

This example can be used as a starting point to create a policy or other document for your own land trust, but should be altered as necessary to reflect your organization's unique circumstances using guidance found in the *Land Trust Standards and Practices Guidebook* text and corresponding Standards and Practices Curriculum.

Please Note: If you are using this material for accreditation purposes, see also the [Land Trust Accreditation Commission website](#) for additional information. To search for policies from accredited land trusts, insert <<accredited>> along with the search term (e.g., conflict interest policy accredited).

1. Land Protection Program Definitions

1.1. PLC Mission Statement: The Piedmont Land Conservancy is a grassroots non-profit organization dedicated to protect natural and scenic lands, farms, and green spaces in Piedmont North Carolina to enrich the quality of life in our communities for today and for future generations. To meet this mission, a project must meet the following conditions:

1.1.1. The protection of the site will **permanently** protect the land from uses that will negatively impact the conservation values of the site; and

1.1.2. The protection of the site will provide an **identifiable public benefit** such as scenic views, prime/community agricultural land, water quality improvement/enhancement, wildlife habitat protection, plant community protection, historically significant land protection and natural recreational opportunities and not serve as essentially restrictive covenants protecting largely private interests.

1.2. PLC's Service Area: The Piedmont Land Conservancy is a regional land trust serving nine counties in the north-central Piedmont region of North Carolina. These nine counties are Alamance, Caswell, Forsyth, Guilford, Randolph, Rockingham, Stokes, Surry, and Yadkin.

1.3. PLC's Project Themes: The Piedmont Land Conservancy protects land that can be classified into at least one of four major thematic areas, or project types, with some projects being classified into multiple Project Themes. The purpose of these four thematic areas is to provide further clarification of PLC's mission statement by defining the types of projects undertaken by the Conservancy. The four Project Themes are:

1.3.1. Natural Heritage (NH): Projects that provide protection for identified rare/endangered species, areas of high biological diversity, natural communities, wetlands, forestlands, wildlife habitat, wildlife movement corridors and areas that have been included in the county's Natural Heritage Inventory.

1.3.2. Farmland (F): Projects that generally provide protection for working farms located within active farming communities or farms of historical significance.

1.3.3. Urban Green Space (UGS): Any size lot within 5-10 miles of an urban center that will protect areas where ecological processes are still functioning, passive outdoor recreational and educational opportunities will be enhanced or expanded, and/or historical lands will be preserved or buffered. In general, these projects will

offer more protection than current regulations, zoning, ordinances, etc. This theme includes greenways, parks, and connections between larger natural areas.

1.3.4. Water Resources (WR): Projects that impact the water quality of one of the three major river basins in PLC’s Region. The river basins are Roanoke, Yadkin Pee-Dee, and Cape Fear. This theme includes wetlands, rivers and tributaries, lakes, ponds and mitigation lands.

1.4. PLC’s Initiative Areas: In recognition of the fragmentation of landscapes which has occurred within the Piedmont region served by the Piedmont Land Conservancy and the ecological principle that demonstrates that as an area’s size increases the diversity of flora and fauna that is supported within the area also increases, PLC works to identify areas where a proactive attempt will be made to protect several clustered and/or contiguous sites within the area to attain maximum protection of the threatened “ecosystem”. These areas are referred to as Initiative Areas, and are defined by the following criteria:

1.4.1. An Initiative Area will be working towards the protection of either a geographic feature (e.g., river, mountain), a biological feature (e.g., habitat for rare species), a community feature (e.g., greenway, specific land-use), or a combination of these features.

1.4.2. Working with the landowners and community, PLC will define the boundaries of the Initiative Area and establish a protection goal.

1.5. PLC’s Potential Projects: The Land Protection Staff will maintain a list of projects that PLC **may consider** and take proactive steps to permanently protect in the future. This list may include a selection of:

1.5.1. Sites identified in the Natural Heritage Inventories for each of nine counties in PLC’s Service Area;

1.5.2. Sites identified in Riparian Corridor Design Plans and/or Watershed Protection Plans;

1.5.3. Sites identified in Initiative Area Protection Plans; and

1.5.4. Sites identified by the Land and Resource Committee as strategic candidates that will provide natural heritage, farmland, green space, and watershed protection.

2. Project Selection Policy

2.1. Purpose. To provide an established system to enable the Board, Land Committee, and Staff to evaluate all potential projects equitably, ensure that all PLC projects meet and further the work of PLC’s mission, and enable PLC to work both proactively and reactively.

2.2. Scope. This policy will identify criteria used to select projects that PLC will have some level of involvement in and to define the types of projects that PLC is pursuing. This policy will not address the prioritization of projects and PLC resources.

