

## Practice 11I: Amendments

- The land trust recognizes that amendments are not routine, but can serve to strengthen an easement or improve its enforceability. The land trust has a written policy or procedure guiding amendment requests that: includes a prohibition against private inurement and impermissible private benefit; requires compliance with the land trust's conflict of interest policy; requires compliance with any funding requirements; addresses the role of the board; and contains a requirement that all amendments result in either a positive or not less than neutral conservation outcome and are consistent with the organization's mission.
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While easement amendments are not common, land trusts should expect to receive requests for amendments and may, in certain circumstances, wish to initiate an amendment to strengthen an easement or clarify language. Most land trusts, when faced with their first amendment request from a landowner, wish they had a policy to guide their actions. This practice encourages land trusts to develop an amendment policy to help ensure that amendments meet the mission of the organization and maintain the land trust's credibility. A policy should prohibit private inurement or excess private benefit, clarify board and staff roles, and ensure that all amendments result in either a positive, or not less than neutral conservation outcome. Many other standards are involved in reviewing amendment requests, including 1, 4, 6, 8, and 9, and practice 3F.

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