

Summer 2015

# Common Ground

*Protecting our rural character and natural resources through community-based land conservation.*



*Conservation Values: Productive agricultural land, wildlife habitat, and quality streams are just some of the attributes that qualify properties for conservation easements. Photographs left and top right by Kathleen Connolly.*

## CONSERVATION EASEMENTS 101

*Answers to landowners' frequently asked questions*

*Fifteen years of dedicated land preservation work on behalf of the Tinicum Conservancy has taken many forms for Karen Budd. Karen has served as Conservancy president and is a current trustee, but her favorite work is talking to landowners in and around Tinicum about the benefits of conserving their land. Her strong belief in conservation easements as one of the best land protection tools available has brought her into hundreds of conversations with local landowners. That's a lot of phone calls, kitchen-table meetings, and follow-up discussions; plus a whole lot of patience and persistence.*

*Common Ground asked Karen to share some of the questions she is most frequently asked when talking with landowners and community members.*

### **What exactly is a conservation easement?**

It is a legally binding agreement, voluntarily entered into by both parties, that permanently protects important conservation values and limits further development, while the land remains privately owned.

**Are conservation easements tailored to individual properties or are they one-size-fits-all?**

The Conservancy works with each landowner to tailor the agreement to his or her needs. The resources, uses, location, and conservation values specific to each piece of land are factored into the easement that “runs with the land.”

### **What is meant by “conservation values”?**

The value of a property's natural resources—such as wildlife habitat, productive agricultural land, water resources, to name just a few.

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# Message from the President



## BOARD OF TRUSTEES

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Hellyn Sher  
Sue Smithers

## OFFICE STAFF

Jim Engel, *Executive Director*  
Kelly Germann, *Resource Protection Mgr.*  
Maria Fell, *Office Manager*

## NEWSLETTER

Tom Casola  
Hellyn Sher

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The Tinicum Conservancy is a 501(c)(3) non-profit organization. Donations are tax deductible as allowed by law.

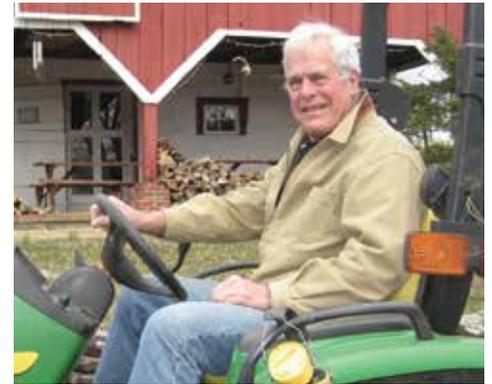
Dear Members and Friends,  
“4,700 acres protected over two decades—but more than 4,000 critical acres still remain unprotected.” Those words have become something of a mantra around here.

The 4,000 unprotected critical acres are in Tinicum. Together, with an additional 2,000 acres in Nockamixon and Bridgeton they represent an important goal. If we can conserve them, we will have taken another huge step toward achieving our mission of protecting natural resources, saving open spaces from inappropriate development, and maintaining our rural character.

We need to open a dialogue with the owners of these unprotected parcels of 20 or more acres. We hope the owners of these parcels will consider preserving their land. And we want them to have complete and accurate information about the land preservation process. There are compelling reasons to move forward with the process NOW. First, there are potential tax benefits for those who donate a conservation easement—tax savings comparable to a generous donation to your church, school, or other charity. Second, there is money available now from Tinicum Township, Nockamixon Township, and the Bucks County Open Space program to incent property owners to preserve their land.

What do landowners have to do to get these tax deductions or open space money? Simply put, they agree to limit development on their land. They still own the land. The property does not become public. They can continue to live on it, farm it, pass it on to their children, sell it, and do most of the other things a person would want to do, as long

as its conservation values are protected. Most of the landowners I talk to have no intention of ever letting their property be irresponsibly developed or allowing the landscape and natural resources to be diminished. Retaining ownership and use of your land, while at the same time protecting the property and the beauty of Upper Bucks County... and potentially getting a significant



financial benefit in the form of a tax deduction or open space funds? It's really quite a good deal for landowners who value open space, sustainable farms, and clean water.

