



UPPER PENINSULA LAND CONSERVANCY

Policy 12B: Develop a written Land Management Plan for fee title properties

*Standard 12B, 2017 Land Trust Alliance Standards and Practices;
2021 Accreditation Requirements Manual*

Board Approved: May 10th, 2022

Board Revision Approved: DATE, WHEN APPLICABLE

PURPOSE

The purpose of this policy is to establish guidelines for creating a management plan and providing perpetual stewardship for each property that the Upper Peninsula Land Conservancy (UPLC) owns *in fee*.

This policy outlines requirements for accompanying procedures so they align with *Land Trust Alliance Standards: Ethical and Technical Guidelines for the Responsible Operation of a Land Trust*:

12.B. Land Management and Stewardship

1. Develop a written land management plan for each conservation property within 12 months after acquiring the land to:

a. Identify the property's conservation values, including any significant cultural and natural features or those that have significant community value

b. Identify the overall management goals for the property

c. Identify activities to achieve the goals and to reduce any risks or threats to the conservation values

d. Specify the uses that are appropriate for the property, in keeping with the property's conservation values, any restrictions and donor or funder requirements

i. Provide public access opportunities as appropriate to the

property and the land trust's mission



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2. *Manage each conservation property in accordance with its management plan, and review and update the plan as necessary*
3. *Perform administrative duties (such as paying insurance, filing required forms, keeping records) in a timely and responsible manner*
4. *Maintain the property in a manner that retains the land trust's public credibility, manages community expectations and minimizes risk*

INTRODUCTION

UPLC's mission is to "promote healthy ecosystems and communities by providing permanent legal protection and ecological management of conservation lands and by engaging the public in the protection and enjoyment of these lands". Legal protection includes owning and managing Conservation Preserves and Conservation Reserves. This policy addresses Conservation Preserves and Conservation Reserves owned *in fee* by UPLC, but it does not include Conservation Easements held for property owned by others. Policies related to CE's can be found in Standard 11.

"UPLC envisions a future where residents and visitors enjoy clean waters, abundant wildlife, inspiring scenery, working lands, and a thriving economy. We see a future where our community values and supports UPLC as a vital institution that protects and contributes to the quality of life in Michigan's Upper Peninsula. We will be an integral link between a healthy ecosystem and a healthy community as we prepare the land for changes such as those due to global climate change and shifting demographics. The U.P. Land Conservancy will prepare for and meet these changes with a broad base of support and the financial independence to fulfill the commitments we have made"

(UPLC's Vision Statement).

Having a written management plan for each property owned *in fee* contributes to the perpetual aspect of land protection. It serves as a long-term guide for the Board and Staff in the management of identified resources and remains steadfast in the face of changing members and staff. The content and objectives of a management plan will vary based on the characteristics of the property and goals of the property in reflection of UPLC's strategic plan. The plan should define conservation and cultural resources that require monitoring and management, and identify gaps in knowledge of the land with outlined actions to gather more information and update the plan to reflect the results of these efforts



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DEFINITIONS

CFA (Commercial Forest Act): The term is used in this document to describe land enrolled in the state’s mDNR Commercial Forest program that allows for timber harvest and provides public access, accompanied by a significant reduction in property taxes under the jurisdiction of the Commercial Forest Act (see CFA Reference below).

BOD: acronym for Board of Directors of UPLC. The term is used in this document to refer to review and approval of management plans.

In fee: the land and property owned by the deed holder but not land held in trust for a tribe. Also known as “fee simple”. The term is used in this policy to describe land in which UPLC holds the deed.

GIS: an acronym for Geographic Information System. The acronym is used in this policy to describe a digital map with various layers of information, such as elevation, rivers, vegetation types, roads, boundary lines, etc.

MCL: an acronym referring to Michigan Common Law. The term is used in the document as a citation for Michigan’s Commercial Forest Act.

REFERENCES

Please refer to the accompanying Procedure, Procedure 12B: Fee Land Stewardship - Land Management and Stewardship, for guidelines regarding execution of this policy.

CFA: Michigan Common Law Act 451, Part 324.511 of 1994. Used in this document in Section 14.A. For lands owned *in fee* to be maintained as Conservation Reserves the management plan will also include.

Land Trust Alliance Standards: Ethical and Technical Guidelines for the Responsible Operation of a Land Trust, 12.B. Land Management and Stewardship: <https://tlc.lta.org/>
Used in this document in the *Purpose* section.

UPLC’s Mission and Vision Statements:

<https://www.uplandconservancy.org/mission-vision-values>

Used in the Introduction to this policy to provide context for the necessity and intended use or interpretation of the policy.



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POLICY

Summary:

It is the policy of UPLC to prepare a management plan and provide perpetual stewardship for each property it owns *in fee*. Management plans are *not* required for privately owned properties on which UPLC holds a Conservation Easement.

