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STEWARDSHIP: THE COMING STORM

**What is
“Stewardship”?**

Core Stewardship responsibilities are those that directly support Land Protection activities and conservation easement administration. . .

Baseline Documentation Reports -

Comprehensive property descriptions that document conservation values . . .

Easement Monitoring - Annual visit and assessment of each conservation easement . .

Easement Enforcement and Defense - If needed, to maintain the purposes of the easement.

Record-Keeping - File maintenance, updates and reporting.

Landowner Relationships - Partnerships with landowners .

<http://www.tetonlandtrust.org/stewardship/stewardship-defined>

Strategic Stewardship includes community outreach and activities that enhance or restore conservation values of easement properties, increase the stewardship staff's value to landowner and agency partners, strengthen the Land Trust's landowner relationships and increase our credibility . . . Important elements of the Land Trust's Strategic Stewardship program include:

Conservation Planning . . .

Ecological Monitoring . . .

Habitat Restoration . . .

<http://www.tetonlandtrust.org/stewardship/stewardship-defined>

What We Always Knew

The Roots of a Problem

Simple Transaction

The Original Owner Seeks to Keep The Land in a Natural State. The Original Owner will receive market value, less than market value, a tax deduction or nothing

**DEED OF
Conservation
Easement**

*Original Owner
(Retains Right of
Access and Right
to Exclude)*

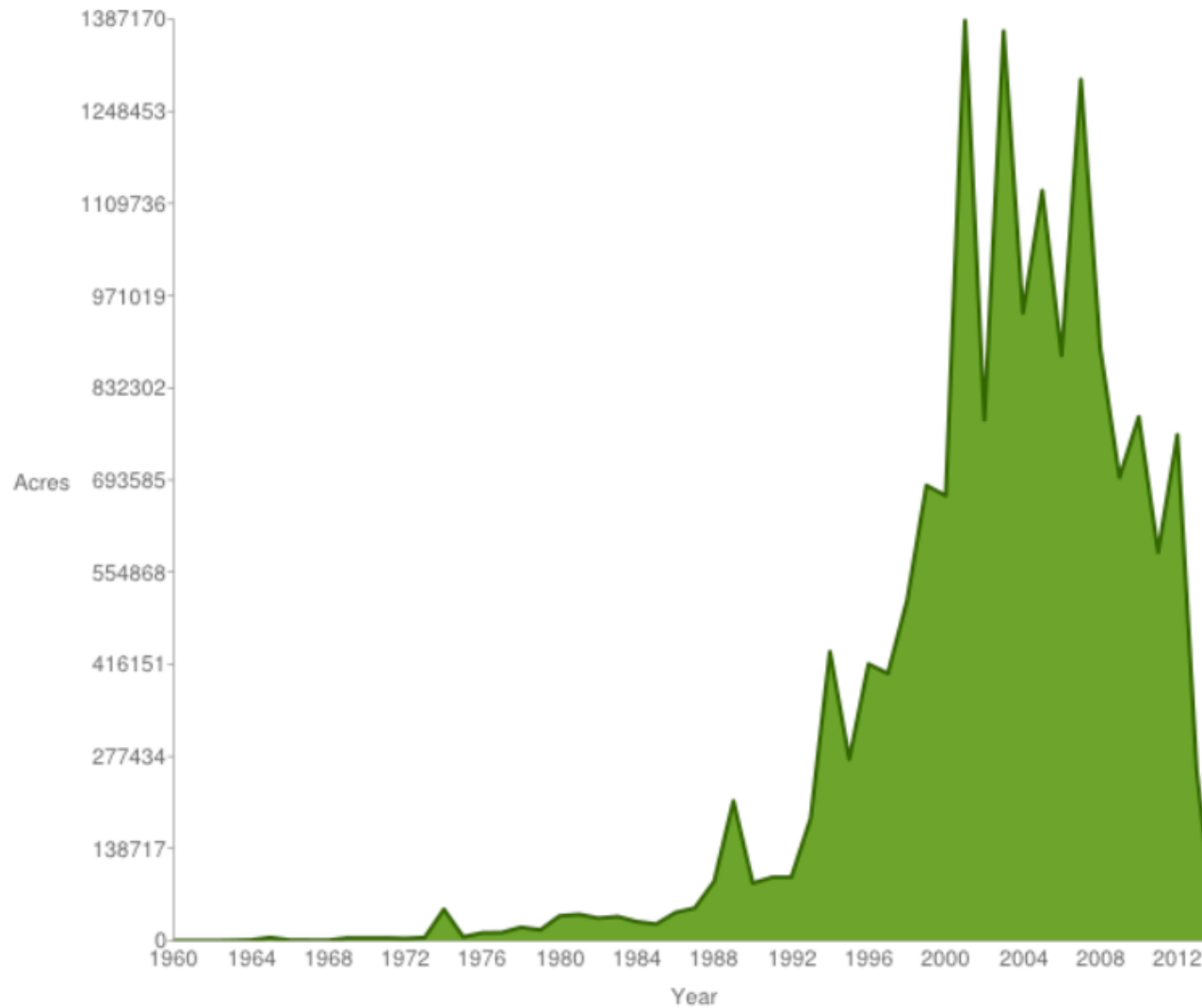
*The Conservation Easement
Spells out Exactly What
Rights the Owner Retains
and What Rights She
Conveys*