We need your help! Talk to your friends and neighbors. Let them know about the benefits of land preservation that are available to property owners right now. And urge them to contact our Executive Director, Jim Engel, to have a conversation about ways they can help protect these critical properties.

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“A land ethic, then, reflects the existence of an ecological conscience, and this in turn reflects a conviction of individual responsibility for the health of the land. Health is the capacity of the land for self renewal. Conservation is our effort to understand and preserve this capacity.”

- Aldo Leopold, *A Sand County Almanac*

# Tinicum Conservancy Earns LTA Reaccreditation

In February, the Tinicum Conservancy was awarded re-accreditation by the national Land Trust Alliance (LTA). We first achieved accreditation in 2009, joining an elite fraction of land trusts that hold this hard-earned seal of approval.

In order to achieve accreditation land trusts submit detailed documentation of policies, practices, and procedures. At nearly 50 pages, the re-accreditation application form is accompanied by an 85-page Applicants Manual, as well as a Requirements Manual which takes land trusts through more than 25 “Accreditation Indicator Practices” covering everything from “Nonprofit Incorporation and Bylaws” to “Project Selection and Criteria” to “Legal and Ethical Practices,” to “Public Benefit of Transactions,” and on (and on). You can review these documents and learn more about the LTA Accreditation Commission processes at [www.landtrustaccreditation.org](http://www.landtrustaccreditation.org).

Following months of work by Conservancy staff and volunteers, the application was submitted and rigorously reviewed by the LTA’s professional accreditation staff and volunteer

commissioners from the land trust community. Accreditation is not a one-time action. It is designed, in part, to foster improvement, as land trusts must apply for renewal every five years and demonstrate continued development beyond where the organization stood during the previous review. So our re-accreditation not only means that we have passed a very thorough external review, but it also means that we are even stronger today than we were five years ago.

This is an important milestone. It’s further assurance that our stakeholders—members, supporters, volunteers—and all who live in and around Tinicum can remain confident that the mission of the Conservancy, “to protect our rural character and natural resources through community-based land conservation,” is being carried out according to the highest standards and that the organization is strong and sustainable.

Just some of the aspects of our organization that were evaluated and determined to meet the LTA’s standards include:

- Ethical standards in general operation of the Conservancy
- Trustee accountability in governance of the Conservancy
- Financial stewardship accounting to ensure that contributions are used appropriately
- Honest communication with land donors about timing, costs, and requirements for the drafting and managing of easements
- Perpetual preservation of conserved land through monitoring with trained volunteers and protective action when necessary
- Accurate recordkeeping of critical easement information
- Compliance with all laws and IRS regulations

Many thanks to our Vice President, Rick Bowles and all those who gave their time and skills throughout the process, enabling the Conservancy to achieve this external confirmation that we are well positioned for now and into the future.

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## Trustee & Committee News

The volunteers that serve as trustees and work on our standing committees are critical to the success of the Tinicum Conservancy. We are proud to work with this outstanding group of individuals, who donate their time and talents to support land protection.

“Tinicum Township is the jewel of Bucks County,” says new trustee Sue Smithers, “Land preservation is the grass roots way to protect our environment. It controls development and safeguards landowner interests. In many cases it enables long-time farming families to hold on to their properties.” After working as a nurse for ten years, Sue transitioned into the pharmaceutical industry where



*New trustee Sue Smithers, overlooking Summersville Lake in West Virginia, where she grew up.*

she worked for over twenty years, before retiring. She has served as a Conservancy easement monitor and a member of the Land Preservation Committee.

Brad Adams is a new member of the Finance Committee. In consultation with our professional investment advisor, the Finance Committee oversees our investment strategy, annual budget, tax reports, and bookkeeping audits. After 25 years on Wall Street, Brad started his own consulting business. He is an “executive matchmaker,” who makes business-to-business connections, helping companies to grow market share. Brad feels lucky to be involved in our

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### What property rights do I retain with a conservation easement?

Most property rights are unchanged. The landowner is able to continue most land uses while protecting the natural and/or agricultural resources of the property. (So, for example, certain forestry practices might be limited, or motor vehicles might be restricted in a specific area.) Conservation easements do not give away a right to use, occupy, sell, or will the land, but rather make legally binding a shared commitment to protect it.

