless a donor has given SFCT specific permission to do so."

MOTION: Joanna moved, seconded by Quinn, to approve the Donor Privacy Policy with changes. Unanimously approved.

d. ED Succession Plan

Discussion ensued about how this Executive Director Succession Plan is really for emergencies, ie, if the ED is run over by a bus or needs to step down with little notice. Al thought that specific positions or people should not be named in the Plan. He offered edits. The committee felt that Santa Fe City and Santa Fe County didn't need to be among the first to be notified if there were a change in leadership. Both entities were deleted from the Plan.

MOTION: Sarah moved, seconded by Joanna, to approve the ED Succession Plan as amended. Unanimously approved.

- e. Whistleblower Policy—tabled until the next meeting
- f. Public Issues Policy—tabled until the next meeting
- g. Board of Directors Succession Plan—tabled until the next meeting

4. Adjourn—the meeting adjourned at noon.

Santa Fe Conservation Trust

BOARD MEMBER RECRUITMENT & ORIENTATION PROCEDURES

Adopted on: April_, 2018

Purpose: To describe how new Board members are identified, vetted, recruited, elected and trained in accordance with Santa Fe Conservation Trust (SFCT) Bylaws and Land Trust Alliance Guidelines to become members of the SFCT Board of Directors.

Methodology and procedures:

The SFCT Governance and Nominating Committee has primary responsibility for identifying, vetting and nominating new Board members. This committee works with the Board Chair and Executive Director to ensure each new Board member receives adequate orientation and training for their new role with SFCT.

1) Recruitment:

- a. To fulfill its responsibilities and duties in this area, the Governance and Nominating Committee does the following each year:
 - i. Makes recommendations regarding the size and composition of the Board, addressing without limitation:
 1. The absolute numbers of Board members (per Bylaws, minimum of 7 members and maximum of 21), and
 2. The structure of committees formed by the Board.
- b. Identify strong and capable individuals believed to be qualified candidates for Board membership, evaluate such individuals, and recommend selected nominees to the Board. In doing so, the Committee shall be authorized to, without limitation:
 - i. Determine the desired qualifications and criteria for Board members, including relevant knowledge, skills, experience, qualities, desired diversity and other needs,
- c. Oversee due diligence as to candidates for nomination or re-nomination as Board members,
- d. Meet with prospective Board members to discuss expectations and duties, provide background materials and information about the SFCT mission and history, and answer any questions they may have,
- e. Report to the full Board periodically during the year to obtain input, discuss talent and diversity needs, and potential candidate names,
- f. Submit list of recommended candidates to the Board of Director at least ten days prior to the SFCT Annual Board Meeting, pursuant to the Bylaws, and

- g. Ensure that the slate of recommended Board candidates is voted upon at the Annual Board Meeting, usually in December of each year.

2) Orientation:

- a. Orientation of new Board members ensures that each new member of the Board has the appropriate information and materials to become an active member of the Board upon their election to the Board.
- b. An informal new Board member orientation gathering should occur after they are voted on and before the first board meeting so new Board members can meet each other and other Board members and learn more about the organization before the Board retreat.
- c. A Board Orientation Packet is currently on the website and made available to both new and current members, in December or January of each year. In addition, the Board Chair and Executive Director meet with newly elected Board members shortly after their election and prior to the Annual Retreat (usually held in late January or early February each year) to review these documents. The Board Orientation Packet contains the following information and materials:

About SFCT:

SFCT Mission and Vision Statements SFCT Program Descriptions

SFCT Annual Events SFCT History

SFCT Timeline

SFCT Land Conservation Overview

Approximate Costs for Doing a Conservation Easement SFCT Easement List through the end of the previous year **Board Related:**

Board and Staff Roster Board Bios and Photos

Board Member Responsibilities Duties of Officers

Committee Overview

SFCT Committee Responsibilities SFCT Bylaws

Forms:

Board Member Information Form Conflict of Interest Form

SFCT Board Pledge Form

Financial:

The most up to date Approved Budget The most recent Approved Audit

At the Annual Meeting, ALL Board members are reminded of the fiduciary oversight responsibilities of the Board of Directors. Each is asked to review and sign SFCT's Conflict of Interest Policy and Procedures form annually:

Approved on the of _____, 2024

Brant Goodman, Secretary

Santa Fe Conservation Trust
DONOR PRIVACY POLICY
Policy 2017- ??
Adopted on: July 25, 2017

Policy:

Santa Fe Conservation Trust (SFCT) is committed to respecting the privacy of its financial and in-kind donors, whether the donation or payment is made online, by mail, or any other method. When a donor makes a financial or in-kind donation, the donor provides their name and contact information. Financial donors also provide standard payment information including, in many circumstances, credit card data. SFCT protects this donor information in a variety of ways, as described below:

SFCT uses industry standard safeguards to protect donor information. Many donors use credit cards for donations. The Trust protects the security of credit card transactions using a number of measures such as encryption, access controls, network firewalls, and physical security. These measures make it extremely difficult for anyone to intercept the credit card information donors send SFCT. When SFCT works with other companies to process credit card transactions, those companies also use encryption and other appropriate security measures.

Additionally, SFCT will not sell, share or trade donors' personally identifiable information with any other entity, nor will SFCT send solicitations to its Trust donors on behalf of other organizations, unless a donor has given SFCT specific permission to do so.

Signed: _____

Date: _____

| _____
Brant Goodman Secretary

Santa Fe Conservation Trust
EXECUTIVE DIRECTOR SUCCESSION PLAN
Policy 2015-02
Adopted on: December 1, 2015
Updated on: _____

Purpose:

The purpose of a succession plan is to outline an approach for eventual or sudden change in the executive director (ED) position at Santa Fe Conservation Trust (SFCT).

Rationale:

Organizations experience turnover. Some turnover is planned, some is episodic (nobody stays in a job forever), and some represent surprises (illnesses and abrupt job changes). Whatever the cause, turnover happens, and SFCT must plan for its orderly transition.

Deleted: ,

The role of the executive director is pivotal. He or she sets priorities for the advancement of SFCT, maintains many valuable relationships and interacts with the board as necessary. The ED also raises funds for SFCT.

There is no stated second in command who could take over the organization on short notice should the need arise. Should the executive director leave the organization or have an interruption in his or her ability to serve, SFCT must have a workable plan to put into action.

Executive Director Long-range Plan:

The executive director

1. Identify within existing staff a potential successor and delegate steadily more work to build the experience base of that person. If no such person is on staff at that time, consider reviewing the overall staffing pattern to create a deputy director opportunity (if staff size and capacity allows for such).
2. Conduct talent scouting while out in the community working with partners and donors, to find leads on new staff as existing staff move up.

Commented [AR1]: We shouldn't specify a title...?

Executive Director Interim Plan:

In the case of the Executive Director's sudden departure or interruption in service, the organization will take these steps.

1. Board Chair Actions:
 - a. The Board chair appoints an interim executive director. The board chair consults with other board members as appropriate in making this decision.
 - b. The Board chair should work with the executive director to identify one or two

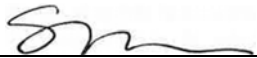
people (perhaps even outside the organization) who could serve as interim director on short notice.

- c. The board chair informs the board and key external audiences, including but not limited to:
 - i. Land Trust Alliance
 - n. All other New Mexico-based land trust organizations,
 - iii.
 - iv.
 - v. Santa Fe Community Foundation,
 - vi. Other appropriate Santa Fe nonprofit organizations and businesses,
 - vii. Important donors,
 - viii. Other important partners (people and organizations who would need to know before a public announcement).

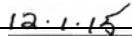
2. Board Actions:

- a. The Board identifies its vital roles to support interim ED, given the interim ED's strengths and weaknesses and pressing needs of the organization, and
- b. Then identifies tasks, timelines, persons responsible and a check-in schedule (Board chair) to ensure that tasks are getting accomplished.

3. Depending on the nature of the ED's situation, the board begins recruiting process or prepares for interim ED performance appraisal on three-month basis.



Sandra Massengill, Secretary Date



Santa Fe Conservation Trust

WORKPLACE HARASSMENT POLICY

Policy#

Adopted: August 4, 2009

Updated: February 4, 2012

Updated: October 19, 2018

As part of Santa Fe Conservation Trust's (SFCT) policy to ensure equal opportunity to all, regardless of sex, sexual orientation, race, ethnic or national origin, age, disability, veteran status, religion, or any other characteristic that is protected by law, SFCT is committed to maintaining a work environment that is free from discrimination and in which all employees and board members can devote their full attention and best efforts to their jobs.

Harassment has no place at work. SFCT will not tolerate any form of harassment based on an employee's sex, sexual orientation, race, national or ethnic origin, age, disability, religion, or any other characteristic that is protected by law.

This policy applies to management and non-management employees and board members, who harass our employees or board members.

Examples of "harassment" that are forbidden include offensive language, jokes, or other physical, verbal, or written conduct relating to sex, sexual orientation, race, religion, national or ethnic origin, age, disability, veteran status, or other factor protected by law that would make a reasonable person feel uncomfortable or would interfere with the person's work performance.

The examples below are not exhaustive. It is not possible to list every type of behavior that could be considered harassment in violation of this policy. In general, any conduct based on these traits that could interfere with an employee's work performance or could create an offensive environment is considered harassment in violation of this policy. ***This is the case even if the offending person did not intend to be offensive. You must be sensitive to the feelings of others.***

Sexual Harassment

Sexual harassment (both opposite-sex and same-sex) is strictly prohibited. Examples of behaviors that violate this policy include:

- Sexually offensive jokes or comments
- Touching that is sexual in nature
- Conditioning benefits of employment upon the employee's response to sexual requests
- Displaying sexual materials, including materials that have been copied or downloaded from the Internet, obtained through electronic mail, or from any other source
- Retaliating against an employee who complains of harassment

Harassment Based on Race, National or Ethnic Origin, Gender, Sexual Orientation, Age, Disability, Veteran Status, Religion or Other Protected Factors

SFCT also prohibits harassment based on race, color, national or ethnic origin, gender, sexual orientation, disability, religion, veteran status, or other protected factors. Examples of forbidden harassment include:

- Jokes, parodies, pranks, name-calling, or negative comments based on one of these categories
- Displays of any types of written, published, or other materials or pictures containing negative images or inferences regarding these categories, including electronically obtained materials
- Retaliating against an employee for complaining of harassment under this policy

Reporting Harassment

SFCT cannot investigate or address matters of which its management or Board is unaware. Every employee has a duty to ***immediately*** report harassment so that SFCT can try to resolve the situation. This is true whether the alleged harasser is an employee, a manager, a board member, or a non-employee, such as a customer or a vendor with whom SFCT does business. You should report harassment when

- You feel you have been harassed
- You have seen or heard of someone else who has been harassed

To report harassment, report to the Executive Director, or if it involved the Executive Director, report to the Board Chair. Once your report has been received, SFCT will:

- Conduct a prompt and thorough investigation
- Discuss the results (although not necessarily any disciplinary action taken against the alleged harasser) with the complaining person and, if appropriate, the action to be taken
- To the extent possible, limit information about the investigation and results to those with a need to know
- When necessary, take appropriate corrective action, up through and including termination

No employee or board member will be punished or subject to retaliation for bringing a report of harassment in good faith to SFCT's attention or for cooperating in an investigation.

