

PART 1: PRE-APPLICATION QUESTIONNAIRE

Instructions for completing this form can be found at www.landtrustaccreditation.org.

Please provide the following information for the organization seeking accreditation.

1. Organization Name and Contact Information

- A. Organization Name: Tri-Valley Conservancy (TVC)
Any "doing business as" (dba) or alternative name used by the organization: No
Organization Website: [http:// www.trivalleyconservancy.org](http://www.trivalleyconservancy.org)
Name of Board Chair (or equivalent position): James Perry
Official Title: Chair
Name of Executive Director (or equivalent position, if applicable): Sharon Burnham
Official Title: Executive Director
Accreditation Primary Contact Name: Sharon Burnham
Official Title: Executive Director
Address of Primary Contact: 1736 Holmes Street, Livermore, CA 94550
Phone: 925 449-8706
Fax: 925 449-8709
Email: sburnham@trivalleyconservancy.org

- B. Does your organization have an office? yes no
If the office address is different from that of the primary contact, please note it here.

- C. Does your organization have more than one office where organizational correspondence is regularly received? yes no
If yes, please include the alternate address or addresses here:
(Please note: if your organization has offices or locations with the authority to make autonomous decisions that bind the organization, the Commission may ask for additional information to verify that the central organization's policies are consistently implemented across the entire organization in all locations.)

2. Related Organizations

Does your organization have more than one corporation, governing authority or related entity that is legally-linked to it (i.e. a supporting organization or other for-profit or nonprofit entities that are directly tied to your organization)?

- yes (answer A and B below) no (skip to 3)

A. Name of other entity or entities:

B. Please provide a brief description of your organization's relationship with the other entity or entities.

(Please note: if your organization works with multiple corporate structures, the Commission may ask for additional information to clarify the role of each of the

organizations in the implementation of the indicator practices. If an organization operates with multiple corporate structures that could all be granted the right to use the accreditation seal, additional fees may apply. Please call the Commission office if you have questions.)

3. Organization Description

Please provide a brief (1 or 2 paragraph) description of your organization. Tri-Valley Conservancy's goal is to protect agriculture, plant and animal habitat, and scenic lands, while promoting opportunities for public recreation and wildlife protection throughout the Tri-Valley. Our goals include establishing new regional trails and wildlife corridors as we support the viability of agriculture in the area. Our longterm vision is for both human life and wildlife to survive and thrive in the lands we steward.

Most of the easements TVC holds have been a result of the South Livermore Valley Area Plan (SLVAP) mitigation program put in place in 1993. The South Livermore Valley Agricultural Land Trust, whose origins grew out of the Plan, expanded its geographic area and changed its name to Tri-Valley Conservancy(TVC) in 2003 to reflect the expansion. TVC, with a broader geographic area, has begun to Implement a Land conservation plan, a fundraising plan, and the extension of its vision beyond its original scope. At this time TVC has not purchased or received any land/easements outside of the SLVAP.

TVC has just completed a Resource Conservation Plan for the North Livermore Area. The Conservancy is very excited about sharing this plan with our partners.

4. Protected Land

Please provide us with a brief overview of your organization's land conservation activities.

(Please note: a complete list of conservation projects is required as part of this pre-application.)

- Number of conservation easements held: 57 as of 4/8/08 (m/d/yy)
- Number of acres protected with conservation easements held by your organization: 4159
- Number of fee properties now held: None as of (m/d/yy)
- Number of acres owned in fee by your organization: None
- Number of conservation easements and/or fee properties once held by your organization and transferred to another organization or agency: None
- Number of acres protected with conservation easements and/or in fee properties once held by your organization and transferred to another organization or agency: None
- Number of acres protected by your organization in other ways (such as facilitating a transaction, raising funds or helping to bring a project to closing): None



If your organization has not completed at least two direct land or easement acquisition projects, your organization is not eligible to apply for accreditation at this time.

5. Demographics

- A. What is the area principally served by your organization? Check one (make any additional notes below):

Town

- Multi-town
- Greater metropolitan area
- County
- Multi-county
- State
- Regional (more than one state, but not national)
- National
- International
- Other (specify):

B. Please describe the demographics of the geographic area where your organization is located (i.e. population size; urban, rural or suburban; primary uses of working lands; etc.). Population is almost 250,000 residents. Area is Suburban and Viticulture and ranching are the primary uses of the working lands.

6. Board of Directors *(related to practices 3B and 3C)*

Please provide the following information for your organization's board of directors.

