

SANTA FE CONSERVATION TRUST
FEE PROPERTY STEWARDSHIP POLICY
Policy 4.09, 2012-02
Adopted On: January 19, 2013
Updated: December 5, 2017, October 22, 2024

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.

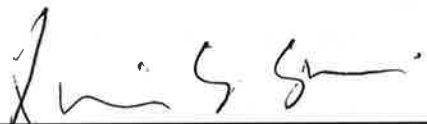
5. MANAGEMENT PRACTICES

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 22nd day of October 2024.



~~Brant Goodman, Secretary, SECT~~
 Quinn Simons

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.