*Land Trust
(Received
Right to
Prevent
all/some
Development)*

*The Land
Trust Plans
to Hold the
Rights*

The Facts

Easements by Acquisition Date

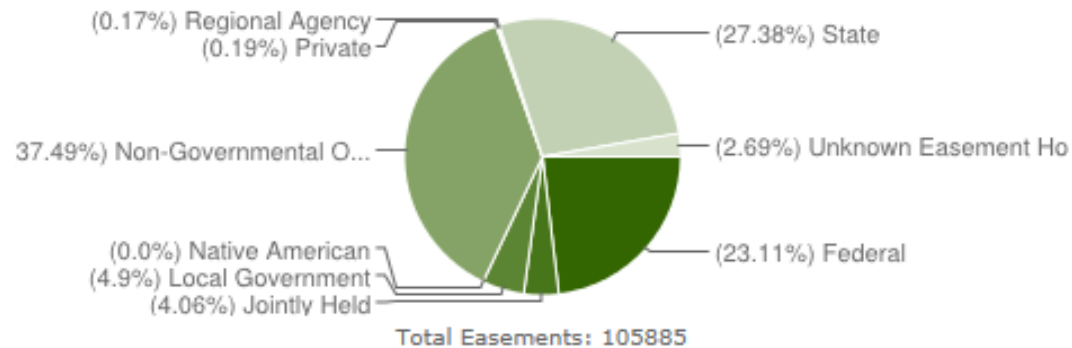


Total Easements: 61903

[Show Table of Data](#)

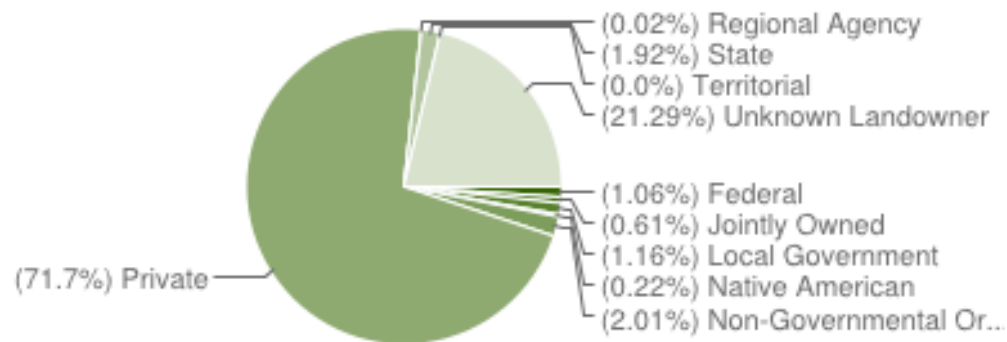
All States and All Easements

Easements by Easement Holder Type



▲ Easement Holder	◆ Count	◆ Acres
Federal	26,289	5,201,830
Jointly Held	1,257	914,812
Local Government	13,817	1,102,952
Native American	2	116
Non-Governmental Organization	33,081	8,437,677
Private	33	43,776
Regional Agency	248	37,905
State	29,386	6,162,349
Unknown Easement Holder	1,772	604,732