Our Commitment to an Effective Harassment Policy

Finally, if you feel SFCT has not met its obligations under this policy, or if you are not satisfied with the way in which your report of harassment was handled, or you feel that you have been retaliated against for reporting harassment, you should contact the Vice Chair. Your assistance in following the policy is the only way to make the policy work for all of us.

Secretary

Date

Land Review Committee Report
October 22, 2024

ITEMS FOR APPROVAL:

- **Approval to grant CE over Riverhaven:** In July the committee recommended approaching Taos Land Trust about SFCT donating a new easement over our Riverhaven property that would remove development potential and formalize the public's right of access. The new easement would be overlaid on our existing Durand easement, which only protects a fraction of the Riverhaven property and also extends onto other private land next-door. SFCT would seek a state tax credit for the donation of the new easement. We are at the very beginning of this process. The resolution in the packet authorizes the granting of the easement.

ACTION ITEM: *Resolution to authorize the ED to grant a conservation easement over the Riverhaven Property to Taos Land Trust*

- **Policy Revision:** The committee has reviewed and revised our CE Project Selection Criteria Policy, CE Cost Policy, Fee Property Stewardship Policy, and Violation Policy. The revised policies are presented for approval.

ACTION ITEM: Approve revised CE Project Selection Criteria Policy

ACTION ITEM: Approve revised CE Cost Policy

ACTION ITEM: Approve revised Fee Property Stewardship Policy

ACTION ITEM: Approve revised Violation Policy

NEW PROJECT NEWS:

- **PROS Pecos Canyon 16 CE amendment to add acreage:** On recommendation from the LRC, the Executive Committee approved Quickstart funding for this project, which will add 12 acres to our existing Pecos Canyon (PC) 16 easement along the Pecos River. All of the land is owned by PROS. Christopher Thomson is the President of PROS and also on the LRC, so he declared a conflict of interest and recused himself from the discussion. The additional acreage lies on the southern rim of the canyon and has natural habitat and scenic conservation values. This is currently our only active Quickstart project.
- **South Pass Ranch CE:** On recommendation from the LRC, the Executive Committee approved an Engagement Agreement for South Pass Ranch CE. South Pass Ranch is a 1,319-acre property in San Miguel County owned by Sallie Bingham, the local author and philanthropist. The ranch is few miles as the crow flies southeast of our Charles R and Koldyke easements, so its protection will add to a corridor of ranch preservation in San Miguel County. The property includes mesa top and canyon and has very wild-feeling natural habitat. It also has scenic, agricultural, and

cultural conservation values. The easement will allow for one building envelope at the site of the current ranch headquarters.

- **Rancho Las Lagunas CE:** Things are going well with this purchased conservation easement that will protect about 100 acres of irrigated farmland in Nambe. We applied for NRCS ACEP funding of the easement purchase to supplement the state NHCA funding that we've already secured. Due diligence is underway.
- **Pond Tract CE:** This project was approved by the board at our August meeting. This donated easement will protect and ensure public access to a 4-acre parcel in Tesuque that includes a stretch of the Winsor trail. We are working on the baseline and will close this year.
- **Moonfrog—Cañada del Los Alamos:** The LRC approved this project for an Engagement Agreement on October 17th. This donated conservation easement will protect 16 acres in Cañada del Los Alamos adjacent to the Treehouse Camp. The project includes one Building Envelope over two lots.

STEWARDSHIP:

- **Heart and Soul II and III Amendment pending:** An amendment to combine these two adjacent easements into one, relocate two building envelopes and include them as part of the easement, and otherwise improve easement terms is being worked on.
- **Turner II amendment pending:** A simple amendment to correct an error in the legal description of this easement is being worked on.
- **Conservation Easement Monitoring:** Monitoring is going well. The only new violation we have discovered is some unauthorized trail-building and tree-cutting by a neighbor on the County's Little Tesuque Creek Open Space property. The County is trying to get the neighbor to remediate the area and SFCT is helping as appropriate.

FEE PROPERTY STEWARDSHIP:

- **Apache Canyon:** We have received grants from both the Land Trust Alliance and State Forestry to produce a forest management plan for this property that explicitly addresses climate adaptation. The plan will be completed by next summer. We may conduct a pile burn this winter that would be managed by the Forest Stewards Guild.
- **Galisteo Property:** We have received the Cornell Lab of Ornithology Land Trust Small Grant Program of \$25,000. This grant will help fund the Rangeland Restoration Implantation Plan with Ecotone Landscaping Planning and Resource Management Services, which includes 2 Bullseye workshops. It would also fund 3 EBird Workshops during as well as planting 30 Winterfat, 15 Three-leaf Sumac with Oya Watering Pots with volunteers in the spring.
- **Riverhaven:** Staff has removed some invasive Russian Olive trees to relocate the pedestrian bridge downstream to alleviate some trespassing that is occurring on the neighbors upstream.

We are working with the neighbors on some signage to direct people up our driveway to the pedestrian trail easement to Canyon Rd.

OTHER:

- **Accreditation Renewal:** The Accreditation Renewal ad-hoc committee started meeting in June. Staff have gathered the necessary information for pre-application, which we will submit within the next week. Our accreditation renewal pre-application is due October 30 and the full application is due in early February 2025.

**RESOLUTION BY
THE BOARD OF DIRECTORS
SANTA FE CONSERVATION TRUST**

**Donating to Taos Land Trust
a Conservation Easement over the
2.23-acre Riverhaven Property**

NOW THEREFORE, BE IT RESOLVED, that the Santa Fe Conservation Trust (SFCT) authorizes the Executive Director, Sarah Noss, to execute a Deed of Conservation Easement to the Taos Land Trust over SFCT's 2.23-acre Riverhaven property, located at 1461 and 1467 Canyon Road, Santa Fe, NM 87501. Granting a conservation easement requires approval from 2/3 of the Board of Directors.

CERTIFICATION

I hereby certify that the foregoing resolution was adopted by the Board of Directors of the Santa Fe Conservation Trust, at a meeting held in Santa Fe, New Mexico, on the ____ day of _____, 2024, at which a quorum was present, by a vote of _____ in favor, _____ opposed, and _____ abstaining.

Brant Goodman, Secretary

Date

Santa Fe Conservation Trust
CONSERVATION EASEMENT PROJECT SELECTION CRITERIA POLICY
Land Conservation Policy 2.1
Adopted on: June 23, 2013
Updated: October 19, 2017

The Santa Fe Conservation Trust partners with our community to keep northern New Mexico's living lands and people flourishing together. We protect culturally and environmentally significant landscapes, ignite people's passion for nature and enable the continual regeneration of our healthy place.

The Santa Fe Conservation Trust actively fosters an organization and conservation movement that is intentionally diverse, equitable and inclusive. We look to nature as our guide, working to support and connect a human ecosystem that is equally complex, resilient, thriving and full of variety.

We acknowledge that land in northern New Mexico carries with it a complicated history that includes successive and ongoing waves of displacement and dispossession. We also acknowledge that land conservation and the environmental movement have historically underrepresented a diversity of people who cherish the natural world and want to protect it.

Looking forward, we aspire to create a better future by building a representative, engaged and passionate conservation community dedicated to keeping Northern New Mexico's living lands and people flourishing together. To that end, we focus our programs, policies and plans on providing equitable access to nature for everyone in our community and creating opportunities for inclusion. We recruit, hire, retain, and promote a diverse staff. And we recruit board members who represent the lived experiences of the people we serve to ensure the diverse viewpoints of our community inform our decisions and actions.

The Santa Fe Conservation Trust recognizes that this long-term commitment is an ongoing process that requires continuous learning, growth, monitoring and improvement.

The SFCT Board has identified the following issues and established the following criteria for selecting conservation easement projects to be undertaken by SFCT. These criteria are intended to guide rather than limit the actions of SFCT. The Board retains discretion over project selection and will evaluate each project and proposal on its own merits after careful investigation of the property, its resources and the potential public benefit. Staff will use this list to evaluate potential projects and help identify relevant conservation values and other practical issues on lands being considered for conservation that will significantly benefit the public.

SFCT Mission/Feasibility Issues and Criteria:

1. Is the proposed conservation easement consistent with the goals expressed in our Mission

Statement? SFCT seeks conservation easements that match as many of the goals set forth in its mission statement as possible.

2. Will the donor execute an engagement letter and agree to cover SFCT's transactional costs as outlined in the letter? SFCT must have a signed engagement letter setting forth the terms of the transaction, and there must be some means agreed upon, and specified in the letter, for covering the costs of the transaction, and future monitoring costs, in amounts to be determined by SFCT and the donor.
3. Can the easement effectively be monitored and stewarded by SFCT? If monitoring the easement is likely to be difficult, for physical, political or personal reasons, the easement may not be suitable for SFCT to accept.
4. Is the easement in one of SFCT focal areas or counties in which we work? Easements in areas SFCT has identified as priorities, or where we have existing easements, are preferred.
5. Is the land of sufficient size to warrant our efforts? Experience has shown that easements on small tracts may be problematic, and more costly to conserve per acre than larger parcels
6. Will this easement encourage other land to be preserved in the same area? Easements that could be catalysts for adjacent parcels to be placed under easement are highly valued.
7. Will this easement protect lands that are significant to communities that are underrepresented in the land conservation movement?
8. Are there uncertainties about the future land use of adjacent parcels that could make the land less desirable or stewardship more difficult, such as, for example, the possibility of substantial or intensive commercial or residential development? Land, especially smaller tracts that could become surrounded by developed areas may become problematic from the standpoint of monitoring, stewardship, and the possibility of easement violations, besides being less desirable as wildlife habitat.
9. Will acquisition of the easement create an unusual or special liability exposure for SFCT that would warrant enhanced insurance coverage? While SFCT's position as holder of a conservation easement should ordinarily not give rise to liability, dangerous conditions or other factors that might spark litigation in which SFCT could easily become involved are a reason for concern.
10. Will public access and activities be allowed on the property? Public access is normally a "plus" for an easement, but may also complicate monitoring and create greater risks of violations.
11. Is the land already effectively protected in some fashion, by deed restrictions; covenants, or other means, and if so, is such protection assured for the future? If there are effective protective mechanisms in place, that protect the values that are intended to be protected by a conservation easement and that are likely to be enforceable and enforced, there may be little need to impose the easement.
12. Is adequate and permanent access to the property for easement enforcement purposes

available to SFCT, or can access rights be included in the easement? If SFCT does not have assured access to the property for monitoring purposes, we could not fulfill our obligations under the terms of the easement, and thus probably should not accept an easement on the property.