Prepare and follow management plan

The management plan for each property owned in fee, either a Conservation Reserve or a Conservation Preserve, shall be prepared by a qualified entity, which could include an appropriate staff member, the Stewardship Committee, a consultant, a graduate student (as a thesis), a university class, public agency (*e.g.*, Natural Resources Conservation Service), a volunteer with appropriate experience, or a combination of these. Each management plan shall be reviewed and approved by the Stewardship Committee and presented to the Board of Directors (BOD) for its review and approval by a simple majority vote within twelve (12) months of acquiring the property. It shall be prepared and approved before trails or other changes to the land are acted on.

Each management plan should include, but is not necessarily limited to:

1. Conservation values
2. Community & cultural values
3. Ownership intention of UPLC — retain, sell, exchange, etc.
4. Acquisition history of the property
5. Programmatic goals
6. Permitted uses
7. Prohibited uses
8. Expected Operating expenses
9. Current conditions report including description of natural and cultural resources, as well as photos, *i.e.*, baseline at time Conservation Preserve was established. (see Policy 8E and Document 8E Initial Site Inspection)
10. Maps
 - a. Location map including labeled features such as county name, township name, roads, bridges, trails, and all easements,
 - b. GIS satellite map,
 - c. Plat map identifying surrounding ownership.



- d. Other maps illustrating soils, topography, satellite photos, habitat types, and/or management units.
11. Identified threats and risks to the property's conservation values (*e.g.*, evidence of semi-permanent trespassing)
12. Easement(s) documentation, if applicable
13. Appendices: deed, title insurance, Land Transfer Agreement.
14. Date the management plan is approved by the BOD

A. For lands owned *in fee* to be maintained as Conservation Preserves the management plan will also include:

- Statement of public benefit (see UPLC Policy 8D and Document 8D Public Benefits)
- Management goals for the property: broad values to be promoted by management
- Management objectives for the property: observable outcomes of management
- Management prescriptions for the property: specific practices to achieve the objectives
- A review of management plan when a change in conditions indicates a need, or every 10 years at minimum.

B. For lands owned *in fee* as Conservation Reserves the management plan will also include:

- If the Reserve is managed under CFA, the property, by definition, is open to the public, including hunting and fishing, providing a public benefit, and therefore serves in lieu of a public benefit statement. Reserves not managed under CFA shall include a public benefit statement.
- Forest management plan for the property: values to be promoted by managing tree harvest, including objectives (observable outcomes) and specific practices to achieve the objectives.
- A review of management plan after harvest, when a change in conditions indicates a need, or every 10 years at minimum.

Updates to a management plan

A management plan will be revisited if:



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1. The Conservancy acquires additional nearby and/or adjoining, parcels,
2. The plan becomes outdated,
3. Or the plan no longer reflects the natural and/or cultural conditions after natural or human-caused occurrences.

Identifying the need for an updated plan shall be the responsibility of the Land Program Manager. The plan may be revised by any of the parties listed in the preparation of the original management plan. The updated plan shall be reviewed and approved by the Stewardship Committee, which shall bring it to the BOD for review and approval by a simple majority. An updated management plan will be identified as such, including the date the updated plan is approved by the BOD.

Perform Administrative duties

UPLC shall protect its lands by assigning staff or a contracted bookkeeper to perform administrative tasks such as paying insurance, filing required forms, and keeping records in a timely and responsible manner.

The Treasurer shall set aside funds in the Legal Defense Fund for possible legal defense, as calculated in the property's Stewardship Calculator when a property is acquired.

Maintain the property

UPLC shall maintain the property in a manner that retains its public credibility, manages community expectations, and minimizes risk. The Lands Program Manager shall be responsible for maintaining the property in consultation with the Stewardship Committee and in accordance with the approved management plan. The property shall be monitored in accordance with UPLC Policy 11 Conservation Property Monitoring. Serious human violations of the property's conditions identified in its management plan may be brought before the BOD, especially if legal defense is needed or if reparation costs will be required of the violator.



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REVISIONS TO THIS POLICY

This policy should be reviewed by the Stewardship Committee on an annual basis. Any amendments must be approved by vote of the Board of Directors (BOD) and will require a simple majority to be changed.

This policy may be amended or repealed, and new related policies may be adopted, from time to time by the BOD of UPLC, except that no change in the policies will affect obligations accepted by UPLC for funds or properties donated prior to the change, unless such change is approved in writing by the donor or donors of such properties, interests, or funds.

The Board may make reasonable exceptions to the policy in particular cases by BOD vote with simple majority, and will document the reasons accordingly in the minutes of the meeting where the decision was made and copies will be placed within the appropriate files in accordance with Recordkeeping policies.