

PARTNERSHIP REPORT

MAY 14, 2014

4. FOCUS AREA Northern Taconics: Equinox (VT) to Eastern New York

a. STRATEGY # 1: Produce 2 interstate estate planning workshops for family forest owners in the Equinox (Vt.) to Eastern NY Focus Area.

b. LANDOWNER GROUP TARGETED Woodland Retreat and Working the Land.

c. DESIRED OUTCOMES FROM STRATEGY Attendance by family forest owners at a free, one-hour consultation with an estate planning attorney. Writing of wills that include conservation goals to promote forestland conservation, sustainable forestry practices, and prevent land fragmentation. Attendees meet with a professional forester and consider enrolling in current use forestry programs, or placing a conservation easements on major forested parcels of land..

d. MESSAGES (and how this ties to your target audience) “Do you love your land? And value your woods?” This message was chosen to appeal to Woodland Retreat owners (with the use of “love”) and Working the Land owners (with the use of “value”). An image on the postcard showed a young father holding his toddler’s hand while on a walk in the woods. The image was chosen to reinforce the intergenerational transfer theme central to the estate planning process. It was also chosen for its emotional appeal with Woodland Retreat owners in mind.

e. MATERIALS AND CHANNELS USED (DISCUSS WHICH CHANNELS AND MATERIALS WERE USED AND WHY, REFERRING TO THE TELE WORKSHOP A direct mail approach using postcards was chosen. Post cards were sent to owners of 75 acres or more in the eight towns of the Equinox (Vt.) to Eastern New York Focus Area. To add a personal touch and to draw the receiver’s attention, each postcard was addressed by hand. A decision was made not to put announcements of the events in local media or flyers in public places in the targeted communities, because the purpose of this experiment was to specifically target forestland owners who own more than 75 acres. However, a general email announcement was sent out by VLT and ASA to their memberships, with the assumption that these land trusts would have a good percentage of large-lot Woodland Retreat and Working the Land landowner types.

f. TIMELINE AND BUDGET

Early August, 2013: The GIS mapping and mailing lists were completed by VLT and ASA.

Mid-August: Post card invitations were mailed out.

September 15, 2013: The Vt. estate planning workshop was held at the Merck Forest and Farmland Center in Rupert, Vermont.

September 22, 2013: the NY. estate planning workshop was held at the Georgi Museum in Shushan (Salem), New York.

Late February and early March. 2014: Follow-up calls were made to attendees

Early April, 2014: A personalized email reminder was sent to attendees to let them know the deadline for the free attorney consultation would be April 30.

Mid- May, 2014: Final report preparation.

BUDGET

	2012	2013	2014	Totals
Subcontractor time total cost K.McQuerrey (\$65/hr)	\$1,070	\$2,470	\$585	\$4,125
Direct Expenses (including materials, food, rental space, other)				
GIS staff time for map-----\$1,300 C. Kraehling (\$75/hr)	\$1,300			\$1,300
Venue, food & presenters for two Estate Planning workshops for forest owners -----\$2,000		\$2,000		
Attorney Consultations-----\$3,000 (20 landowners, \$150/hr)		\$3,000		\$2,000
Outreach post cards and mailings -----\$1,000		\$1,000		\$3,000
40 copies of More Than a Woodlot		\$300		\$1,000
Travel miles (@ \$.55/mi x 608 mi)	\$200	\$100	\$30	\$330
Total Costs	\$2,570	\$8,770	\$615	\$12,055

g. SUMMARY OF WHAT HAPPENED GIS maps and mailing lists were produced that identified the owners of 75 acres or more land in the towns of White Creek, Salem and Jackson, in New York state, and Rupert, Dorset, Manchester, Arlington and Sandgate in Vermont. Hand-addressed postcards were sent to each one of the targeted landowners.