2.3. Selection Criteria. In order for a project to be accepted by PLC, the following criteria must be met.

- 2.3.1.** The project must meet the PLC’s mission as described in Section 1.1.
- 2.3.2.** The project will be located in one of the counties in PLC’s Service Area as described in Section 1.2. If a project arises that is not located within PLC’s Service Area, then the project must be within a PLC Initiative Area and the sister land trust has been notified and given its approval that we move forward with the project.
- 2.3.3.** The project can be classified into at least one of the four identified Project Themes as described in Section 1.3.
- 2.3.4.** The landowners are willing and committed partners as exemplified by one or more of the following: 1) a completed and returned landowner contact survey and 2) a Signed Letter of Intent stating the following:
 - 2.3.4.1.** PLC will not pay more than the Appraised value when purchasing either the property or the development rights;
 - 2.3.4.2.** The landowner’s intention to work with the Conservancy;
 - 2.3.4.3.** The type of transaction being considered (donated easement, purchase of development rights, fee-simple donation or fee-simple acquisition);
 - 2.3.4.4.** Identifying the amount of acreage to be protected;
 - 2.3.4.5.** Identifying the primary conservation values to be protected;
 - 2.3.4.6.** Identifying the primary rights the donor wants to reserve; and
 - 2.3.4.7.** Acknowledgement of the landowner’s contribution towards the financial aspects of the protection project including transactional costs, project facilitation, and stewardship endowment.
- 2.3.5.** General funding needs including acquisition costs, transactional costs, and endowment needs have been discussed with the landowners and their willingness to assist in meeting these costs has been determined.

2.4. Project Evaluation. All potential sites being proposed for protection by the Piedmont Land Conservancy will be evaluated according to the following underlying principles:

- 2.4.1. Primacy of Conservation Goals:** The selection criteria described in Section 2.3 of this document were developed to ensure that the site’s inherent conservation values would be the primary factor considered during the project selection process. Additionally, these inherent conservation values that provide public benefit will not be diminished in order for PLC to achieve secondary benefits through the completion of a proposed project.
- 2.4.2. Stewardship Capacity:** PLC must have adequate resources or be able and willing to expand PLC’s resources to achieve the project’s conservation goals

both in the short-term and over the long-term. To meet this principle the project must include a donation to PLC's Stewardship Endowment fund that will provide for the project's perpetual care and maintenance, unless extreme circumstances exist that cause the Board of Directors to waive this requirement as permitted by PLC's Stewardship Policy (Approved December 2000).

- 2.4.3. Landscape Context:** When evaluating projects, PLC will consider the surrounding landscape and the potential impact of a change in the surrounding landscape on the proposed project and more importantly the conservation values to be protected through the protection of the proposed site. For instance, if a site is proposed to protect habitat for interior songbirds and the site is less than 25 acres in size and the likelihood of adjacent lands becoming protected is very small then this project may be declined as the size of the proposed site is inadequate to maintain the conservation values. In contrast, if this site was adjacent to a previously protected site of 50 acres then the site may be accepted as its conservation values are not under threat of being negated by a future change in the surrounding landscape.
- 2.4.4. Inconsistent Uses:** Any one project will not reduce the conservation value of any other PLC project.
- 2.4.5. Reserved Rights:** Rights to be reserved by the donor should not create a substantial possibility that the conservation objectives and/or the primary purpose of the conservation easement would be jeopardized.
- 2.4.6. Land-Use Regulations:** Pertinent zoning and other land-use regulations will be considered to determine if proposed level of protection is already being met by established enforceable regulations.
- 2.5. Project Selection:** The Board of Directors will have final approval authority of all projects selected by PLC.

3. Project Prioritization Policy

- 3.4. Purpose:** To provide an established system to enable the Board, Land Committee, and Staff to prioritize all **selected** projects in order for the Conservancy to achieve the greatest conservation impact given the limited time and financial resources available.
- 3.5. Scope:** This policy will identify criteria and procedures used by the PLC staff and Land Committee to prioritize selected projects into four prioritization categories that will reflect the willingness of PLC to expend limited time and financial resources on selected projects.
- 3.6. Prioritization Levels:** In general, these Prioritization Levels will be used as a means to allocate the limited time and financial resources available to PLC to achieve its mission. The Priority Levels in descending order are 1) Premiere, 2) High, 3) Medium, and 4) Low. As the category increases in priority so does PLC's willingness to dedicate additional resources to the successful and expedient completion of the project; therefore, fewer resources in terms of both time and funding will be allocated to projects assigned a lower priority level. Consequently, a selected project categorized as

a Low Priority Project will most likely take longer to complete than a High Priority Project. The Land Committee may elect to set specific parameters with regards to the volume and diversity of projects that can be included within each prioritization category due to the availability of staff resources to be allocated to land protection.

3.7. Prioritization Criteria: To determine a project’s priority level each project will be evaluated through the application of the following criteria:

3.7.1. Conservation Significance: This criteria focuses on the importance of the site to maintaining conservation values at local, regional, state, and national levels as well as the degree that the public will benefit from its protection. These conservation values may include water quality, wildlife habitat, agricultural soils, unique natural communities, rare/endangered species, historic importance, outdoor recreation and scenic qualities.