13. Can all of the conservation intentions and purposes of the donor be met by our standard conservation easement agreements or are extraordinary requests being made of SFCT? SFCT does not want to have to enforce complicated architectural standards for example or consider prohibited uses that would be difficult to enforce such as a prohibition of firearms on the premises.

Legal Issues and Criteria:

1. Does the donor have clear legal title? If there is any defect in title, SFCT will not accept a conservation easement until the defect is cured. Prior to closing and preferably early in the process, have a title company or attorney investigate title for each conservation easement the land trust intends to acquire and update the title policy at or just prior to closing.
2. Does the donor own the subsurface rights? If the donor owns the mineral rights, they must be included in the terms of the easement. If the mineral rights are owned separately, the likelihood of exploration or mining in the future must be assessed. Any significant likelihood that the land might be subject to mineral exploration or mining will diminish the value of the easement.
3. Are there any encumbrances on the property, and are all taxes paid? SFCT will not accept an easement on land that is encumbered by a mortgage or real estate contract unless the lender or contract holder will subordinate its rights to the easement, and it will not accept an easement on land as to which property taxes are owed, or that reflects a history of non-payment of property taxes.
4. Are property lines clearly defined? SFCT may require a boundary survey of each tract subject to a conservation easement and will consult with counsel to make this determination.
5. Are surrounding areas and their uses and zoning classifications such as to make easement enforcement practicable? If major issues are possible in the future this must be weighed when calculating the financial costs of stewardship and monitoring.
6. Are there hazardous materials on the property?

Natural Resource Issues and Criteria:

1. Will the easement serve to protect a relatively natural habitat for fish, wildlife or plants? Besides being important and worthy in its own right, this is a consideration that is specifically identified as a "conservation purpose" in 26 U.S.C. § 170(h), and that thus relates directly to the maintenance of SFCT's tax exempt status and to the qualification of the easement donation as a valid charitable contribution for federal tax purposes.

Moreover, protection of habitat for plants and wildlife also helps qualify a proposed easement under New Mexico's Land Conservation Incentives Act.

2. Is the land currently in a relatively natural state? The parcel under consideration must be considered special and unique due to its natural condition and/or use.
3. If restoration is needed will the donor pay for this effort? A management plan may be required by SFCT to ensure that restoration will be undertaken in a timely manner.
4. Is the property subject to pollution or adverse influences from surrounding resources? Conditions on nearby property that could impair the conservation values of the protected property, and that cannot easily be protected against, may significantly reduce the value of the conservation easement.

Public Recreation/Education Issues and Criteria:

1. Will the easement provide for the public's regular use of the property for outdoor recreation or education? This is a consideration that is specifically identified as a "conservation purpose" in 26 U.S.C. § 170(h), and that thus relates directly to the maintenance of SFCT's tax exempt status and to the qualification of the easement donation as a valid charitable contribution for federal tax purposes. Promotion of these values is clearly favored by SFCT.
2. Will protection of this property promote outdoor recreation by or the education of the general public?
3. Does the easement help to create or maintain public access to public lands? Protection of property over which extensions of trails that connect with public lands trails can be established is a high priority for SFCT.
4. Does the easement complement land conservation programs promoted by public agencies in the area of the easement? Enhancement of conservation values on nearby public lands is another high priority.

Open Space and Working Lands Issues and Criteria:

1. Will the easement serve to protect open space for the scenic enjoyment of the general public, or pursuant to a clearly delineated federal, state or local governmental conservation policy, that will therefore yield a significant public benefit? This is a consideration that is specifically identified as a "conservation purpose" in 26 U.S.C. § 170(h), and that thus relates directly to the maintenance of SFCT's tax exempt status and to the qualification of the easement donation as a valid charitable contribution for federal tax purposes. Open space protection that serves a clearly defined governmental conservation policy or otherwise provides a public benefit is strongly favored by SFCT.
2. Will the easement protect cropland, grazing land, or working forestland?
1. Will the easement help to protect a historically important land area or a certified historic structure? This is a consideration that is specifically identified as a "conservation purpose" in 26 U.S.C. § 170(h), and that thus relates directly to the maintenance of

SFCT's tax exempt status and to the qualification of the easement donation as a valid charitable contribution for federal tax purposes.

Approved on the

Brant Goodman, Secretary, SFCT

Santa Fe Conservation Trust Conservation Easement Project Selection Criteria

Project Name: _____ Size in acres: _____

General Location: _____ SFCT Focal Area: _____

Conservation Values to be protected: _____

Proposed Reserved Rights: _____

A strong project will meet all of the criteria in the first two sections of this form. Please include detail in text boxes below as necessary.

1. SFCT Mission/Feasibility Issues and Criteria:

- ☐ The proposed conservation easement is consistent with the goals in our Mission Statement

- ☐ The property is in SFCT's service area

- ☐ The landowner is willing to execute an engagement letter and agree to cover SFCT's transactional costs as outlined in the letter

- ☐ The easement can be effectively monitored and stewarded by SFCT

- ☐ The land is of sufficient size to warrant our efforts

- ☐ The project is free from concerns about current or future zoning/land use on adjacent parcels that could make the land less desirable for conservation or make stewardship difficult

- ☐ The project will result in average or below-average liability exposure for SFCT (rather than an unusual or special liability exposure that would warrant increased insurance coverage)

- ☐ The property is legally developable (rather than already effectively protected in some fashion, by deed restrictions)

- ☐ All of the conservation intentions and purposes of the donor can be met by our standard conservation easement agreement (no extraordinary requests are being made of the trust)

- ☐ The project is likely to encourage other land to be preserved in the same area

- ☐ The project will protect lands that are significant to communities that are underrepresented in the conservation movement

- ☐ The project will complement existing land conservation efforts by SFCT, other groups, or agencies in the area

2. Legal Issues and Criteria (to be confirmed by title report and other due diligence before closing):

- ☐ The landowner has clear legal title to the property

- ☐ The property is free from problematic encumbrances (liens, mortgages, etc) or these can easily be resolved before closing

- ☐ The landowner owns the mineral rights, or it is likely that a geologist's report can be obtained finding that the chance of mineral development is so remote as to be negligible

- ☐ Adequate and permanent legal and physical access to the property for easement enforcement purposes is available to SFCT, or can be obtained at or before closing

- ☐ The landowner is current on property taxes

- ☐ Property lines are identifiable and no encroachment is present

- ☐ The property is free from hazardous material/pollution

To qualify for tax benefits, and to be a strong candidate for SFCT protection, a project must satisfy at least the first criterion of at least one of the following sections. The more criteria a project satisfies the better.

3. Natural Resource Issues and Criteria:

☐ The easement will protect relatively natural habitat for wildlife, fish, or plants

☐ Significant restoration is not needed or landowner will pay for needed restoration

4. Public Recreation/Education Issues and Criteria:

☐ The easement will provide for the public's regular use of the property for recreation or education

☐ The easement will help create or maintain public access to public land

☐ The project will promote outdoor recreation by or the education of the general public

5. Open Space and Working Lands Issues and Criteria:

☐ The easement will protect open space for the scenic enjoyment of the general public and/or pursuant to a clearly delineated federal, state, or local governmental policy

☐ The easement will protect cropland, grazing land, or working forestland

6. Historic Preservation Issues and Criteria:

☐ The easement will protect a designated historically important land area or certified historic structure

Date Reviewed by Land Review Committee: _____

Committee Decision: _____

The Santa Fe Conservation Trust
CONSERVATION EASEMENT COST POLICY
Policy 2011-11-05
Adopted on: December 1, 2011
Updated: 08/24/2017

The process of developing and closing a conservation easement requires significant effort on the part of Santa Fe Conservation Trust (SFCT) staff and contractors. Also, in accepting a conservation easement, SFCT assumes the responsibility and legal obligation to uphold the conservation easement's terms and conditions in perpetuity. These responsibilities include annual monitoring of the property, administration of all conservation easement documents and records, and legal defense of the conservation easement provisions as necessary. Therefore, SFCT requires a Commitment Fee and requests a Stewardship Contribution with each conservation easement we accept.

Commitment Fee

The Commitment Fee is estimated using the *Conservation Easement Preparation Cost Estimate Form*, which takes into consideration the costs of the initial property assessment, drafting of the Conservation Easement Deed, Baseline Documentation Report, tax applications, as well as recording and legal fees. SFCT requires landowners to pay the Commitment Fee when they sign an Engagement Agreement to formally start the project process. The Commitment Fee is not a donation.

Stewardship Contribution

The Stewardship Contribution is calculated with the *Stewardship Calculator (developed by TNC)*, which takes into consideration

- 1) Monitoring the site to ensure the conservation values are protected
- 2) Maintaining landowner/neighbor relationships
- 3) Enforcement of the terms of the conservation easement, as necessary.

SFCT will suggest a Stewardship Contribution using the established formula and make the conservation easement donor aware of the purpose of the donation. SFCT will not record a conservation easement without identification of the source(s) of the funding for the Stewardship Contribution. The *Engagement Agreement* will reflect that the donor acknowledges the amount of the requested Stewardship Contribution and that the contribution will be paid upon closing of the conservation easement. The donation is placed in a pooled restricted fund, with the proceeds from the interest going to cover annual monitoring expenses. The fund can also be used to support any legal costs in the future relating to enforcement of the conservation easement. SFCT provides donors with a “no goods and services” letter in acknowledgment of the Stewardship

Contribution, which may be considered a tax-deductible charitable donation to the extent allowed by law.

A typical contribution is \$20,000 to \$40,000. Actual requested contributions vary with each property, but are generally determined by the size of the property, the complexity of the conservation easement agreement, and the number and/or types of rights reserved, complexity of property boundaries, ease or difficulty in monitoring, *etc.* Amendments to add acreage to an existing easement may require a smaller contribution than average. The Santa Fe Conservation Trust Land Review Committee and Board of Directors have the right to adjust the conservation fee or stewardship contribution on a case by case basis.

Brant Goodman, Secretary

Date Adopted

Santa Fe Conservation Trust Conservation Easement Preparation Cost Estimate with NM State Tax Credit Application

This cost estimate is based upon current billing rates and our best estimate of the hours and expenses required completing the project, based on our experience with previous projects. We will notify you if we anticipate substantially exceeding this budget.

1. Project start-up and initial property assessment

- Review of landowner's goals and preliminary property inspection.
- Analysis of Conservation Values.
- Preliminary discussions with landowners.
- Presentation of proposed Conservation Easement to SFCT Board.