The Estate Planning Workshops were held at comfortable, informal venues, including the Georgi Museum in the hamlet of Shushan in the Town of Salem, New York and Merck Forest and Farmland Center located in Rupert, Vermont. Refreshments were served. In addition to the estate planning attorney, there was a representative present from the local land trust who gave an overview of conservation easements and the role of the local land trust.. While the relevant county and state

foresters were invited to be presenters, they declined. (Refer to “h. Challenges and Solutions/ Adaptations”.) Each estate planning workshop began with the estate planning attorney giving an overview of estate planning, why it’s important for families to have an estate plan, some important factors to consider when crafting an estate plan, etc. Discussion then followed involving questions for the attorney and other presenters.

Attendees were predominantly Working the Land landowners in both workshops. There were many questions in the Vermont session regarding the current use program, most asked by members of one family who have a forest management plan prepared by a professional forester and are considering enrolling in Vermont’s current use program. This family also met with the estate planning attorney for their free one-hour consultation. The family includes a grown daughter, who attended the workshop with her parents. The children in the other family who attended the Vermont session were middle school age and younger. In the follow-up contact, this family indicated that they were not ready to move forward with an estate plan or enroll their land in current use as part of an estate plan.

Most of the attendees at the New York workshop were farmers or others Working the Land. Unlike the Vermont workshop, the attendees at the New York session were all individuals. While there were some questions regarding New York’s current use program, most of the time was spent on estate planning questions. The topic of including conservation goals in a will was also discussed. Four of the attendees subsequently indicated they planned to specify their wishes for their land in their wills, two attendees indicated they would write wills including conservation language, not having one.

Numerous free handouts were available to the attendees of both workshops, including the book, More than a Woodlot, the UMass publication, “Your Land, Your Legacy”, pamphlets from the Vermont Land Trust and Agricultural Stewardship Association (the local land trusts in the area), and brochures regarding the relevant state’s current use program.

Overall, the landowners who were already involved in estate planning and planning for their land were the ones who moved forward in the process. From the feedback provided at the sessions, most of the attendees indicated that they “had a lot to think about” as a consequence of attending the estate planning workshop.

h. CHALLENGES AND SOLUTIONS/ ADAPTATIONS

~ ASA and VLT were unable to produce GIS maps that were compatible with CLC’s GIS program and data base, thus, producing the “large” Taconics region map was not technically feasible.. This GIS incompatibility also applies to the GIS programs and data bases used by VLT and ASA; Producing one map of the Equinox, Vt./Eastern New York Focus Area was not technically feasible.

~ There was difficulty identifying potential peer group leaders within the Northern Focus Area. It was decided to forego this approach out of concern that people would perceive peer group leaders as meddling in their neighbors’ private business, which is anathema in the area’s small towns.

~ The regional culture is one of rugged individualism on the New York side and privilege on the Vermont side. Both populations highly value their privacy. (For example, roughly one third of

the landowners who attended the workshops requested limited communication during the follow-up period: One landowner indicated that he did not wish to be contacted at all following the workshop. Two individuals limited contact to email, and one wanted to be contacted only by telephone.) Out of respect, communication with the targeted landowners was therefore limited. Consistent with this low-key approach, a decision was made not to contact the targeted landowners by telephone in order to get them to the workshops. Both ASA and VLT are low-key land trusts, and this less aggressive approach seemed more appropriate given the targeted groups' high regard for privacy..

~ Lack of coordination with other organizations promoting estate planning caused redundancy, especially on the Vermont side of the border. It was discovered that the Bennington County Conservation District Manager had been holding estate planning workshops over an eighteen-month period that coincided with the Vermont workshop held in September, 2013. We believe a saturation point was reached that contributed to the light attendance at the estate planning workshop held on the Vermont side of the border.

~ The suggested acreage threshold of 25 acres is a common lot size in the Northern Focus Area. A threshold of 75 acres was therefore used to identify major landowners.

~ Some of the challenges raised in the workshops were very real threats but somewhat beyond the purview of the workshops. A particular example is the disconnect between the State government entities who decide on the number of deer hunting permits issued in a given area and the government foresters who track the impacts on forest resources by deer herds. For example, the forest understory in the three New York towns (White Creek, Jackson and Salem) has been stripped by deer, with the results that new forest growth is hindered and habitat for other species has been lost. Reducing the deer herd in this area is necessary to restore balance in the forest ecosystem and ensure forest regeneration. The management of the deer population could be a possible lead topic for future woods forum-type events since their negative impact on forest resources is so broad.