A. Number of board seats: 12

B. Number of board seats filled: 10

C. Number of board meetings per year: 6

D. Please provide a list of current board members: James Perry, Chair
H.R. "Rik" Hansen, Vice-Chair
Karl Wente, Secretary
Jean King, Treasurer
Mark Eaton
Kathy Farrell
Miriam Miller
Michael Princevalle
Mary Roberts
William D. Thomson

7. Staff and Volunteers *(related to practice 7A)*

Please provide the following information for your organization's staff and volunteers.

A. Number of active volunteers, not including board members: 30

B. Number of full-time staff: 3

C. Number of part-time staff: 1

D. Number of years the executive director has been with the organization (if applicable): 6

E. You are welcome to include here any additional notes about your organization's personnel capacity that might be relevant (such as regular use of interns, consultants, etc.). In 2006 TVC hired a consultant to help design our land conservaton plan. In 2007 TVC retained a fundraising consultant to establish a fundraising plan for both land and operating expenses. We have also hired outside firms to do Resource Conservation Plans for the priority areas we are concerned with.

8. Members/Financial Supporters

A. Approximately how many members/financial supporters does your organization have?
 155

B. Please provide us with a short explanation of how you define "members/financial supporters" (such as whether they are voting members, whether families are included as a single member, whether you have included foundations, etc.). Members are not voting members of the Conservancy. Families are included as a single member. We include foundations in our members/financial supporters list if the foundation's donation is for operating funds.

9. Financial Overview (related to practices 2A, 2C, 5A, and 6A)

A. What is your organization's fiscal year? January 1 - December 31

B. What is your operating budget for the current fiscal year? \$664,600

10. Reserve and/or Dedicated Funds (related to practices 6A, 11A, and 12A)

If your organization maintains reserves, dedicated funds or endowments for the purposes listed below, please indicate the approximate amount in each fund. In the Fund Type box indicate the date of the data. In the Purpose column, please briefly describe the purpose of the fund and indicate if there are any limitations on the uses of principal and/or interest from the fund. Any additional notes about the fund may also be made in this column. In the Restrictions column, please note the type of fund (endowment, permanently restricted, temporarily restricted or unrestricted).

| Fund Type as of m/d/yy 6/30/08 | Amount | Purpose | Restrictions |
|--------------------------------|-------------|---|----------------------|
| Operating reserve | \$ | | Select One |
| Operating 'endowment' | \$ | | Select One |
| Land acquisition | \$6,027,677 | To purchase land in fee or conservation easements located within the South Livermore Valley Area Plan and to cover administration costs | Permantly Restricted |
| Conservation easement | \$ | | Select One |

| | | | |
|---|-------------|---|--------------|
| monitoring and stewardship (if combined with defense, skip to *) | | | |
| Conservation easement legal defense (if combined with monitoring and stewardship, skip to *) | \$ | | Select One |
| Fee land management and stewardship (if combined with easement monitoring and stewardship, skip to *) | \$ | | Select One |
| * Combined monitoring, stewardship and legal defense fund | \$6,361,285 | Limited to use within the South Livermore Valley Area Plan for stewardship and administration of Plan | Endowment |
| Other, please describe These funds are invested with the Land acquisition funds above. Twice a year we generate a report showing the breakdown for SLVAP and TVC restricted/unrestricted funds. | \$1,487,795 | For working outside of the South Livermore Valley Area Plan | Unrestricted |

11. Adoption of Land Trust Standards and Practices

When did your board adopt the 2004 edition of *Land Trust Standards and Practices*?
 7/13/06 (m/d/yy)



If your organization has not adopted the 2004 edition of *Land Trust Standards and Practices*, your organization is not eligible to apply for accreditation at this time.

12. Assessment against *Land Trust Standards and Practices*

A. When did your organization finish its last self-assessment against the full *Land Trust Standards and Practices*? 6/19/08 (m/d/yy)

B. Did your organization use the Land Trust Alliance's *Assessing Your Organization* booklet? yes no

If no, please describe the assessment tool used and explain how it covered all of the practices from *Land Trust Standards and Practices*.

C. Please describe who was involved in the assessment, how it was completed, what the major findings were and what actions, if any, were taken as a result. First assesment was completed in 2005. At that time the Board felt TVC was complying with almost all of the Standards & Practices. For 2008 review two staff members and

three board members were involved. See attached document for results. Full board approved assesement at June 19, 2008 meeting.



If your organization has not completed an assessment against the full Land Trust Standards and Practices within three years prior to your application due date, your organization is not eligible to apply for accreditation at this time.