Estimated cost: 15 hours x \$100 per hour* = \$1500

2. Research, field inspection, documentation

- Research ordinances, reports, and government policies relating to the property.
- On-site Property inspections to document plant species, wildlife habitat, scenic views, and other critical Conservation Values for the Baseline Documentation Report.
- Compile and Review Baseline report summarizing existing property conditions and conservation purposes of the Conservation Easement.

Estimated cost: 20 hours x \$100 per hour = \$2000

3. Review mapping, legal description, survey, and title commitment

- Review natural features map (using USGS base) showing topography, areas of vegetation and open space, Conservation Values, and all existing improvements.
- Review legal description provided by surveyor. (Landowner is responsible for any additional survey costs if any are incurred)
- Review survey and work with surveyor to make changes/clarifications, as necessary. (It is the Landowner's responsibility to provide, at their cost, a current survey of the Property, which clearly shows the boundaries of the Conservation Easement in relation to the entire Property.)
- Review title commitment and attend to any issues, as necessary.

Estimated cost: 15 hours x \$100 per hour = \$1500

4. Draft Conservation Easement

- Draft Conservation Easement.
- Meetings and/or telephone calls with landowner, landowner's attorney and/or tax consultant.

- Review Conservation Easement with SFCT attorney.
- Review draft Conservation Easement with landowner and landowner's attorney.
- Prepare final Conservation Easement.

Estimated cost: 12 hours x \$100 per hour = \$1200

5. NM LCIA Application

- Draft LCIA NM State Tax Credit Pre-Assessment application and submit to NM State Forestry
- Prepare LCIA Certification Application and submit to NM State Forestry

Estimated cost: 30 hours x \$100 per hour = \$3000

6. Review Conservation Easement with SFCT Attorney

Estimated cost: \$2500

7. Record Conservation Easement

- Obtain signatures on the final Conservation Easement.
- Record Conservation Easement at the County Courthouse.

Estimated cost: 5 hours x \$100 per hour = \$500

8. Miscellaneous costs

- Copies, mileage, photography, recordation fee, and administration.

Estimated cost: \$500

TOTAL ESTIMATED COST FOR CONSERVATION EASEMENT PREPARATION

\$12,700

Santa Fe Conservation Trust Conservation Easement Preparation Cost Estimate without NM State Tax Credit Application

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- Preliminary discussions with landowners.
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2. Research, field inspection, documentation

- Research ordinances, reports, and government policies relating to the property.
- On-site Property inspections to document plant species, wildlife habitat, scenic views, and other critical Conservation Values for the Baseline Documentation Report.
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- Review legal description provided by surveyor. (Landowner is responsible for any additional survey costs if any are incurred)
- Review survey and work with surveyor to make changes/clarifications, as necessary. (It is the Landowner's responsibility to provide, at their cost, a current survey of the Property, which clearly shows the boundaries of the Conservation Easement in relation to the entire Property.)
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Estimated cost: 15 hours x \$100 per hour = \$1500

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- Draft Conservation Easement.
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- Review Conservation Easement with SFCT attorney.
- Review draft Conservation Easement with landowner and landowner's attorney.
- Prepare final Conservation Easement.

Estimated cost: 12 hours x \$100 per hour = \$1200

. **Review Conservation Easement with SFCT Attorney**

Estimated cost: \$2500

. **Record Conservation Easement**

- Obtain signatures on the final Conservation Easement.
- Record Conservation Easement at the County Courthouse.

Estimated cost: 5 hours x \$100 per hour = \$500 Too high, thinks governance and nominating committee. Should only take minutes at CC to record. Maybe 3 hrs is better, they suggest.

. **Miscellaneous costs**

- Copies, mileage, photography, recordation fee, and administration.

Estimated cost: \$500

TOTAL ESTIMATED COST FOR CONSERVATION EASEMENT PREPARATION

\$9,700

1. INTRODUCTION

The Santa Fe Conservation Trust (SFCT) partners with our community to keep northern New Mexico's living lands and people flourishing together. We protect culturally and environmentally significant landscapes, ignite people's passion for nature and enable the continual regeneration of our healthy place. We envision a future where everyone in northern New Mexico cherishes nature and works to preserve it for this and future generations. This will be the goal of our fee property stewardship.

SFCT intends that its fee property stewardship policy will conform to all requirements of law, the Land Trust Alliance Standards and Practices, and all other SFCT policies. The purpose of this document is to memorialize SFCT's policies for fee property stewardship and guide related SFCT practices.

The management and stewardship of SFCT fee-owned property will be guided by two principles: what is ecologically appropriate and what is feasible given the human and financial resources available to SFCT. Management implies an explicit plan to maintain or move toward a particular desired goal.

2. DISPOSITION OF FEE PROPERTY BY SFCT

The majority of this Fee Property Stewardship Policy deals with SFCT's ownership and management of fee land for conservation purposes. However, as discussed in SFCT's Fee Property Acquisition Policy and Gift Acceptance Policy, in some cases SFCT may decide to take ownership of land with the intent to dispose of (sell or donate) the land eventually. In other cases, SFCT may initially decide to manage a property and then later decide that it is in the best interest of the organization to dispose of that property. This first section of the Fee Property Stewardship Policy deals with property disposition.

SFCT may be restricted in the way it can dispose of a fee property because of terms of the original acquisition (for example, a donor restriction). If the property was donated to SFCT, acquisition documents as well as SFCT's Gift Acceptance Policy should be reviewed when considering disposition.

As a general rule, any real property that is conveyed by SFCT to a third party and meets SFCT's Project Selection Criteria for conservation easement shall be encumbered with a conservation easement designed to protect the conservation values of the property. The exception to this

rule would be a conveyance to a governmental entity, which by statute is committed to open space preservation, such as a County Open Space Department or a city Parks Department, but even in that case, an appropriate deed provision should be included that will ensure that the property's conservation values are protected.

In the event SFCT determines it would like to dispose of one of its fee properties it has the authority to do so (the property's conveyance is not restricted) it will follow all necessary procedures required by law and by Land Trust Alliance Standards and Practices. The basic procedures are outlined below.

1. Determine if the property has conservation values requiring protection. If yes, develop a plan for restricting future uses of the property to protect these conservation values. Examples could include SFCT donating a conservation easement to another land trust in advance of disposing of the property, or SFCT reserving a conservation easement for itself in the deed to the new owner.
2. Select a buyer in a manner that avoids any appearance of impropriety.
3. If the sale is to a private entity, obtain an appraisal by a qualified appraiser or a letter of opinion from a qualified real estate professional to determine the fair market value of the property as it will be restricted upon sale. To protect SFCT's tax-exempt status, the sale price cannot be less than the appraised value of the property.
 - a. SFCT can sell properties at a bargain sale or donate its entire interest in the property to a public agency or another tax-exempt conservation organization should it desire to do so.
 - b. Under no circumstance shall impermissible private benefit or private inurement result from a conveyance.
4. Obtain approval of the sale or donation from SFCT's Board of Directors, per SFCT's Policy on Board Approval of Land Transactions.

3. MANAGEMENT PLANS

It is the policy of SFCT to develop a Land Management Plan for each property it acquires in fee simple ownership and intends to hold for a long term. The plan must be developed within a year of acquisition and should be adopted by the Board soon after. Periodically thereafter, at no less than 5-year intervals, the plan should be reviewed for any needed modifications. While developing the plan, the property should be inventoried and assessed for natural resource conditions and concerns, infrastructure conditions and concerns, risks, and opportunities for the advancement of SFCT's mission. Management goals should be developed following the inventory, with planned implementation steps to meet those goals. Management may take many forms, ranging from "let nature take its course" non-interference, to active intervention.

When possible, our management practices should be non-intrusive, and should mimic natural processes that have been suspended or altered by human activity. Management practices should also preserve cultural resources and historic sites, as well as established recreation opportunities on the landscape. Plans should align to the extent useful with current templates of resource management plans such as suggested by NMFD and NRCS with a view to obtaining funding and adhering to planning practices.

At a minimum, each plan will include:

- A description of the property (size, location, etc.)
- A description of the conservation values or attributes
- A summary of any restrictions that came with the property or were placed on the property after SFCT took ownership
- A description of the potential threats to the conservation values or areas of special concern (i.e., invasive species, neighbor encroachment, unauthorized access)
- A description of responsibilities shared with neighboring landowners i.e., fence maintenance.
- Statement of overall management goals and key actions
- Identification of activities to achieve the goals and to reduce any risks or threats to the conservation values
- A schedule for planned activities and for regular inspection of the property
- An evaluation of public access opportunities as appropriate to the property and the land trust's mission
- Identification of administrative duties (such as paying insurance, filing required forms, keeping records) in a timely and responsible manner
- Requirement to maintain the property in a manner that retains the land trust's public credibility, manages community expectations, and minimizes risk

4. MONITORING

All SFCT property will be actively monitored to prevent misuse, to observe the natural succession, and to evaluate our management efforts. Each fee-owned property will be monitored at least annually, and each monitoring visit will be documented on a SFCT monitoring report.

5. MANAGEMENT PRACTICES

Management practices will be property-specific and will be identified by the Management Plan. What follows is a list of common active management practices that are generally accepted as helpful to ecological function and public benefit on land in SFCT's service area. These may be incorporated into Management Plans as appropriate.

- Removing non-native species by hand pulling small plants and cutting or chemically treating shrubs and trees.
- Mowing and controlled burning to maintain certain vegetation types, such as fields and

grasslands, to augment species that may appear naturally in a particular habitat.

- Allowing hunting as a management tool to control destructive wildlife.
- Monitoring indices of habitat quality, e.g., water quality, and species diversity.
- Preparing and periodically updating species lists and descriptive and educational brochures for the preserves.
- Conducting measures to ensure proper drainage to prevent erosive, concentrated stormwater runoff, and to repair erosion features before they get larger.
- Covering bare soil and preventing connected patches of bare soil by at least spreading mulch or slash.
- Establishing and maintaining parking, trails, and boardwalks for public access in the least environmentally destructive manner possible and consistent with applicable laws.
- Marking boundaries to prevent encroachment
- Placing signs at public entrances to provide directional and safety information.

Approved on the

Brant Goodman, Secretary, SFCT

Appendix: Example Management Plan Details

APPENDIX: EXAMPLE DETAILS FOR MANAGEMENT PLANS

The following details may be considered for incorporation into property management plans:

SFCT supports appropriate public access to its fee-owned properties for passive recreation uses, which include hiking, observing nature, and other natural pursuits that do not jeopardize the conservation values of the properties. The following guidance is provided on uses outside those cited above:

Camping: Camping is not allowed on SFCT property, except by written permission.

Campfires: Campfires are not allowed on SFCT property, except by written permission.

Recreational Trails: No trails shall be constructed on SFCT property unless a trail proposal is reviewed and approved by the Executive Director and Trails Committee.

SFCT may limit the size of groups using SFCT property if, due to the physical characteristics of the property (soils, slopes, sensitive wildlife, cultural resources), it is determined that damage may result from large group use.