3.7.1.1. A site’s significance will increase with each of the following criteria that it meets or exceeds:

3.7.1.1.1. Can be classified into multiple Project Themes;

3.7.1.1.2. Proximity to previously protected site by either PLC or another qualified conservation holder (e.g., government agency, other conservation organization);

3.7.1.1.3. Located within one of PLC’s identified Initiative Areas and/or listed as a PLC Potential Project with significance increasing if both characteristics apply; and

3.7.1.1.4. Prominence within the landscape due to scenic, historical, geological, recreational, and/or ecological qualities with significance increasing with the number of qualities possessed.

3.7.1.2. In addition to these general significance criteria, each Project Theme has specific factors that will be considered when determining the significance of a project within that particular Project Theme. A sampling of these factors for each Project Theme are listed below:

3.7.1.2.1 Natural Heritage Theme Factors.

3.7.1.2.1.1.Inclusion in a Natural Heritage Inventory and its rank within the Inventory;

3.7.1.2.1.2.The presence of rare or endangered species on the property including the population’s size and quality;

3.7.1.2.1.3.The presence of unique natural communities;

3.7.1.2.1.4.Presence of multiple natural communities; and

3.7.1.2.1.5.Provides critical component of wildlife habitat (e.g., breeding habitat for Bog Turtle, migration corridors).

3.7.1.2.2. Water Resources Theme Factors.

3.7.1.2.2.1.Inclusion in a Riparian Corridor or Watershed Protection Plan and its rank within the plan or otherwise identified as a targeted corridor;

3.7.1.2.2.2.Location within the watershed or river basin;

3.7.1.2.2.3.Provision of public access to the river system;

3.7.1.2.2.4.Protects drinking water supplies or critical watersheds;

3.7.1.2.2.5.Strengthens protection already required by zoning and planning regulations;

3.7.1.2.2.6.Protects a wildlife migration corridor;

3.7.1.2.2.7.Protects habitat for rare, endangered, unique, or water quality indicator species; and

3.7.1.2.2.8.Water quality rank.

3.7.1.2.3. Urban Green Space Theme Factors.

3.7.1.2.3.1.Provides public access for passive recreational activities;

3.7.1.2.3.2.Identified in a county Land-use plan as an area for low density growth, open space, or passive recreational area;

3.7.1.2.3.3.Strengthens protection already required by zoning and planning; and

3.7.1.2.3.4.Prominence within the community and relationship to how the community defines itself (e.g., Open fields on a major thoroughfare at the entrance of a town).

3.7.1.2.4. Farmland Theme Factors.

3.7.1.2.4.1.Protects prime and/or statewide important soils;

3.7.1.2.4.2.Located outside of a high growth area;

3.7.1.2.4.3.Located within an agricultural district or identified in a county land-use plan as an agricultural/rural conservation area;

3.7.1.2.4.4.Located within a farming community/rural community where farmers are interested in farmland protection;

3.7.1.2.4.5.A Farm Conservation Plan is in place and being implemented;

3.7.1.2.4.6. Its protection positively impacts the long-term sustainability of an on-going agricultural operation; and

3.7.1.2.4.7. Contributes to the long-term sustainability and economic viability of agriculture within a community.

3.7.2. Threat: This criteria focuses on the probability of the selected site being converted and the impact of that potential conversion on the surrounding area and

the site's conservation values. The degree of threat faced by a site will be determined through the consideration of the following factors:

3.7.2.1. When is the potential conversion going to occur or has it already occurred?

3.7.2.2. Are there any regulations/ordinances in place that will address and/or minimize the impact of the threat?

3.7.2.3. Will the potential conversion cause a negative and irreversible impact to the conservation values of the site or on other protected sites within the immediate vicinity?

3.7.2.4. Will protection of the site eliminate the threat?

3.7.3. Readiness: This criteria focuses on the probable time required or available to successfully complete the project. The degree of readiness will be determined through the consideration of the following factors:

3.7.3.1. Is adequate funding available, probable, or secured to complete the project?

3.7.3.2. What is the landowner's timetable?

3.7.3.3. Are all of the owners in agreement that protection is the best or appropriate course of action for the land?

3.8. *Assignment of Priority Levels:* The Land Protection Staff will evaluate and recommend a priority category to the Land Committee that will address the Priority Criteria of Conservation Significance, Degree of Threat, and Readiness for each project. Recognizing that the Priority Criteria are not exhaustive, the Land Committee should also consider any additional information, including current availability of PLC resources, as they propose a Priority Level for a project being proposed to the Board of Directors for selection.

3.9 *Amendment of a Selected Project's Priority Level:* As PLC's resource base expands, projects are completed, and/or new information with regards to a project's conservation significance, threat, or readiness appears, the Land Protection Staff may request that the Land Committee amend the selected project's priority level accordingly. The Board of Director's will be notified of the amended Priority Level. Board approval will be requested to either upgrade or downgrade a project from the Premiere Level.

^o This material is designed to provide accurate, authoritative information in regard to the subject matter covered. It is provided with the understanding that the Land Trust Alliance is not engaged in rendering legal, accounting, or other professional counsel. If legal advice or other expert assistance is required, the services of competent professionals should be sought.