13. Incorporation and Tax-exemption (related to practices 2A, 2B, and 2C)

- A. What year was your organization incorporated? 1994
- B. Is your organization recognized as a federal tax-exempt organization under section 501(c)(3) of the Internal Revenue Code? yes no



If your organization was not incorporated at least two years prior to the date your complete application is due and is not recognized under section 501(c)(3) of the Internal Revenue Code, your organization is not eligible to apply for accreditation at this time.

14. Dates of Policy Adoption

Several of the accreditation indicator practices require written policies. Please indicate the date that your board adopted each of the following (m/d/yy).

- 3F. Delegation of Transaction Approval Policy or not applicable
- 4A. Conflict of Interest Policy 9-11-03
- 6F. Investment Policy August 2002 Revised 12/13/07
- 9G. Records Policy pursuant to practice 2D 6/19/08
- 11E. Conservation Easement Enforcement Policy 6/19/08
- 11I. Conservation Easement Amendment Policy 8-14-03 Revised 3-8-07

15. Professional Memberships

- A. Is your organization a current Land Trust Alliance Member? yes no
- B. Is your organization a member of a statewide or regional land trust network or council?
 yes no

If yes, please let us know which one(s): California Council of Land Trusts and Bay Area Open Space Council.

16. Conflicts of Interest – Review Team Assignments

Do you believe your organization has a real or perceived conflict of interest (*positive or negative*) with any member of the Commission and/or Commission staff (*see the Commission's website for a list of current commissioners and staff*)? yes no

If yes, please list the names of those individuals below with a brief description of the nature of the conflict. (*This information will be used to assign appropriate members of the Commission and staff to the team that will review your application.*) Marc Smiley has been our consultant for the past five years for strategic planning. Ann Schwing is a member of the law firm we have used to put together our personnel policy. Although I doubt there

would be any problems we would rather err on the side of conservatism with regards to any possible conflict of interest.

17. *Applicant Handbook*

Have you read the Land Trust Accreditation Commission's *Applicant Handbook*?

yes no

If not, we strongly recommend that you read the *Applicant Handbook*. It, along with other important applicant information, is available on the Commission's website www.landtrustaccreditation.org.

18. Accreditation Team

Please list the members of the team working on your application – include the individuals' names and their positions (i.e. board member, staff, volunteer, consultant, intern, etc.). Jim Perry, Board Chair - Mark Eaton, Board member - Rik Hansen, Board Vice-Chair - Mary Roberts, Board member and Laura Mercier, staff Associate Director.

ACCREDITATION AGREEMENT

Approved for signature at June 19, 2008 Board Meeting

Accreditation Agreement

The Tri-Valley Conservancy
hereby requests that the Land Trust Accreditation Commission review the enclosed application for accreditation and related material and determine if our organization meets the accreditation indicator practices and program requirements necessary to be awarded accreditation.

1. Attestations

I certify that I have read this application and reviewed the attachments and attest that the material provided in this application is an accurate reflection of our organization's policies and operations. I further certify that, to the best of my knowledge, our organization is in compliance with all relevant local, state and federal laws and regulations as is required by accreditation indicator practice 2A.

2. General Agreements

By signing this agreement, our organization agrees to the following

- To pay all fees required by the accreditation program with the understanding that fees are due regardless of the outcome of the final decision on accreditation and that all fees are nonrefundable.
- To provide any additional information or documents requested by the Commission as part of the review of this application.
- To consent to a site visit by the Commission if our organization is selected for such a visit.
- To fairly represent our status as an applicant for accreditation until a decision on this application is made by the Commission.
- To grant the Commission the permission to use our organization's name in the Commission's print and electronic publications to indicate its status as an applicant for accreditation and to publish final decisions made on our application.
- To refrain from lobbying commissioners and Commission staff on behalf of our organization's application for accreditation and from providing gifts of any kind to Commission representatives.
- To understand that the term of accreditation is five years.

3. Accreditation Agreements

If accreditation is granted, our organization agrees to abide by the following conditions for maintaining accreditation as well as those identified in the March 2008 edition of the *Applicant Handbook* or any successor edition thereof.

- To comply with the accreditation indicator practices and program requirements that were in place at the time accreditation is granted, to accept the responsibility of demonstrating compliance at all times and to uphold the credibility of the accreditation program.
- To notify the Commission in writing of major changes in our structure or operation that could potentially affect our organization's intent and ability to comply with the accreditation indicator practices or program requirements, including those changes specified in the *Applicant Handbook*.
- To use *Land Trust Standards and Practices* as a guide for our organization, to be aware of any changes to them, to stay current in the field of land conservation and to continually learn and refine our programs to implement *Land Trust Standards and Practices*.
- To provide the Commission with information, upon request, regarding our organization's compliance with the accreditation indicator practices and program requirements.
- To abide by any Commission action or decision regarding our accredited status, including probation or revocation of our accredited status if we are no longer in compliance with the accreditation indicator practices or program requirements, provided that such action follows policies and procedures published by the Commission.
- To use the accreditation seal and the Commission's logo and trademarks only as permitted by the Commission and to execute a License Agreement as an addendum to this Agreement with respect to the use of the seal and representation of our accredited status.