Easements by Landowner Type



Total Easements: 105885

▲ Landowner Type	◆ Count	◆ Acres
Federal	1,080	239,354
Jointly Owned	1,188	137,625
Local Government	3,822	261,672
Native American	10	49,547
Non-Governmental Organization	2,670	452,145
Private	81,182	16,135,864
Regional Agency	52	5,508
State	1,894	432,283
Territorial	1	137
Unknown Landowner	13,986	4,792,015

The Theory

***DEED OF
Conservation
Easement***



Forever

**DEED OF
Conservation
Easement**



There was no fiduciary or confidential relationship existing between respondents and MET that would have required such a disclosure in order to avoid any breach of trust. . . . The letter . . . to respondents truthfully and accurately conveyed the decision made by the Board of Trustees at the meeting and concealed nothing from respondents . . . Therefore, as a matter of law, respondents failed to produce proof amounting to clear and convincing evidence that MET committed fraud.

Maryland Environmental Trust v. Gaynor, 803 A.2d 512, 517 (2002)

The Response



About TerraFirma Risk Retention Group

Collectively upholding conservation permanence

The Land Trust Alliance created TerraFirma as a charitable risk pool owned by participating land trusts that insures its members against the legal costs of defending conservation. It is available for all Land Trust Alliance member land trusts with conservation easements or fee lands held for conservation. TerraFirma also provides information and training on risk management to the members. TerraFirma is part of the Land Trust Alliance's national strategy to build a formidable defense in ensuring conservation permanence and was designed in consultation with insurance specialists, attorneys, and land trusts across America. This is the flagship resource to permanently protect conserved lands, and it marks the first time that a conservation group has created a captive insurance service. For more answers to frequently asked questions on applications, costs, claims, governance, and more, please see the [FAQ page](#).

TerraFirma is owned and managed by the participating land trusts. Since it was designed by and for land trusts, coverage meets their specifications. The Members Committee represents the owner member land trusts of TerraFirma Risk Retention Group LLC and is responsible for approving its policies and strategic direction. A Claims Committee comprised of outside experts and land trusts representatives oversees claims management in collaboration with the insured land trusts, which means land trust leaders are in the driver's seat when it comes to determining how to manage a case. TerraFirma is licensed as a captive insurance risk retention group by the State of Vermont, License #965.



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- » Add Your Event
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- » Northeast Events
- » Southeast Events
- » West Events
- » Best Practices for Negotiating Conservation Transactions
- » [Stewardship Technology Update](#)

- » Newsroom
- » For the Media

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- » [Publications](#)
- » [The Learning Center](#)

you are here: [home](#) / [events & news](#) / [calendar](#) / [stewardship technology update](#)

Stewardship Technology Update

Webinar

Date: March 5, 2015

Time: 2:00-3:30 p.m. Eastern

Instructors: Olivia Bartlett, Joan Turley, Mike Burnett

Cost: \$55 before 3/4, then cost increases to \$65

Level: Beginner / Intermediate

[REGISTER ONLINE »](#)

Ready for the scoop on the latest technology that promises to make stewardship tasks more efficient and reliable? Stewardship experts Olivia Bartlett and Joan Turley will provide an update on the available stewardship technologies used to collect field data primarily for monitoring. They will cover specific examples from data collected for large landscape monitoring typical to western states, as well as smaller scale parcels. In addition, they will discuss and demo of specific uses of aerial imagery and remote sensing for monitoring.