### What is the role of the Conservancy in the easement process?

We partner with landowners and help guide them through what can be a complicated process. We work collaboratively to develop the easement document. We assist with the required property survey. Our Resource Protection Manager prepares the baseline documentation of the property's important ecological resources and its current condition.

Once the document is signed, the Conservancy "holds" the easement and takes on the responsibility of yearly monitoring visits, required by the IRS, to ensure that the terms of the agreement are followed in perpetuity, i.e., forever.

### Who benefits from a conservation easement?

Everyone benefits. Public benefits include protection of water quality, agricultural lands and local food production, wildlife habitat, open space and landscapes that define our community's rural character. Land development often results in the need for additional schools, road improvements, and costly municipal services. Land conservation avoids these added tax burdens.

Landowners can often benefit financially from agreeing to a conservation easement. By donating development rights and agreeing to protect conservation values on their land, landowners may qualify for generous federal tax benefits. In some cases, open space funds are available to purchase



Rare plant species like these are considered conservation values. Top left: wild aster on a Tincum Conservancy-held easement in Erwinna. Top right: buttonbush, and bottom: blooming prickly pear, both found on a conserved property in Ottsville. Photographs by Martie Kyde.



the easement. The Tincum Conservancy can help a landowner determine whether funding sources are available and submit applications on the landowner's behalf.

### Is public access required through a conservation easement?

Very rarely, in the case of the easements we hold. In fact, 85% of ours do not.

### Is there a minimum amount of acreage required?

No. The largest easement we hold is 204 acres; the smallest is three. Generally, the TC is interested in properties of 10 acres or more, that are adjacent to other conserved properties and/or hold significant conservation values. Again, every easement is unique.

### How is the value of a conservation easement determined?

A real estate appraiser who is qualified and trained to do conservation easements determines the value of the development rights. The value of the easement is the difference between the development value

of the land as currently zoned and the remaining development value after it has been restricted through a conservation easement.

### Is Tincum Conservancy part of Tincum Township?

Tincum Conservancy is an independent, community-based organization. We are supported mostly by individual donations and some foundation grants. Although the Conservancy sometimes partners with local governments to complete a conservation easement, we operate independently.

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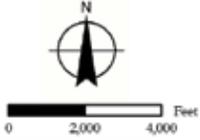
"In my experience, conservation easements can provide a nice balance between protection for the land and financial benefits for the landowner while allowing continued use of the land for productive purposes," says Karen. "The more landowners understand how conservation easements work, the more open they are to considering protecting their own property."