4. Additional Terms

In addition to the forgoing, our organization agrees to the following.

- To defend and indemnify the Commission, its commissioners, employees and agents against all claims, liabilities, damages and expenses (including, but not limited to, reasonable attorney's fees) which may relate to this Accreditation Agreement or to our organization's participation in the land trust accreditation program, including (but not limited to) the Commission's findings and decisions regarding the accreditation status of our organization, publication of the accreditation status of our organization, or any other action based on our organization's participation in the accreditation program or accreditation status.
- To hereby waive all claims against the Commission, its commissioners, employees and agents and assume full responsibility for all expenses which our organization may incur as a result of this Agreement and/or our organization's participation in the accreditation program, including (but not limited to) those specific matters listed above. However, our organization understands that the obligations and waiver listed above do not extend to claims, liabilities, damages and expenses arising out of gross negligence or willful misconduct of the Commission.
- That the obligations and waiver listed above continue in effect beyond the end of this Agreement.

- That this Agreement shall be governed exclusively and construed in accordance with the laws of the District of Columbia and, in the event that my organization wishes to take legal action against the Commission, to file such action in the District of Columbia.

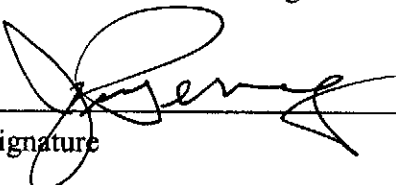
5. Land Trust Accreditation Commission Agreements

Upon receipt of this signed Agreement, our organization understands that the Commission agrees to the following.

- To follow its stated policies and procedures.
- To adhere to all confidentiality policies, keep all material submitted by our organization as part of the accreditation program confidential and to not disclose it to any third party without our organization's written consent or as required by court order or state and/or federal law.

This Accreditation Agreement shall be effective from the date of our organization's signature below through one year after the date of the expiration of the term of accreditation granted to us, or through one year after the date of a final decision by the Commission to deny accreditation or take disciplinary action.

The individual signing below represents that he/she is authorized by our organization to enter into this Accreditation Agreement on its behalf.

| | | |
|--|------------------------|-----------|
|  | Board Chair | 6/19/2008 |
| Signature | Title | Date |
| James Perry | Tri-Valley Conservancy | |
| Printed Name of Signatory | Name of Organization | |

BOARD RESOLUTION

Accreditation Application Board Resolution # 08-06-19-1

Board Resolution

Whereas the board of directors of Tri-Valley Conservancy
supports this application for accreditation by the Land Trust Accreditation Commission; and,

Whereas Tri-Valley Conservancy
understands that by applying for accreditation it joins land conservation organizations around
the country that are united by strong ethical practices and a commitment to sound transactions
and the stewardship of land and conservation easements; and,

Whereas Tri-Valley Conservancy
understands that as a member of the accredited land trust community it would be responsible for
helping to maintain the credibility of the accreditation program;

Now, therefore be it resolved by the board of directors of Tri-Valley Conservancy :

THAT, we attest that the information provided in the application for accreditation is an
accurate reflection of our organization's policies.

THAT, we agree to uphold high standards of ethics in implementing our mission and in
our governance and operations, as required by accreditation indicator practice 1D.

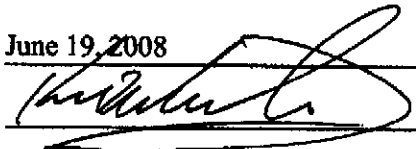
THAT, we agree that as a matter of policy our organization will continue to implement
the accreditation indicator practices from *Land Trust Standards and Practices* as long as
we are accredited. And, if our organization is accredited and takes on activities beyond
those described in this application, we agree as a matter of policy to follow all
accreditation indicator practices that govern those activities.

THAT, we agree to abide by the terms of the Accreditation Agreement signed by our
organization and all other published accreditation program requirements.

THAT, we agree that if accredited we will do our best to ensure that the actions of our
organization help to maintain the credibility of the accreditation program.

June 19, 2008

date adopted



signature and title of Secretary or Clerk

Karl D. Wentz, Board Secretary

printed name of signatory