Discussion will include:

- Using mobile devices (phones, tablets, etc.)
- Integrating apps with databases
- Using unmanned aerial vehicles (a.k.a., drones) and remotely sensed data

What We Should be
Learning

Manifestations

ENERGY / NEWS

'Protect the Land Owner': Virginia Farmer Continues Fight Against Environmental Group

Kevin Mooney / @KevinMooneyDC / March 03, 2015 / 16 comments



111



5.9k



Green Group Under Scrutiny for Trespassing, Harassment at Woman's Farm

Kevin Mooney / @KevinMooneyDC / July 24, 2014 / 202 comments



549



26.k



Robert Marmet knew he was supposed to inspect Martha Boneta's farm, but he didn't know exactly what for. He knew there were limits on what he could inspect, but he had no idea where they were.

So when Marmet, a senior energy policy analyst with the Piedmont Environmental Council, and his partner Mike Kane, a conservation officer with the group, turned up June 12 to inspect Boneta's Liberty Farm in Paris, Va., they more or less inspected what they wanted to inspect.

Virginia **farmer** Martha Boneta's desire to have an environmental conservation group replaced as **overseer** of her property has moved a step closer to reality.

Officials of the Piedmont Environmental Council have agreed to a meeting Friday to talk about ending a bitter standoff with Boneta by handing off **enforcement duties** for a conservation easement on Boneta's farm to another environmental organization in Virginia.

<http://dailysignal.com/2014/12/03/virginia-farmer-hopes-major-victory-property-rights-end-bitter-dispute/>

Simply persuading the Piedmont Environmental Council to agree to the meeting marks a “major victory for property rights,” says Tom DeWeese, president of the American Policy Center, a Washington, D.C. . . DeWeese adds:

“Martha Boneta, like most victims in these cases, does not have near the resources of money and political power as the PEC. If such battles can be fought across the nation in the same way, it will have a profound effect on how such groups behave in the future. Perhaps they will be less aggressive and more willing to respect the property owner.”

<http://dailysignal.com/2014/12/03/virginia-farmer-hopes-major-victory-property-rights-end-bitter-dispute/>

Efforts to reach a settlement with a local green group, the Piedmont Environmental Council, are on hold. The PEC currently oversees enforcement duties of a conservation easement on Boneta's property. Under the settlement, the Virginia Outdoors Foundation would have assumed those duties. However, the foundation found serious flaws with the agreement.

Now, the foundation wants Boneta and the PEC to agree on a "corrective amendment" to address the concerns.



Property Rights Foundation of America®

Founded 1994

Biography



Martha Boneta

Martha Boneta is a farmer at Liberty Farm in Paris, Virginia. A native Virginian, Martha grew up in Mt. Vernon on what she was told was a part of George Washington's vast farmland. Growing up, her family always had kitchen gardens and it was Martha's childhood dream to be a Virginia farmer and that dream became reality six years ago.

Martha graduated from St. Mary's Catholic School in Old Town Alexandria, Notre Dame Academy in Middleburg, George Mason University for undergraduate school, George Mason School of Law where she received her Juris Doctor and the prestigious Strauss Institute at Pepperdine University School of Law in Malibu, where she studied Alternative Dispute Resolution.

Immediately following law school, Martha was a registered lobbyist in Washington, DC that propelled her career as strategic account executive at Reed Elsevier for the Mid-Atlantic Region and Thomson Reuters in the Washington, DC Metropolitan area.

Martha is the Founder of the Piedmont Agriculture Academy (PAA), Liberty Hall Livestock Rescue and has been on the Board of Directors for the Virginia Independent Consumer & Farmers Association (VICFA), Virginia Farm and Food Freedom (VFFF), Small Family Farm Foundation (SFFF) and is actively involved with the Farm to Consumer Legal Foundation (FTCLF), Handcrafted Soapmakers Guild and several other farm advocacy organizations.