# PUBLIC & PROTECTED LANDS

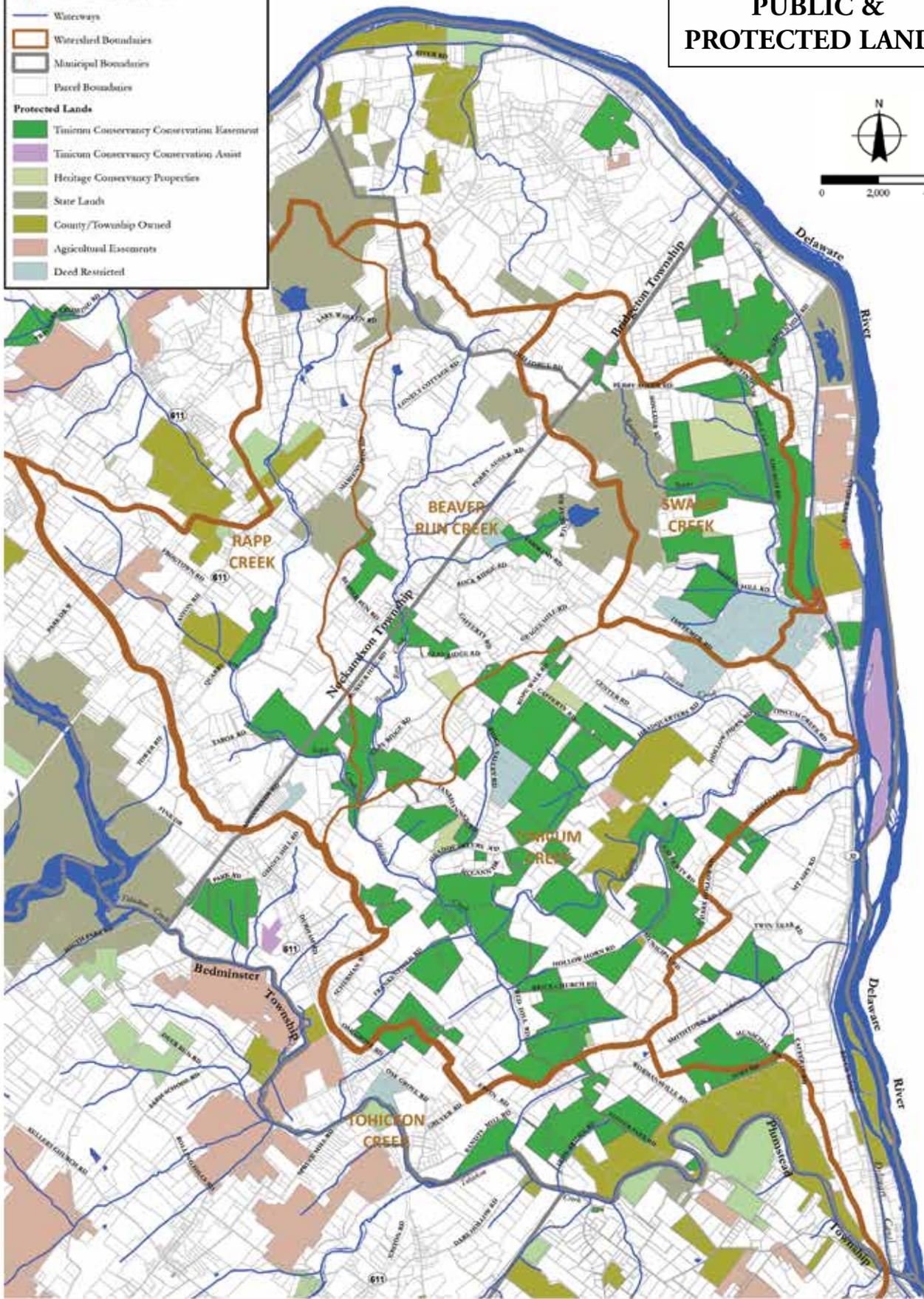
-  Tinicum Conservancy Office
-  Waterways
-  Watershed Boundaries
-  Municipal Boundaries
-  Parcel Boundaries

**Protected Lands**

-  Tinicum Conservancy Conservation Easement
-  Tinicum Conservancy Conservation Assist
-  Heritage Conservancy Properties
-  State Lands
-  County/Township Owned
-  Agricultural Easements
-  Deed Restricted



0 2,000 4,000 Feet



CONSERVATION KNOWS NO BOUNDARIES: *This new map shows lots of boundaries—watershed, parcel, municipal. These boundaries are important, of course, but the map also shows how interdependent we all are and illustrates the importance of protecting land and water in Upper Bucks, regardless of the township lines surrounding it.*

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## Staff News: Hitting the Five-Year Mark

Kelly Germann, Resource Protection Manager, and Maria Fell, Office Manager, both started working for Tinicum Conservancy a little over five years ago. They shared their thoughts on how quickly those years have passed and how much progress the Conservancy has made in that time.

Kelly emphasized how much she enjoys working in the Tinicum area, even with her significant commute from Elkins Park. Her reward for the long drive is seeing the beauty of each season. Kelly appreciates how the small staff works collaboratively with Executive Director Jim Engel, sharing their knowledge of land preservation and projects in Upper Bucks.

Kelly praises the volunteers who work in the office and in the field, and says that the TC board of trustees is the best board she has ever encountered.

Kelly is goal driven and sets high standards for herself. Those standards extend beyond her professional life: She hiked the Appalachian Trail from Georgia to Maine between March and September last year. An injury took her off the trail for several weeks; Kelly is filling in the missed sections (happily, all in the mid-Atlantic states) through dedicated weekend hiking.

The decision to major in biology at Arcadia University guided Kelly's professional career path. She has been employed in land conservation work



*Kelly Germann and Maria Fell*

since 1997, working with several agencies in eastern Pennsylvania. When Kelly accepted the position at Tinicum Conservancy, she had no idea “how much more than just a job it would turn out to be. People genuinely care about each other in this community,” she says.