Horses: Horseback riding is permitted on SFCT property at the riders' own risk. Depending on parcel size, fragility of terrain, and frequency of use, SFCT may restrict horse riding to designated trails.

Mountain Bikes: Mountain bikes are permitted on specified trails on SFCT property at the riders' own risk.

Swimming: Swimming is permitted on SFCT property at the swimmers' own risk

Rock Climbing: Rock climbing is permitted on SFCT property at the climbers' own risk

Snowmobiles: Use of snowmobiles on SFCT property is prohibited, except under certain circumstance, such as a medical emergency or property maintenance.

All-Terrain Vehicles, Dirt Bikes, and Four-Wheel Drive Vehicles: The use of all-terrain vehicles, dirt bikes and four-wheel drive vehicles is prohibited on SFCT property, except under certain circumstance, such as a medical emergency or for property maintenance.

Hunting: Hunting may be allowed on SFCT property, if approved by SFCT staff as a natural resource management tool. All hunting must be with written consent by SFCT and consistent with state law. Donor conditions may prohibit hunting on specific properties. Permanent tree stands or blinds are prohibited. The land management staff reserves the right to grant or deny hunting and requests to employ certain hunting practices. SFCT will work with local

organizations to assist with management of approved hunting activities.

Use of Firearms: The use of firearms is prohibited on SFCT property, except as part of a SFCT approved hunt to manage wildlife.

Fishing: Fishing consistent with state law is allowed on SFCT property.

Trapping: Trapping will only be permitted as part of a natural resource management plan and with written consent by SFCT and consistent with state law. The land management staff reserves the right to grant or deny trapping requests. Donor conditions may prohibit trapping on specific properties. Trapping is prohibited on properties near residential areas and/or with recreational trails where dogs frequent (as posted). Trappers must report their take to land management staff.

Telecommunications Facilities: The Land Trust generally does not support the location of telecommunications facilities on SFCT property. Such development is inconsistent with the purposes for which we own and manage land. We have not, nor will we ever actively seek such development on our lands, with or without deed restrictions. The Federal Telecommunications Act of 1996 prohibits municipalities from banning such development by use of zoning or planning powers. If a municipality determines that a Land Trust property is the most appropriate location for such a facility (only after a thorough analysis of all possible alternatives, and by vote of its governing or legislative body), SFCT may consider a request to locate a tower on its lands, if such lands are not encumbered by donor or deed restrictions. Approval of such a request requires review and approval of the Board of Directors (or the Executive Committee acting on the Board's behalf) If approved by the Board of Directors, SFCT will insist on the least aesthetically intrusive design and technology that will provide the desired coverage. Unless another use is approved by the SFCT Board of Directors, any revenues from the leasing of such sites will be deposited to the SFCT Conservation Easement Stewardship Fund, a permanent endowment, to be used in support of land conservation objectives. We will not solicit or entertain inquiries directly from commercial telecommunications service providers.

Buildings and Improvements: If buildings and improvements on SFCT property do not have a programmatic use, our policy shall be to address this condition as follows (on a case- by-case basis):

- Find an organization or individual that would use and maintain the building, if it is compatible with SFCT long-range objectives, or
- Keep the land and remove the buildings, or
- Subdivide the land, keeping the subdivision at the smallest size reasonable, following natural (streams, shoreline) or cultural features (stonewalls, roads) where possible, and sell the parcel containing the building.

Dogs: Dogs are allowed on SFCT property, with the following limitations:

- Dogs must be leashed at all times.
- Owners are required to pack out pet waste on trails and other high use areas.
- Dogs may be prohibited on properties (as posted) where conflicts with wildlife are a concern.

Academic Research: Academic research on SFCT property may be allowed upon proposal submission, Land Trust review and approval.

Plant, Wildlife, Mineral and Historical/Cultural Resource Collecting: The collection of plants, wildlife, minerals, and historical/cultural artifacts from SFCT property by the public is not permitted, except as provided herein. The collection of plants, wildlife, minerals, and historical/cultural artifacts from SFCT property may be permitted as part of an academic investigation. The investigation shall be conducted by a qualified graduate student or researcher. The investigator shall submit a formal proposal to SFCT. The proposal shall include: (1) the scope and intent of the research; (2) The parties involved; (3) the research timeframe, including the proposed days and times on site; and, (4) what shall be collected from SFCT property and by whom, (5) All activities must conform with local, state, or federal statutes that may apply. Once received, SFCT staff and the Land Review Committee will review the proposal, and make recommendations to the Executive Director, who will act to approve or reject the proposal. The proposal will be approved only if the property's conservation values would not be materially adversely affected by the proposed collection of material. If the proposal is approved, the researcher must agree to share any resulting data and all other relevant information regarding samples found on SFCT property with SFCT. The researcher must also agree not to divulge information regarding the specific location of any endangered or threatened species or sensitive cultural resource found on SFCT property.

SFCT will facilitate Native American access to SFCT Fee Lands for traditional cultural, educational, and religious purposes. Requests for access must be made in advance of the visit to SFCT. The date, approximate time of visit, identifying vehicle information, and names, addresses; and phone numbers of the visitors will be required, but kept confidential by SFCT. The SFCT will work with the individual property manager(s) or owner(s) to arrange the visit. No disturbance or collection of archaeological materials is allowed. SFCT will inform the requestor of approval or denial, and of any additional stipulations made by the land manager or owner.

Prosecuting Vandals: Any vandalism that comes to SFCT's attention will be reported to the appropriate law enforcement authority. We will cooperate with law enforcement fully, including pressing criminal charges, or an arrangement for compensation or community service (in the case of juveniles), if recommended by the authorities.

Dumping: No material of any nature may be placed, dumped, or otherwise introduced onto SFCT lands without written permission from SFCT.

Santa Fe Conservation Trust

EASEMENT VIOLATION POLICY

Policy 2011-11 - 02

Adopted on: April 17, 2012

Updated: December 4, 2018

Philosophy Statement

The Santa Fe Conservation Trust (SFCT), as a holder of conservation easements, must enforce the legal agreements for which it is responsible.

SFCT recognizes that landowner education and relationship building, not litigation, are the best immediate and long-term methods to guarantee that conservation easements are upheld. SFCT strives to educate its landowners to be good stewards of both the land and the conservation values protected by the conservation easements. These efforts minimize potential conflicts, but easement violations inevitably occur. Good stewardship allows violations to be discovered and addressed in a timely manner. SFCT uses this philosophy to determine what is a violation of a conservation easement and what is the appropriate response to that violation, and we apply the following principles and considerations. SFCT strives to promptly and diligently pursue the resolution of violations and ensure the integrity of the conservation easements that it holds.

Additionally, SFCT will follow these principles when addressing violations:

- Addressing every violation proportionately to its scope, scale, severity of resource impact, and duration
- Taking immediate and appropriate action
- Complying with all laws
- Upholding the land trust's mission
- Preserving the purposes and intent of the conservation easement in perpetuity
- Using a compassionate approach to landowners
- Maintaining public confidence in the land trust and conservation easements
- Preserving the land trust's tax-exempt status
- Preventing private inurement or impermissible private benefit in violation resolutions

In addition to protecting the conservation value(s) of an easement grantor's property, the ability of SFCT to enforce the terms of the agreement is directly related to the public's confidence in SFCT's mission to conserve open space, to uphold SFCT's legal authority to enforce its conservation easements and to maintain SFCT's ability to accept future donations of conservation easements and maintain its tax-exempt status.

Discovering and Assessing the Nature and Extent of the Violation Immediately

following a monitoring visit, or other circumstance by which SFCT becomes aware of a possible violation of one of its conservation easements, the Executive Director shall meet with the Land Program Manager (and the monitor, if that was a different person) to determine the following:

1. Whether a violation has occurred, and its nature.
2. The extent and likely timing of the violation, which shall be assessed by comparing current documentation, including photographs, with the original terms of the conservation easement, any amendments to the conservation easement, the baseline documentation report, and any past monitoring records including maps and photographs of the property.
3. The extent of the impact upon or consequences to the conservation easement's purpose or protected conservation values and resources, and in particular whether the violation appears to be merely technical or minor, or is moderate or major, as those terms are defined below.

If there is any doubt or uncertainty as to whether a particular circumstance actually constitutes a violation of the conservation easement, or as to the nature, extent or seriousness of the violation, the Executive Director and the Land Program Manager will jointly re-inspect the property, and engage in such other data gathering relative to the matter as they deem necessary to make a determination. If the uncertainty involves a question of interpretation of the easement, staff will contact legal counsel and seek an interpretation of the relevant language.

Once the fact and character of the violation has been established to the satisfaction of the Executive Director and the Land Program Manager, staff will draft a memo to that effect, setting forth the facts and circumstances as SFCT is then aware of them, to be placed in the easement file. Copies of the memorandum will be provided to the members of the Land Review Committee. Staff will also file a placeholder claim for the violation with Terrafirma (easement insurance).

A "**technical**" violation is defined as a "paper" violation with no impact upon or consequence to the conservation easement's purpose or protected conservation values and resources.

A "**minor**" violation is defined as a violation with nominal impact upon or consequence to the conservation easement's purpose or protected conservation values or resources but slightly more than no impact, or the impact is transitory.

A "**moderate**" violation is defined as either (1) a violation with moderate physical impact on those resources protected by the conservation easement, or (2) a violation that would otherwise be considered minor but which the landowner has declined to address as SFCT requires (see below).

A "**major**" violation is defined as violation with significant impact on those resources protected by the conservation easement.

Responding to a Violation

Any decisions made by staff or the Land Review Committee or BOD regarding violation resolution must uphold the purpose of the conservation easement and comply with all applicable laws.

For all violations, regardless of the degree of seriousness, SFCT will pursue landowner education and relationship building, if feasible, as a way to minimize the impact of the violation on the conservation values.

In the case of a violation that has been determined to be merely technical or minor, the Executive Director, in consultation with the Land Program Manager, will prepare and send a letter to the landowner, within no more than two weeks after the violation has been established, explaining the nature of the violation and citing the provision of the conservation easement involved. The letter will specify any measures that the landowner should take to correct the violation or to avoid any similar violations in the future, and it will request the landowner to contact SFCT to confirm his or her acknowledgment of the situation. If no response has been received within ten days, the Executive Director or Land Program Manager will follow up with a telephone call to the landowner, or, if necessary, a face-to-face visit. All unwritten contacts will be documented in the file by written memo.

If the landowner fails or refuses to acknowledge the violation, and/or to take corrective measures deemed necessary by SFCT, within a reasonable time, the Executive Director will refer the matter to the Land Review Committee, for a determination of whether the violation should be re-categorized as "moderate," and handled as such.