~ The Woods Forum and Promoting Silverculture with Birds in Mind strategies may have attracted more of the Woodland Retreat landowners than the estate planning workshops. Most of the landowners on the Vermont side of the border are wealthy and most probably already have estate plans in place, which may partially explain the light attendance at the Vermont estate planning workshop.

~ Neither the Bennington County forester or the NYDEC forester were available for the two workshops. Fortunately, the estate planning attorney was familiar with Vermont's current use program. A major forest landowner (who is also a professional forester) from the Town of White Creek, who already has his land enrolled in New York's current use program, (and a recipient of the postcard invitation), was called and asked to attend the New York session to address the questions raised by other attendees regarding current use. His experience with the program gave attendees the perspective from a landowner's point of view, which was invaluable.

i. ACTUAL OUTCOMES:

BY THE NUMBERS (SEE FORM B) – WHAT WERE THEY AND WHAT DO THEY SAY

- 1) That the personalized, (hand-addressed), direct mail approach seemed ineffective when considering the small number of respondents/attendees at the workshops;
- 2) The topic of estate planning is a difficult sell because it compels people to confront their mortality ;

3)The estate planning workshops were not as appealing as a Woods Forum or Silverculture for the Birds workshop would be, especially to Woodland Retreat landowners;

4)The estate planning workshop appealed to the pragmatism of Working the Land landowners, but perhaps lacked the emotional appeal that might have attracted Woodland Retreat landowners.

MEDIA AND PRODUCTS (POST CARDS, FLYERS, LETTERS USED) **See attached postcard**
EVENT PRESS COVERAGE **NA**

j. LESSONS The offer of a free one-hour private consultation with an estate planning attorney was not broadly appealing. Also, be prepared for current use program questions if the pragmatic Working the Land landowners are the targeted group.

k. BENEFITS Most of the attendees indicated that the information provided at the workshops was thought-provoking and mostly useful. Their comments indicated that they had a lot of questions they and their families needed to discuss before proceeding. It should be noted that attendees at both workshops demonstrated their serious intent to address estate planning, because they chose to spend two hours indoors discussing estate planning issues instead of being outside on two of the most beautiful, mild, sunny days of the fall. While most of the attendees have not yet gone forward, it is thought that they will eventually put estate plans in place and add conservation language to their wills.

I. RECOMMENDATIONS

Most of the conversation in the Vermont estate planning workshop focused on current use. There was also some discussion of current use in the NY workshop. Most of that conversation centered on the penalties for taking land out of current use. The observation was made that the draconian penalties have the unintended consequence of discouraging landowners from enrolling in current use, particularly in New York.

Recommendation #1: New York government regulators should consider amending and relaxing the regulations regarding the penalties for taking land out of current use.

Recommendation #2: A state or county forester should be a presenter for the current use program if more estate planning workshops are held.

Recommendation #3: It is recommended that a landowner who has his or her land enrolled in a current use program be present at any estate planning workshops in the future to provide the landowner's perspective.

Some of the discussion in the New York workshop focused on the importance of clearly expressing conservation goals in a will; that doing so overrides the executor's fiduciary obligation to "maximize the value of the estate", which often means aggressively logging off a property and then subdividing it for eventual development. (This is the land use pattern for much of the New York towns in the Focus Area. Incorporating conservation goals in wills may help limit these destructive practices.) Unlike current use programs or conservation easements, wills are relatively quick and simple to develop at relatively low cost, and importantly, they can be easily changed to suit a family's evolving needs. This is probably the cheapest and easiest conservation option for most families and should be promoted.

Recommendation #4: Due to its practical value for conservation purposes, the topic of wills, including the fiduciary responsibilities of the executor, should be included in future estate planning workshops.

The UMass publication, “Your Land, Your Legacy” is a terrific primer on the topic of estate planning. It is written in “plain language” and informs landowners of their range of options. It also includes specific case studies of how families have used these options to address their family’s needs and interests. The publication also contains information on the various Massachusetts programs from which landowners can benefit

Recommendation #5: Vermont and New York should develop publications equivalent to the UMASS publication that include a description of state-specific programs along with local case studies of how families have implemented their conservation options.