Visitors to the Conservancy are used to a warm greeting from Office Manager Maria Fell, (and, until just this spring, from Maria's beloved, but now-departed black lab, Baxter). Callers are greeted by her unmistakable voice offering friendly assistance with a delightful British inflection.

Maria's goals for herself include a high degree of organization—a requirement for her multi-tasking job. On any given day, Maria may find herself coordinating mailings for membership renewals or fundraising, updating the easement

database, planning and executing events, “volunteer wrangling,” or taking on various managerial tasks. Whatever is asked of her, she wants to “get it done and get it done well.”

Maria enjoys the variety and challenges of the job. She appreciates the Conservancy's “wonderful, supportive colleagues and trustees” and loves the office's Tinicum Park setting, taking “the occasional peek out the window to see turtles lined up on a fallen tree trunk at the edge of the Delaware River.” When weather permits, Maria and Kelly use their lunch time to take advantage of the park.

Maria has worked with Bucks County Audubon Society as their Administrative Manager and also occasionally as a Teaching Naturalist. She is an avid gardener, a member of the Tohickon Garden Club, a kayaker and long-distance hiker.

A 17-year Tinicum resident, Maria is happy to help preserve land near where she lives, and to work so close to home. She considers the five years gone by to be very positive and looks forward to many more ahead.

Thanks, Kelly and Maria! The Conservancy has benefited from your talents and service over the past five years.

*- Peggy Enoch*

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land preservation efforts. A visit to the Conservancy's table at the Tinicum Arts Festival convinced Brad to sign on. “I am passionate about it,” he declares.

Tex Enoch has also recently joined the Finance Committee. Protecting the natural beauty of Tinicum Township has always been an important goal for Tex and his wife, Peggy, who have lived here since 1979. (Peggy is a trustee and board secretary.) “Land preservation is a hard fight,” says Tex, “We've had our battles but we're keeping ahead of unchecked development.”

The Land Preservation Committee also boasts two new members: Heidi Feigles and Mindy Friedman. The LPC contacts potentially interested landowners, explains the benefits and process of a conservation easement, and recommends easement acquisitions to the board of trustees. Heidi is glad to be involved in a cause that supports the environment. “Living here we all reap the benefits of the Conservancy's work.” Heidi is an employment attorney specializing in human resource consulting.

Mindy Friedman is no stranger to open space protection, having served

on the Tinicum Township Open Space Committee. She is Associate Professor of Psychology at Baruch College in New York City and chair of the Baruch Task Force on Sustainability. “The Conservancy's work benefits the entire community,” she says. “Natural resources such as water have no boundaries. They are essential for our survival. We all depend on land preservation to protect those things we need most.”

*- Karen Budd*

# VITAL VOLUNTEERS: Easement Monitors

Easement monitoring is a topic that comes up often in the land conservation business. Our non-profit status, national accreditation, and credibility as a land trust depend on a timely and thorough annual visit to each easement we hold. The site documentation generated by these visits forms the official record that the easement terms are being upheld (or, infrequently, that they are not).

Monitoring the 160 properties on which we hold easements could easily be the work of a full-time staff member. Instead, together with part-time staffer Kelly Germann, the Conservancy's 39 dedicated volunteer monitors get it done every year. Volunteer monitoring significantly lowers our "staff monitoring" expenses, which means we can save our stewardship funds for other projects, further ensuring our ability to protect the land forever.

Kathy Auerbach	Betsy Jacobs	Marcia Nye
Hannie Banister	Vicki Jenkins	Beverly Place
Peter Batts	Jeff Keller	Jonathan Rapp
Kris Becker	Martie Kyde	Kim Rosamilia
Nancy Bousum	Stana Lennox	June Rothkopf
Karen Budd	Pat Lesko	Carl Ruthardt
Bill Cahill	Stu Louden	Jesse Salamun
John Cole	Donna Luck	Doug Sardo
Craig DeGroot	Norm MacArthur	Kelly Simcox
Keith Goggin	David Maue	Dianna Sinovic
Jack Halstead	Harry McGarrity	Sue Smithers
Gard Holbe	Sally Mirick	Bob Stotz
Susan Jacobi	Wink Nessa	Sugie Weiss

"All of our monitors live in Tincum and Nockamixon, many on conserved properties of their own. They are dedicated, energetic, and worth their weight in gold. I'm honored to work with them and grateful for their hard work all year long, year after year."