In the event of a violation that is deemed moderate or major, the matter will be referred to the next meeting of the Land Review Committee, and each member of the Committee shall be provided with a complete copy of documents relative to the violation. In the event of a particularly serious violation, or one (such as a construction project) that is ongoing, the Executive Director may convene a special meeting of the Committee, by telephone if necessary. The Executive Director shall seek legal counsel about its determination of a violation's existence and its possible

available remedies in all cases where a violation is deemed either moderate or major in scope.

The Land Review Committee shall decide on a plan for responding to the violation and shall establish threshold parameters for what constitutes correction of the violation and compliance with the easement. The plan and the threshold shall be set forth in writing. The plan should in every instance involve a letter to the landowner to notify him or her of the violation and explaining the basis for that determination (which letter should be sent by no later than ten days after the Committee meets), and may, depending on the circumstances, involve a telephone call, a face-to-face meeting with the landowner, a letter from legal counsel, or the immediate institution of litigation, or such other steps as the Committee decides is necessary to achieve compliance with the easement; but provided that under no circumstances will litigation be undertaken without prior, express authorization of the Board of Directors, or the Executive Committee. If that is the Land Review Committee's recommendation, the Executive Director will promptly transmit the Committee recommendation to the full Board, and request the chairman to convene a meeting of the Board or of the Executive Committee at the earliest practicable time to consider the recommendation.

In the event the Committee's plan for the response to the violation does not, at that stage, involve litigation, the Executive Director and the Land Program Manager, and such other persons as the Committee decides it is appropriate to involve, will proceed in accordance with the plan forthwith. If the violation is not corrected to the satisfaction of the Executive Director in accordance with the plan, the matter will be referred back to the Land Review Committee for further steps to achieve compliance.

In every instance, SFCT shall continue its efforts to achieve correction of the violation until full compliance, as set forth by the Land Review Committee, is achieved, or until the Committee concludes that no satisfactory result is reasonably achievable, in which latter case the matter shall be referred to the Board for resolution.

Documenting the Violation

SFCT shall document the violation and the remediation process in detail, including all contacts with the landowner. Documentation shall continue throughout the violation process until the violation is resolved and until a positive relationship with the landowner is restored and any community outreach is concluded. All documentation will be uploaded to Terrafirma until the claim is resolved.

Third-Party Violations

SFCT views its relationship with owners of conserved land as a partnership. This relationship is based on the belief that we share a common interest in good stewardship. When third parties trespass on and damage the resources that

both the landowner and SFCT have conserved, then SFCT will offer whatever assistance it can provide to the landowner to determine the appropriate remedy for the landowner to pursue.

Post-Enforcement Assessment, Education and Policy Review

Once the violation has been completely resolved; SFCT shall review its response to the violation and all the pertinent factors which led to the violation. SFCT shall implement any insights gained from this review of its actions in future actions.

Brant Goodman, Secretary Date

Sample Terrafirma Claim Form

Status:

Land

Trust

Policy Number

Property

This challenge is a: (ex. Trespass or Encroachment) Date first learned of problem:

Date of report:

Person preparing report:

Email address:

Phone #:

Description of claim or incident

Has litigation commenced, including any notice of a complaint filed

Description of damage to any property

Description of challenge

Insurance

Other insurance coverage:

Title insurance:

Other party's information

Name:

Phone #:

Address:

City & State:

Zip code:

Other party's attorney information

Name of opposing party

attorney: Phone #:

Address:

City & State:

Zip code:

Email:

Additional Comments

Santa Fe Conservation Trust
Statement of Financial Position
As of September 30, 2024

	Sep 30, 24	Sep 30, 23	\$ Change
ASSETS			
Current Assets			
Checking/Savings			
1020 · Century Checking 0255	373,935	149,611	224,324
1040 · Schwab Investment Acct -0185			
1041 · Operating Reserve	478,202	389,795	88,407
1042 · Special Initiatives Fund	191,016	155,620	35,396
1043 · Stewardship & Defense	1,062,308	858,181	204,127
1044 · Galisteo Property S&D	271,358	227,262	44,096
Total 1040 · Schwab Investment Acct -0185	2,002,884	1,630,859	372,025
1050 · Schwab Money Mkt -6333			
1051 · OpRes Money Mkt	405,513	514,123	-108,609
1052 · Spec Init Money Mkt	89,559	181,735	-92,176
1053 · CH Tax Credit	183,570	174,613	8,957
Total 1050 · Schwab Money Mkt -6333	678,643	870,471	-191,828
1060 · Schwab Endmt Account -5995	1,221,410	1,026,310	195,100
1090 · Petty Cash	200	200	0
Total Checking/Savings	4,277,071	3,677,450	599,621
Accounts Receivable			
1200 · Accounts Receivable	11,616	116,250	-104,634
Total Accounts Receivable	11,616	116,250	-104,634
Other Current Assets			
1250 · Prepaid Expenses	13,863	4,545	9,318
1499 · Undeposited Funds	4,067	1,068	2,999
Total Other Current Assets	17,931	5,613	12,317
Total Current Assets	4,306,617	3,799,313	507,304
Fixed Assets			
1610 · Fee Land	3,634,166	3,633,836	330
1615 · Planning Fees	22,130	22,130	0
1640 · Furniture, Fixtures & Equip.	4,493	4,493	0
1650 · Vehicle	17,000	17,000	0
1690 · Accumulated Depreciation	-21,493	-21,493	0
1695 · Accum. Amortization	-4,303	-2,827	-1,475
Total Fixed Assets	3,651,994	3,653,138	-1,145
Other Assets			
1700 · Security Deposits	2,500	2,500	0
1900 · SFCF Endowments			
1910 · SFCF Stewardship Fund			
1912 · Principal Fund Balance	117,031	110,783	6,248
Total 1910 · SFCF Stewardship Fund	117,031	110,783	6,248
1920 · SFCF Easement Fund			
1922 · Principal Fund Balance	40,026	37,882	2,144
Total 1920 · SFCF Easement Fund	40,026	37,882	2,144
Total 1900 · SFCF Endowments	157,057	148,664	8,392
Total Other Assets	159,557	151,164	8,392
TOTAL ASSETS	8,118,168	7,603,616	514,552

Santa Fe Conservation Trust
Statement of Financial Position
As of September 30, 2024

	Sep 30, 24	Sep 30, 23	\$ Change
LIABILITIES & NET ASSETS			
Liabilities			
Current Liabilities			
Accounts Payable			
2000 · Accounts Payable	8,796	9,181	-385
Total Accounts Payable	8,796	9,181	-385
Credit Cards			
2001 · Century MC -5276	4,077	2,739	1,338
Total Credit Cards	4,077	2,739	1,338
Other Current Liabilities			
2010 · Payroll Liabilities			
2020 · Accrued Liabilities	10,960	8,424	2,536
2030 · Accrued Compensated Absences	10,504	6,418	4,086
2070 · SUTA Payable	16	-0	16
2100 · Retirement Payable	329	253	76
Total 2010 · Payroll Liabilities	21,809	15,095	6,714
2200 · Pass Through Payables			
2212 · Trails Alliance of Santa Fe	427	2,157	-1,730
2220 · Core Crew	2,538	2,538	0
2230 · UWARM	959	959	0
Total 2200 · Pass Through Payables	3,924	5,654	-1,730
Total Other Current Liabilities	25,733	20,749	4,984
Total Current Liabilities	38,606	32,669	5,937
Total Liabilities	38,606	32,669	5,937
Net Assets			
3010 · Without Donor Restrictions	4,748,337	4,554,095	194,241
3100 · Board Designated Net Assets	280,575	334,236	-53,661
3200 · With Donor Restrictions			
3210 · Temp Restricted Net Assets	204,903	164,614	40,289
3230 · Stewardship & Defense	1,062,308	858,181	204,127
3240 · Galisteo Property S&D	271,358	227,262	44,096
3250 · Thaw Endowment	1,221,410	1,026,310	195,100
3260 · SFCF Endowments	159,089	150,696	8,392
Total 3200 · With Donor Restrictions	2,919,067	2,427,063	492,004
Net Income	131,583	255,553	-123,969
Total Net Assets	8,079,562	7,570,947	508,615
TOTAL LIABILITIES & NET ASSETS	8,118,168	7,603,616	514,552

Santa Fe Conservation Trust
Statement of Activities Budget vs. Actual
January through September 2024

	Jan - Sep 24	Budget	\$ Over Budget
Operating Income/Expense			
Income			
4000 - Contributions & Gifts			
4010 - General Gifts	198,516	157,500	41,016
4020 - Restricted Gifts	3,500	37,500	-34,000
4060 - Mid-Year Appeal	40,172	30,000	10,172
Total 4000 - Contributions & Gifts	242,188	225,000	17,188
4100 - Grants			
4110 - Unrestricted Grants	100,000	110,813	-10,813
4120 - Restricted Grants	77,408	109,013	-31,605
4130 - Government Grants	37,627	188,625	-150,998
Total 4100 - Grants	215,035	408,450	-193,415
4900 - In-Kind Contributions	900	900	0
5000 - Program Service Revenue			
5010 - Project Fees	951	6,000	-5,049
5020 - Easement Fees	4,000	34,275	-30,275
5080 - Point of Entry Events	23,000	18,750	4,250
Total 5000 - Program Service Revenue	27,951	59,025	-31,074
5500 - Fundraising Events			
5530 - Banff Film Festival			
5531 - Banff Gift Revenue	36,485	45,000	-8,515
5532 - Banff Non-Gift Revenue	13,077	16,000	-2,923
5533 - Banff Expenses	-13,687	-16,000	2,313
Total 5530 - Banff Film Festival	35,876	45,000	-9,124
5560 - Fundraiser Event			
5561 - Fundraiser Gift Revenue	258,403	173,000	85,403
5562 - Fundraiser Non-Gift Revenue	0	16,000	-16,000
5563 - Fundraiser Expenses	-89,677	-95,000	5,323
Total 5560 - Fundraiser Event	168,725	94,000	74,725
Total 5500 - Fundraising Events	204,601	139,000	65,601
Total Income	690,674	832,375	-141,701
Gross Revenue	690,674	832,375	-141,701
Expense			
7000 - Personnel			
7010 - Officer & Director Salaries	90,939	90,939	0
7020 - Other Employee Salaries	383,191	383,191	0
7030 - Retirement Contributions	13,359	13,359	-0
7040 - Employee Healthcare	62,851	64,203	-1,351
7050 - Payroll Taxes	50,142	50,147	-5
Total 7000 - Personnel	600,483	601,839	-1,357
7100 - Contract Services			
7120 - Legal Fees	0	675	-675
7130 - Accounting Services	11,779	11,456	323
7160 - Professional Services	15,582	12,750	2,832
Total 7100 - Contract Services	27,361	24,881	2,480
7200 - Gifts	164	975	-811
8000 - Occupancy			
8010 - Rent	27,650	24,850	2,800
8020 - Utilities	1,359	1,537	-179
8030 - Telephone & Internet	3,410	3,750	-340
Total 8000 - Occupancy	32,419	30,138	2,282

