



CONNECTICUT RIVER WATERSHED COUNCIL

The River Connects Us

15 Bank Row, Greenfield, MA 01301

Land Conservation Program POLICY

Easement monitoring & enforcement

The Council holds a number of easements throughout the four-state watershed that have been given to the organization over the last 40 years for a variety of conservation purposes. These easements cover a wide variety of properties, some small and some very large.

It is the policy of the Council to maintain an appropriate level of stewardship to ensure that the provisions and purposes of these easements are continually being met. In addition the Council strives to maintain routine communication with property owners to ensure there is an understanding by property owners of both the easement terms as well as the Council's role in stewarding these easements.

The LCP program is overseen by the Executive Director who works in coordination with the River Stewards in each of the four states to steward our easements.

Regular documentation of easement compliance: Council staff will endeavor to annually visit all easements to monitor current conditions relative to terms of the easement. A written report should be prepared that includes photographic documentation of identified locations where easement provisions need to be monitored. These include entrances, boundaries, structures, or other specific areas called out in the easement. All monitoring reports should be signed and dated and a copy sent to the landowner. Staff should make an effort to conduct the easement monitoring with the property owner if at all possible. If a joint inspection is not possible, staff should make verbal contact with the owner to let them know that an inspection was conducted and a copy of their report will be sent to them and how they can get in touch with staff if needed.

Violations of easement provisions: When violations are documented or suspected following either a routine visit or information provided to the Council from a member of the public, the subject conditions should be documented by a site visit that includes a written and photographic record. Notice to the landowner should be provided by staff that a suspected or actual violation has been found and any reports prepared should be forwarded to the landowner. Following assessment of the violation staff and the Executive Director will agree on a course of action to remediate the violation and ensure the property can come back into compliance with the easement terms. The Council will endeavor to resolve issues informally with direct contact with the landowner or suspected violator. If efforts to informally resolve the violation do not work, the Executive Director shall consult with the Executive Committee of the Board in order to develop a series of next steps that may include mediation, litigation, or other methods of formal enforcement.

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