- Kelly Germann, Resource Protection Manager, who trains and coordinates the monitors

## Save the Date!

### VOLUNTEER

#### River Road Cleanups

Saturday, August 29 &

Saturday, October 31 at 8 AM

(Weather permitting, rain dates are Sunday, August 30 & Sunday, November 1.)

Help keep our adopted stretch of River Road trash free. We clean up between Tincum Park and Jugtown Hill. The more the merrier (and the faster) truly applies to this good deed. Plus, you never know what treasures might be unearthed. Vests, gloves, bags, water, and pastries provided. Meet at the Schneiderwind Farm parking lot on River Rd., across from the Frenchtown Bridge.

**Contact: Graham Place at [gp@grahamplace.com](mailto:gp@grahamplace.com)**

### WALKS ON CONSERVED PROPERTIES

#### MacArthur/Novak Property Walk

Saturday, September 12 at 10 AM

Jugtown Hill Farm was one of the early donated easements in Tincum. Just under 50 acres of open fields, forest, and pond are home to a wide variety of plants and animals. Ecologist Martie Kyde will lead a walk focusing on the pond and some of its plants, and explain why the green slick on the top of the pond is not the enemy. Just for fun we will do a water quality test, checking for parameters of a healthy water body. With luck and enough rainfall, we'll find a few interesting fungi.

#### Quinby Property Walk

Saturday, October 31 at 10 AM

Join us for a walk over the conserved Quinby farm that sits on top of the dramatic palisades, along the Delaware River corridor. Ian Kindle, an environmental educator at the DCNR will lead the walk and explain what the palisades are all about. This is a great opportunity for sensational views of the river and the valley!