Santa Fe Conservation Trust
Statement of Activities Budget vs. Actual
January through September 2024

	Jan - Sep 24	Budget	\$ Over Budget
8100 - Office Expenses			
8110 - Supplies	2,271	1,875	396
8120 - Postage	1,749	2,813	-1,064
8130 - Printing & Production	18,672	11,625	7,047
8140 - Equip. Lease & Maint.	1,913	2,550	-637
Total 8100 - Office Expenses	24,605	18,862	5,742
8200 - Business Expenses			
8210 - Advertising	3,745	6,000	-2,255
8220 - Information Technology	1,317	3,750	-2,433
8260 - Insurance	8,920	8,250	670
8270 - Licenses & Fees	6,718	8,625	-1,907
Total 8200 - Business Expenses	20,700	26,625	-5,925
8300 - Travel & Meetings			
8310 - Vehicle & Travel	2,136	2,250	-114
8320 - Events & Meetings	21,297	12,375	8,922
Total 8300 - Travel & Meetings	23,434	14,625	8,809
9000 - Mission Program Expenses			
9100 - Land Program			
9110 - CE Expenses	16,960	94,875	-77,915
9120 - CE Stewardship Expenses	14,815	15,548	-732
9130 - Land Trust Alliance	11,895	18,000	-6,105
9140 - CE Insurance	4,290	4,125	165
9150 - Fee Land Expenses	68,072	138,975	-70,903
9160 - Land Legal Fees	5,098	16,500	-11,402
Total 9100 - Land Program	121,131	288,023	-166,892
9500 - Trails Program			
9510 - Maintenance & Construction	2,163	6,000	-3,837
Total 9500 - Trails Program	2,163	6,000	-3,837
9700 - Community Conservation			
9705 - Dark Skies Expenses	89	3,750	-3,661
9710 - Passport to Trails	2,176	4,500	-2,325
9720 - Vamonos	25,952	7,500	18,452
9730 - Point of Entry Events	6,065	7,875	-1,810
9740 - Safe Routes to School			
9742 - SRTS Misc	178	178	0
Total 9740 - Safe Routes to School	178	178	0
9750 - Education & Training	274	900	-626
Total 9700 - Community Conservation	34,733	24,703	10,030
9900 - In-Kind Facilities	900	900	0
Total 9000 - Mission Program Expenses	158,927	319,626	-160,699
Total Expense	888,091	1,037,571	-149,480
Net Operating Income	-197,417	-205,196	7,779
Non-Operating Income/Expense			
Other Income			
10000 - Investment Income & Expense			
10010 - Investment Change in Value	243,991	0	243,991
10030 - Interest & Dividends	86,417	0	86,417
10040 - Investment Management Fees	-3,012	0	-3,012
Total 10000 - Investment Income & Expense	327,397	0	327,397
Total Other Income	327,397	0	327,397
Net Non-Operating Income	327,397	0	327,397
Net Income	129,980	-205,196	335,176

Santa Fe Conservation Trust
Statement of Cash Flows
January through September 2024

	<u>Jan - Sep 24</u>
OPERATING ACTIVITIES	
Net Income	131,583
Adjustments to reconcile Net Income to net cash provided by operations:	
1200 - Accounts Receivable	184,949
1250 - Prepaid Expenses	-950
2000 - Accounts Payable	-11,413
2001 - Century MC -5276	63
2010 - Payroll Liabilities:2070 - SUTA Payable	0
2200 - Pass Through Payables:2212 - Trails Alliance of Santa Fe	-1,343
Net cash provided by Operating Activities	<u>302,889</u>
INVESTING ACTIVITIES	
1610 - Fee Land	-330
Net cash provided by Investing Activities	<u>-330</u>
FINANCING ACTIVITIES	
3010 - Without Donor Restrictions	-232,253
3100 - Board Designated Net Assets	-47,585
3200 - With Donor Restrictions:3230 - Stewardship & Defense	139,613
3200 - With Donor Restrictions:3240 - Galisteo Property S&D	26,201
3200 - With Donor Restrictions:3250 - Thaw Endowment	114,024
Net cash provided by Financing Activities	<u>0</u>
Net cash increase for period	<u>302,558</u>
Cash at beginning of period	<u>3,978,580</u>
Cash at end of period	<u><u>4,281,138</u></u>

S A N D R A J A N E E L Y

WORK EXPERIENCE

April 2019-May 2022 New Mexico Environment Department, Environmental Protection Division

Environmental Protection Division Director

- Oversight of the Environmental Health, Occupational Health and Safety, Air Quality, and Radiation Control bureaus until September of 2021 when the Environmental Health, and the Occupational Health and Safety bureaus were transferred to the newly created Environmental Health Division.
- Managed a division with 290 staff and an annual budget of \$30.7 million prior to September 2021 and 121 staff and a \$15 million annual budget after September, 2021.
- Select accomplishments include:
 - Active participation and oversight of NMED's COVID 19 response including creating a rapid response team to assist employers, establishing contact tracing and surveillance testing agreements with businesses, and enforcing the public health orders in occupational settings and restaurants.
 - Implementing the Governor's Executive Order on Climate Change including supporting the interagency Climate Change Task Force, developing clean car rules, standing-up and co-chairing the Methane Advisory Panel and overseeing the development of national leading regulations to reduce ozone pollution and methane in the oil and gas sector.
 - Providing leadership in obtaining legislative amendments to the Air Quality Control Act enabling state air quality regulations to be more stringent than federal law, and to deny or revoke air permits for companies with a history of noncompliance.

February 2015- June 2018 Santa Fe County Utilities

Aamodt Project Manager

- Oversight of all aspects of implementing the Aamodt Settlement Agreement for Santa Fe County. The Settlement Agreement concerns Pueblo and non-Pueblo water rights in the Pojoaque Basin.
- Organized and provided County input on the planning and design of the multi-million dollar Pojoaque Basin Regional Water System to bring a safe and reliable water supply into the Pojoaque Basin.

July 2012-February 2015 New Mexico Environment Department, Air Quality Bureau

Compliance and Enforcement Section Chief

- Managed a program with 21 staff to ensure compliance with state and federal air quality regulations including issuance of notices of violation, assessment of civil penalties, and management of the settlement process.
- Select accomplishments include developing an online system enabling industry to submit compliance reports electronically; coordinating a successful strategic planning process for improving program efficiencies, and initiating and managing a multi-agency Public Servant Leadership Program.

May 2005-July 2012 New Mexico Environment Department*Environment and Energy Policy Coordinator*

- Developed environmental policies and practices to promote clean energy and address climate change.

Select accomplishments include:

- Coordinating activities of the New Mexico Climate Change Advisory Group (CCAG), a collaborative stakeholder process that developed recommendations for reducing greenhouse gas emissions in New Mexico.
- Chairing the New Mexico Climate Change Implementation Team, an interagency team directed by the Governor to implement many of the CCAG recommendations.
- Leading regulatory efforts to adopt the California Clean Car Standard for reducing greenhouse gas emissions (2007), state greenhouse gas reporting rules (2007 and 2010) and state greenhouse gas reduction rules (2010).
- Supporting the successful passage of clean energy legislation including working with stakeholders to draft legislation, providing expert testimony, and educating legislators.
- Representing New Mexico in the Western Climate Initiative to develop multi-jurisdictional strategies for reducing greenhouse gas emissions.

May 1999- May 2005 New Mexico Environment Department, Air Quality Bureau*Bureau Chief*

- Managed a program with 82 staff and an annual budget of approximately \$6.2 million.
- Oversaw all aspects of the air quality program including compliance and enforcement, permitting, planning, and operations.
- Select accomplishments include:
 - Establishing a program to proactively address increasing regional ozone levels in the San Juan Basin.
 - Increasing enforcement activity resulting in significant emission reductions.
 - Reorganizing the Bureau to provide greater efficiency and equity of work among the programs resulting in improved morale and reduced staff turnover.
 - Stabilizing the Bureau budget by streamlining operations and increasing special revenues.

1997-1999 New Mexico Environment Department, Occupational Health and Safety Bureau*Enforcement and Compliance Program Manager*

- Managed a program with 12 staff and oversaw all activities of the OHSB Enforcement and Compliance program to ensure compliance with health and safety regulations.

1994-1997 New Mexico Environment Department, Occupational Health and Safety Bureau*Environmental Scientist and Specialist*

- Performed on-site inspections of New Mexico businesses and issued notices of violation when warranted to ensure compliance with state and federal OSHA regulations.

1984-1999 Registered Nurse

- Provided bedside care at the following hospitals: Mount Sinai (San Francisco, California), Sacred Heart (Eugene, Oregon,) and St Vincent's (Santa Fe, New Mexico).

EDUCATION

1991 University of Oregon, Eugene, Oregon, *M.S. Environmental Studies*

1983 Creighton University, Omaha, Nebraska, *B.S. Nursing Sciences*

1982 University of California, Berkeley, California, *B.S. Conservation and Resource Sciences*

AWARDS

2009 EPA Climate Protection Award recipient “In recognition of exceptional contributions to global environmental protection.”

BOARDS

August 2022 to Present Environmental Improvement Board

The EIB is an environmental regulatory board with seven members appointed by the Governor and confirmed by the state Senate.

PROFESSIONAL LICENSE

New Mexico Registered Nurse License (R33977)

JAMES RIVERA CORNERSTONE GROUP LLC

CORNERSTONE GROUP LLC is a Native American/Veteran owned Company advocating for causes in New Mexico connecting with Federal, State, County, Native governments, private enterprises and businesses for advancement and placement.

CORNERSTONE GROUP LLC serves a link for Government to Government relations and Consultation with Tribal and non-tribal tribal entities that promotes Economic Development, Energy, Education, Environmental issues, Taxation, Transportation, Arts and other relevant issues expanding growth in New Mexico.