Liberty Farm is also a member of LOCAL HARVEST (<http://www.localharvest.org/paris-barns-@-liberty-farm-M46744>) whose motto is "REAL FOOD, REAL FARMERS, REAL COMMUNITY" as well as EAT WILD (<http://www.eatwild.com/products/virginia.html>) dedicated to supporting local small family farmers.

Martha's Farm is a member and has been featured on HobbyFarms.com as well as SLOW FOOD USA (<http://www.slowfoodusa.org/>) and Slow Food Virginia supporting good, clean and fair farm food.

Martha volunteers her time teaching farming practices to inner city children and has donated many tons of vegetables to Virginia's food banks and families in need. Working closely in fellowship with Virginia's small family farmers across the Commonwealth, Martha has a strong passion for Virginia's agricultural heritage.

Martha's story has made national and international news. She has appeared on TV featured on Fox & Friends, Neil Cavuto, Greta Van Susteren's On The Record, WUSA9 as well several other news and radio programs.

Today, Martha is a full time farmer on her family farm, Liberty Farm, in Paris, Virginia. Martha's passion includes caring for over 180 farm animals, tending to her organic heirloom vegetable crops, apiary and herb production. Martha also produces chicken, duck, turkey and emu eggs as well as fiber from herds of sheep, alpaca and llamas.

“The Threat to Family Farms from Power-Hungry Local Officials and Well-Funded Land Trusts: One Woman’s Story” October 26 2013

“Prior to purchasing Liberty Farm, I didn’t even know what a conservation easement was and I’d never really heard of a land trust. But I thought to myself, “These guys must be the good guys.” Right? I thought they *must* be the good guys. After all, they promised my family that **we would be able to farm forever.**”

“The land trust . . . owned Liberty Farm and we would be buying our farm the land trust. We trusted them. We did not use our own lawyer. In fact, we received guidance from the land trust attorney. . . . Again, we thought they were the good guys. **They promised us we’d be able to do everything my family wanted to do.** So there was no reason for us not to trust them. ”

<http://prfamerica.org/speeches/17th/ThreatToFamilyFarms.html>

“To this day our family has **never received a dime of tax credits**, no charitable donation credit, or any other form of compensation for this conservation easement. The benefit went to the land trust. ”

<http://prfamerica.org/speeches/17th/ThreatToFamilyFarms.html>

Apparently, this **viewshed issue** was very important because next my family was told that we had to relocate our RV — our recreational vehicle — because our RV violated the viewshed. Tires that we used on our farm — that's common practice on farmland — for harrowing, planting, and training, also had to be removed because they, too, violated the viewshed. We quickly learned that it mattered not what the word stated on the easement because the land trust could interpret them any way they wanted.

<http://prfamerica.org/speeches/17th/ThreatToFamilyFarms.html>

And the gentleman that went before me talked about how important that is to stay on top of land trusts and he's absolutely correct. One of the founders of the PEC believes the world would be a better place if we end population growth through healthy and intentional childbearing. What is intentional childbearing?

Audience member: It's when the government says you can have a child.

<http://prfamerica.org/speeches/17th/ThreatToFamilyFarms.html>

The Boneta Bill was designed to protect small family farmers from having what happened to me happen to them, to prevent local counties from exceeding what they were permitted to enforce on small family farms. The bill passed the House on a bi-partisan basis by flying colors.

<http://prfamerica.org/speeches/17th/ThreatToFamilyFarms.html>

“If we the people are not relentlessly defending our freedoms and property rights and those of our fellow citizens we will surely see them disappear in our time. Conservation groups have learned to manipulate or **collaborate with local government** to invade our property rights.”

<http://prfamerica.org/speeches/17th/ThreatToFamilyFarms.html>

I have learned a lot from this experience. I've learned that mean people are alive and well. I've learned that if I stand up in support of freedom and property rights that **Hell hath no fury like an environmentalist scorned.** I've learned that I've become a target to be attacked by tyrannical environmentalists and the zoning lords.

<http://prfamerica.org/speeches/17th/ThreatToFamilyFarms.html>