**Walks contact: Karen Budd at [kbudd3030@gmail.com](mailto:kbudd3030@gmail.com)**



### MEMBERSHIP CELEBRATION

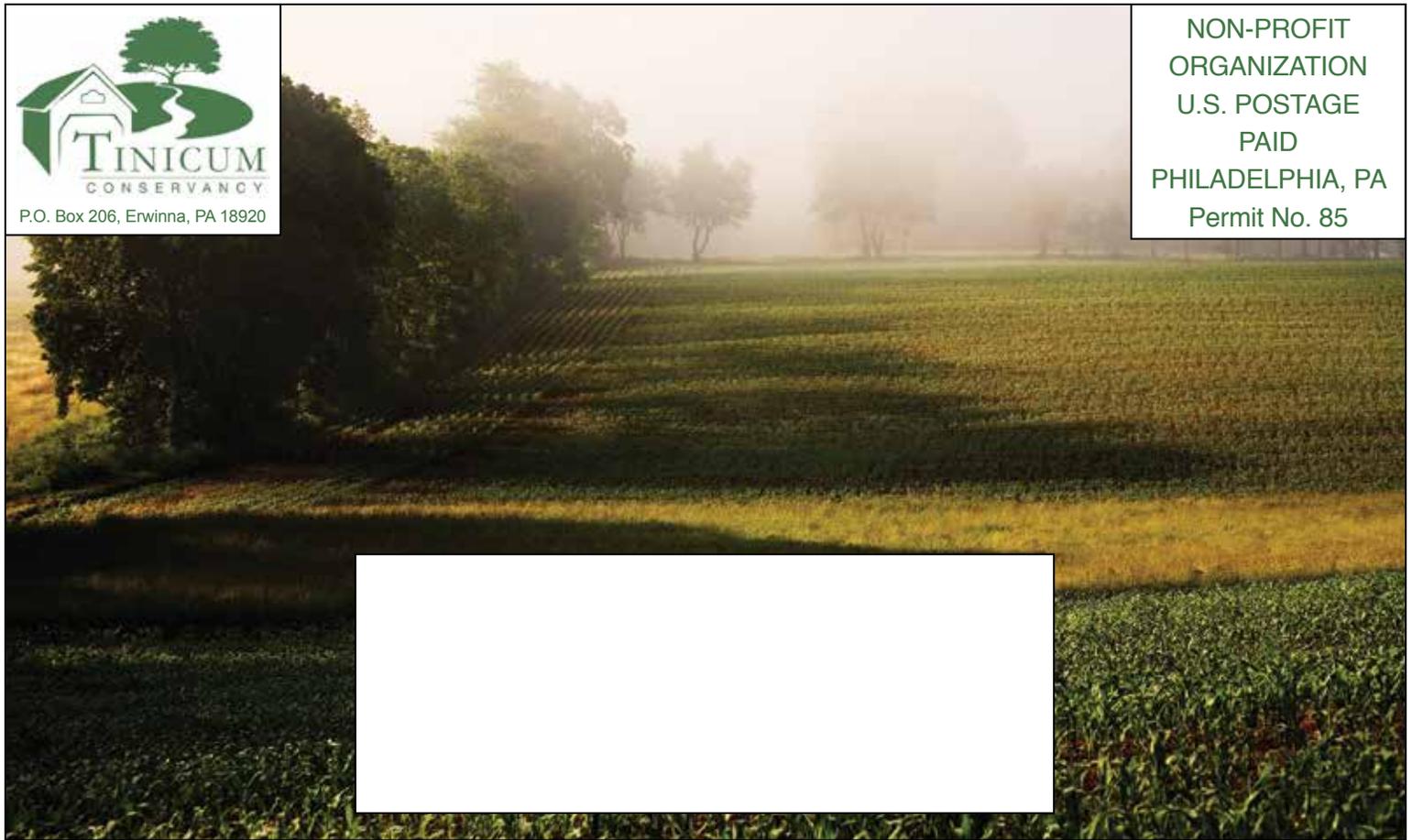
Saturday, September 12, 3-5:30 PM

Black Sheep Farm, on Stover Park Rd., Pipersville is the setting for this annual event. Arrive at 2 pm to take a tour of the property. Our host is Bob Hanley. **Rsvp to the office at: [tcadmin@epix.net](mailto:tcadmin@epix.net) or call 610-294-1077.**



P.O. Box 206, Erwinna, PA 18920

NON-PROFIT  
ORGANIZATION  
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Permit No. 85



*Summer Field. Photograph by Kathleen Connally.*

## Not Yet A Member? Join The Tinicum Conservancy Today.

Membership support is critical to the overall success of the Conservancy. Our success benefits everyone who wants pure water, clean air, beautiful landscapes, and low municipal costs. We protect Tinicum's rural character and natural resources through **community-based** land conservation. To do that we rely on our members. We are a private non-profit organization that depends on charitable contributions to steward the 4700 acres we currently hold under easement, to protect additional land, and to educate the community about land preservation. Annual memberships start at just \$50. Use the envelope in this newsletter or visit: [tinicumconservancy.org](http://tinicumconservancy.org) to join today.

## Already a Member? Consider Getting More Involved.

**Volunteer.** The Tinicum Conservancy would not exist without our volunteers. We can always use help in the office with mailings, research, and event planning. We can also use help outdoors—we are always looking for folks to help with our River Road cleanups (see page 7), or invasive plant removal. If you have

time and talents to contribute, contact Karen Budd, Volunteer Coordinator, at [kbudd3030@gmail.com](mailto:kbudd3030@gmail.com).

**Become a property monitor.** Our Resource Protection Manager trains and coordinates this team of crucial volunteers who make annual visits to walk the properties on which we hold easements. See page 7 for more information and reach Kelly at [tcresource@frontier.com](mailto:tcresource@frontier.com) if you'd like to join the monitor ranks.

**Include the Conservancy in your estate plans.** When you include TC in your estate plans, you can help secure the future of Tinicum's natural resources and rural character. Thoughtful planning today can extend your impact beyond your lifetime. Our mission is forever; your legacy can be too. Contact Executive Director Jim Engel at [tinicumconserv@epix.net](mailto:tinicumconserv@epix.net) or 610-294-1077, to discuss estate planning.

**Conserve your property.** Preserving your land is a profound way to contribute to our community. Contact Executive Director Jim Engel at [tinicumconserv@epix.net](mailto:tinicumconserv@epix.net) or 610-294-1077, to discuss a conservation easement.