Through the years of advocating and working in New Mexico, other states and Washington DC, Cornerstone Group has had the great pleasure to serve in many capacities:

- New Mexico Indian Gaming Association – Public Affairs advisor
- Pueblo of Pojoaque - Government and Public Affairs Advisor
- Pueblo of Pojoaque – Economic Development Advisor
- All Indian Pueblo Council of Governors – Legislative Liaison
- Tri Area Association of Economic Development – NA Liaison
- National Indian Gaming Association – Southwest Area Rep
- NCAI/NIGA – Public Relations strategy team
- North Central Regional Transit District – Chairman/Co-Founder
- New Mexico Native American Tourism – Legislative Advisor
- American Indian Alaskan Native Tourism Association – Co-Founder
- Native American Petroleum Coalition – Co-Founder/Legislative Advisor
- Southwestern Association for Indian Arts - Board member

- Get Out The Vote - Statewide coordinator for Native Americans
- New Mexico Roads Blue Ribbon Task Force – Board Member
- Pueblo Tax Administrators Coalition – Board Member
- Pojoaque Basin Regional Water System – Public Affairs Advisor
- Boys and Girls Club – NA Area Council Legislative Advocate
- NM Rural Response Economic Development Council – Bd Member
- Cultures of the Southwest – Environmental and Conservation Advisor
- New Mexico National Guard Drug Demand Reduction – Public Affairs

**Santa Fe Conservation Trust
Stand Up for Nature
2024 Summary Report**

Stand Up for Nature Revenue	<u>Amount</u>
Sponsorships	92,500.00
Reservations	23,100.00
Donations (incl. IMO Connie Bright)	20,162.50
Paddle Raises	111,740.00
Auction Items	12,500.00
Accounts Receivable	
Sponsorships Receivable	500.00
Donations Receivable	6,000.00
Paddle Raises Receivable	11,950.00
Total Accounts Receivable	<u>18,450.00</u>
Total Stand Up for Nature Revenue	<u>278,452.50</u>
Stand Up for Nature Expenses	
Printing & Promotion	-9,920.70
Venue, Rental & Catering	-32,799.77
Keynote Speaker	-32,499.65
Event, Paddle Raise & Auction Support	-13,973.30
Miscellaneous Expenses	-483.90
Stand Up for Nature Expenses	<u>-89,677.32</u>
Stand Up for Nature Net Revenue	<u>188,775.18</u>

STRATEGIC PLAN – Adopted by the SFCT Board on October 26, 2021
Santa Fe Conservation Trust 2021-2024 (3 Years)

PURPOSE:

For the next three years the Santa Fe Conservation Trust (SFCT) will focus on the five Goals and associated Objectives described below. Our aim is to move SFCT to a higher level of performance and community service, and thus, achieve our Vision and Mission in land conservation and community engagement in Northern New Mexico.

VISION:

We envision a future where everyone in northern New Mexico cherishes nature and works to preserve it for this and future generations.

MISSION:

The Santa Fe Conservation Trust partners with our community to keep northern New Mexico's living lands and people flourishing together. We protect culturally and environmentally significant landscapes, ignite people's passion for nature and enable the continual regeneration of our healthy place.

GOALS (focus areas for the next 3 years):

1. **Expand Organizational Capacity**—to meet needs and challenges, and embrace opportunities.
2. **Complete and Implement Strategic Conservation Plan**—to guide and leverage land conservation efforts in order to achieve landscape-scale impacts, serve landowner needs, and serve our whole community.
3. **Practice Exemplary Stewardship**—to enhance resource values on our fee properties, ensure continued protection of conservation values on our easement properties, and maintain and enhance good landowner relationships.
4. **Practice Community Conservation**—to support and expand programs to broader audiences and underserved communities, with the aim of increasing our impact in our service area of northern New Mexico, broadening the diversity of our constituents, and making sure our services are being delivered as equitably as possible.
5. **Enhance Board and Staff Performance, Diversity and Development**—to increase effectiveness, efficiency, and capacity to meet needs, and to be sure we are keeping equity, diversity and inclusion in mind in our hiring and recruiting practices so that the organization will be more representative of the diversity found in the communities we serve. To accomplish this, SFCT board and staff will create opportunities to examine all aspects of our organization from an equity lens as we work toward building a more just and equitable world through our work with the ultimate goal of writing a statement about the organization's commitment to equity, diversity and inclusion in all that we do.

GOALS & OBJECTIVES:

1. **Expand Organizational Capacity**—to meet needs and challenges, and embrace opportunities:
 - A. Fundraising:
 1. Annual Fundraising Plan (*See Appendix A*)—to increase sustainable funding levels:
 - a) Outline current and proposed funding sources:
 - (1) Specific events—annual dinner, Banff, receptions, mailings, etc.

- (2) Evaluate our existing and any new fundraising events with a clear look at time invested (staff & vol.), short and long term benefits to the org (i.e. increased public understanding/awareness of SFCT) and contract costs so we have a better sense of event value.
 - (3) Planned Giving Program—Continue to develop and expand participation,
 - (4) Contracts—Trails program Contract with City of Santa Fe, others,
 - (5) Investments earnings,
 - (6) Grants, and
 - (7) Create and grow an endowment fund, and identify where earnings will be used.
 - (8) Increase opportunities for trail users to donate to SFCT
 - (9) Develop a monthly giving campaign and market it to SFCT constituents
 - (10) Individual donors
- b) Set timelines and income targets by source,
 - c) Implement and/or continue fundraising activities as planned.
- B. Board Engagement:
 - 1. Board Training (*See Appendix B*):
 - a) Reframe fundraising and identify roles,
 - b) Involve all Board members in at least 2 of 5 steps in fundraising cycle,
 - c) Secure Board pledges to: give, identify potential donors, and participate in cycle.
 - 2. Optimize Database:
 - a) Maintain donor and contact lists; add names from event lists, etc.
 - b) Analyze lists to identify how they might be used to generate increased income,
 - c) Develop fundraising strategies around patterns and ideas gleaned from data analysis and best practices,
 - d) Coordinate Staff and Board efforts to implement strategies.
- C. Strengthen/Build Relationships:
 - 1. Continue to personalize Board and Staff outreach efforts,
 - 2. Continue to personalize event invitations, thank you notes, letters, etc.
 - 3. Develop marketing strategies/formulas that reach all potential audiences according to best practices including a social media marketing strategy.
- D. Organizational Management:
 - 1. Staffing Needs:
 - a) Address employee performance, clarify roles and responsibilities, and revise as needed,
 - b) Evaluate staffing levels to determine best value-added use of any new hire,
 - c) Continue Board support and involvement to determine how best to increase organizational capacity. Set timelines and benchmarks to assess progress,
 - 2. Volunteer Management/Strategic Partners—Review practices to optimize use and enhance relations,
 - 3. Board Members and Committees—Maintain, and improve where necessary, focus on stated goals and priorities to prevent Mission-drift.

2. Complete and Implement Strategic Conservation Plan—to guide and leverage land conservation efforts to achieve landscape-scale impacts, serve landowner needs, and serve our whole community:

- A. Refine and Finalize—update the 2018 plan as needed, identify gaps in the plan, and address as needed.
 - B. Update Implementation Plan—with timeline, estimated budget, etc., for priority projects and programs.
 - C. Strategic Partnerships—Include potential strategic partners in plan development, review and implementation efforts (e.g., other conservation organizations, county, city, trail groups, etc.).
- 3. Practice Exemplary Stewardship**—to enhance resource values on our fee properties, ensure continued protection of conservation values on our easement properties, and maintain good landowner relationships.
- A. Continue to steward and monitor all conservation easements with appropriate documentation,
 - B. Achieve 100% compliance with conservation easement requirements with all landowners,
 - C. Finalize and begin implementing Management Plans for all fee properties,
 - D. On the Galisteo Property, our flagship fee property, take the following steps towards our 2030 management goal, which is that “By 2030, SFCT collaboratively enhances and maintains the Galisteo Property as a special place of multicultural history, spacious quiet beauty, and a place where anyone can come to relax, recreate, and experience nature. SFCT stewards this area with a view toward developing a learning and demonstration area about ecological resilience and climate adaptation, and in such a way that SFCT, through a breadth of partnerships, builds a passionate, curious, and educated conservation community of people of various backgrounds and abilities.”
 - 1. Protect the property with a Conservation Easement.
 - 2. Utilize the management plan to continue to bring the land back to a healthy state, including erosion control, wetland restoration, rangeland enhancement, and wildlife habitat enhancement
 - 3. Prepare the property for public access, for example with roads, parking areas, benches, shade structures, and wayfinding and interpretive signage
 - 4. Design and install a publicly accessible trail, as well as a shorter loop that can be enjoyed by the differently-abled.
 - 5. Utilize the site for SFCT programming, education, workshops, etc.
- 4. Practice Community Conservation**—Expand capacity to expand existing programs to broader audiences and underserved communities with the aim of engaging more people and children to increase our relevance in our Community: The Trails Program is an invaluable asset to the organization for Community Outreach. It offers SFCT the opportunity for more community recognition; reaches new and diverse audiences; brings in new donors to SFCT; provides tangible evidence of quality of life and economic impact of our work; connects SFCT to many community partners; generates stories for fundraising, etc.
- A. Community Engagement—Develop programs and outreach efforts for new audiences and children:
 - 1. Build partnerships with other organizations and community leaders to create mutually beneficial opportunities—e.g. Vámonos, Safe Routes to School, Passport to Trails
 - 2. Improve branding of Vámonos program to link it more to SFCT
 - 3. Participate in local events—to raise the profile of the organization

4. Conduct stakeholder involvement and other focused efforts to stay abreast of constituent interests, needs and opportunities in our Community.
5. Continue to develop point of entry events such as Insider Tours, Bears Ears trip, etc.
6. Improve branding of SFCT's role in trail production and maintenance for the City
- B. Outreach to diverse audiences and children—expand outreach efforts, e.g., Passport to Trails, Safe Routes to School and Vámonos, to create meaningful opportunities for underserved neighborhoods and populations,
- C. Continue to secure appropriate grants and contracts to help fund this effort—e.g., City of Santa Fe Trails Contract, Safe Routes to School, etc.
- D. Work with the City's Economic Development staff to quantify the economic impact of Santa Fe's trail system, which will help SFCT in securing more funding for its work.
- E. Utilize the GUSTO implementation plan to identify the trails it suggests for linkages that can be completed by 2024. Begin the design and implementation of them.
- F. Finish creating the policies and procedures for implementing trail easements.
- G. Hire Community Engagement Specialist to expand community conservation programs and assist with the implementation of the SRTS grant.

5. Enhance Board and Staff Development—to increase effectiveness, efficiency, diversity and capacity to meet Strategic Plan goals:

- A. Reframe fundraising function to increase Board participation,
- B. Develop case statements/story lines/sound bites to focus Board and Staff efforts,
- C. Training—assess needs and take advantage of opportunities. Encourage staff to embrace opportunities and learn new skills.
- D. Board Recruitment—target the talents and diversity needed to achieve these strategic goals. The Governance & Nominating Committee leads this effort with input and help from the full Board, with the aim of having a strong and diverse slate of candidates for the annual Board meeting in December each year.
- E. Pursue opportunities to deepen understanding of inequalities in our region so that the organization can be more effective in addressing them through its conservation work.
- F. Write a statement about the organization's commitment to equity, diversity and inclusion in all that we do.
- G. Study the Land Acknowledgments used by other nonprofits and adopt the practice for the organization.
- H. Broaden board involvement in conservation efforts and our programs.

IMPLEMENTATION:

Each year an annual work plan will be developed to implement elements of the SFCT strategic plan to accomplish goals and objectives in a logical sequence. These annual work plans will be reflected in annual budget development, committee work, employee performance plans, and existing and new projects.