One of the problems encountered early on in the GIS mapping process was the technical incompatibility of the GIS programs and databases used by each of the land trusts working on this large-scale project. Consequently, It was not possible to piece together a map of the entire Taconics Focus Area. It was also not possible to show the two-state Northern Focus Area on one map. It is therefore difficult to ignore the state border and conceptualize the regional landscape as a whole.

Recommendation #6: Systematize the sharing of GIS data so that data can be shared across state and county borders and between organizations.

FORM B

Form B #1

FOCUS AREA : Equinox (Vt.) to Eastern NY

NY Towns: White Creek, Jackson, and Salem (Washington County)

OUTCOMES BY THE NUMBERS

Strategy 1 Family Forest Owner Intergenerational Transfer	
In Focus Area	270 *
Received Post Card	270
Were called or emailed before the Estate Planning Workshop	2
Attended Estate Planning Workshop	8 individuals/8families
% Attendees in Target Attitudinal Group	75%
Attendees who received a postcard	all
Attendees who got a postcard plus phone call	0
Attendees who received a post card and who read about event in paper	0
Attendees who signed up to meet with an attorney	5
Attendees who were called (or emailed if they expressed a preference) and encouraged to move forward (Outcome Indicator calls/How many did move forward)	5/3**
Attendees who met with an attorney	1 family
Attendees who then met with a land trust	1
\$ acres/in process for protection	0

* Excluding owners of multiple parcels (counted as 1 landowner)

** This includes developing an estate plan and enrollment in a current use program.

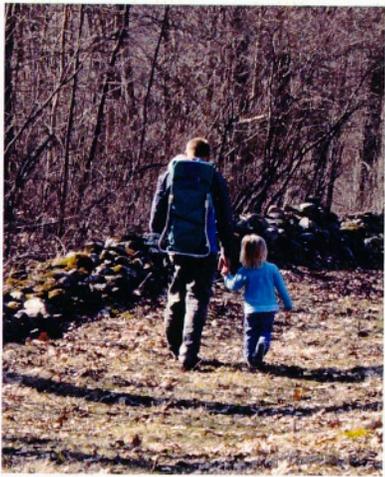
Form B#2**Focus Area: Equinox (Vt) to Eastern NY****Vt Towns: Sandgate, Dorset, Manchester, Arlington and Rupert (Bennington County)**

Strategy 1 Family Forest Owner Intergenerational Transfer	
In Focus Area	168 *
Received Post Card	168
Were called or emailed before the Estate Planning Workshop	5
Attended Estate Planning Workshop	5 individuals/2 families
% Attendees in Target Attitudinal Group	66%(VT)
Attendees who received a postcard	all
Attendees who got a postcard plus phone call	0
Attendees who received a post card and who read about event in paper	0
Attendees who signed up to meet with an attorney	5
Attendees who were called (or emailed if they expressed a preference) and encouraged to move forward (Outcome Indicator calls/How many did move forward)	4/3**
Attendees who met with an attorney	1 family
Attendees who then met with a land trust	0
\$ acres/in process for protection	0

* Excluding owners of multiple parcels (counted as 1 landowner)

** This includes developing an estate plan and enrollment in a current use program.

This postcard was sent to landowners in the five Vermont towns. The postcard sent to the landowners in the three New York towns was identical, except for the different workshop information.



Do You Love Your Land? And Value Your Woods?

Deciding what will happen to your land may be the most important step you can take as a landowner. Come get an overview of estate planning from an experienced attorney at a *free* workshop, that will focus on maintaining family ties to the land from generation to generation, building awareness of key issues facing family woodland owners and motivating families to address these challenges.

The workshop will be held September 15, 2013 from 3-5PM at the Frank Hatch Sap House, Merck Forest and Farmland Center, 3270 Route 315, Rupert, Vermont.

Refreshments will be served. Please call 518-677-5284 to reserve a seat or for additional information.

This workshop is sponsored by the Vermont Land Trust and is funded by a grant from the U.S.D.A. Forest Service.