

CRITERIA OF ACCEPTANCE POLICY -- for Conservation Easements (Donated or Purchased) and for Fee-Owned Land Transactions (Donated or Purchased)

The Woodstock Land Conservancy's (WLC) Board of Directors has adopted the following criteria for evaluating prospective conservation projects. Although each project is evaluated on its own merits, it is important that the project result in a significant public benefit (as defined below). To qualify for acquisition by the WLC, the property in question must be located in the WLC service area, defined generally as the northeastern portion of Ulster County, NY and meet a minimum of 5 of the 17 criteria listed below. Note that if a landowner might seek a tax deduction for a donation or bargain-sale, under the IRS Code and Treasury Regulations significant public benefit must be demonstrated by satisfying at least one of the Conservation and Public Benefit Values criteria (#1-#5).

Examples of Significant Public Benefit per the Treasury regulations:

- Property is unique in the area.
- Land development in the vicinity of property is intense.
- Protection of land is consistent with public programs in the region.
- Protection of land consistent with private conservation programs in the region.
- Protection of land is consistent with a legislatively mandated program identifying particular parcels of land for future protection.
- Development of property is likely to contribute to degradation of scenic, natural and historic character of the area.
- Public may use the property or appreciate its scenic values.
- Property is important in preserving local or regional landscape or resource that attracts tourism or commerce to the area.

Conservation and Public Benefit Values Criteria:

1. **Natural Resources Conservation Values:** The preservation of this land will protect relatively natural habitat of fish, wildlife, plants, or similar ecosystems, including but not limited to watercourses, wetlands, aquifers, floodplains or other sensitive areas.
2. **Historic Conservation Values:** The preservation of this land will protect areas of historic or archaeological value, a certified historic structure or areas, or items of historical interest.
3. **Scenic Conservation Values:** The preservation of this land will provide scenic views from public roadways, waterways, or recreation areas (especially protected land), especially views of higher elevations.
4. **Outdoor Recreation and Education Values:** The preservation of this land will provide access for educational or recreational use by the general public, in particular when access to trails will be protected or developed on the property.
5. **Open Space Conservation Values:** This land is identified on Town, State or regional plans (such as the Town's Comprehensive Plan and Zoning Regulations, or the State's Open Space Plan) as important open space.

Additional Conservation Values Criteria:

6. Land that is within either High Priority Conservation Areas on WLC's Strategic Conservation Plan and/or is within a High Priority Climate Change Area as shown on WLC's 2018 Climate Change Addendum to the Conservancy's Strategic Conservation Plan.
7. Land located in an area targeted for resource or open space protection that could lead to the acquisition of additional easements or parcels.
8. Land that faces imminent threat of substantial environmental degradation due to potential development, climate change or other man-made activities, and this threat could be mitigated by the WLC acquisition.
9. Land that contains prominent and/or unique natural features such as a ridgetop, multi-acre wetland, or intact forested area over 20 acres in size.
10. Land that has frontage on a public road.

11. Land that is adjacent to, or in proximity to, other protected lands (e.g. Town, State, NYC owned lands, land protected by a not-for-profit organization, or lands that WLC either owns or has easements on).
12. Land that is within or adjacent to a designated Critical Environmental Area (CEA).
13. Land that contains habitat for federal or state listed endangered, threatened or rare species, particularly if documented.
14. Land that is valuable to the community as open space or has a prominent position in how people perceive our community.
15. Land that has agricultural or forestry significance because of its agricultural history, soils or the presence of timber.
16. Land that is important for protecting and potentially using old historic paths and/or abandoned roads for use by the public.
17. Land that has the potential to be used for alternative or renewable energy facilities.

Feasibility Issues:

The following feasibility issues should also be considered to assess whether a parcel is desirable for acquisition. A project may meet the selection criteria above favoring a land protection proposal and still may not be accepted if one or more of the following considerations apply:

1. Is the development potential of the property so limited that WLC ownership would not provide any additional conservation benefit?
2. Is the landowner insisting on reserved rights inconsistent with conserving the property's primary conservation values?
3. Is the price unreasonable relative to similar parcels?
4. Is the property unlikely to generate significant funds from a fundraising campaign?
5. Will the cost or staffing burden of effective stewardship, acquisition of the property and/or opening it to public access be too great for WLC's organizational capacity? Examples of higher long term stewardship costs for WLC include conservation easements and any property with more than six abutting properties that raise encroachment risks.
6. Are the results from the environmental assessment, survey and title report expected to reveal significant problems?
7. Will there be substantial negative tax and economic impacts on the community that will result from the acquisition?

8. Are there no demonstrable public benefits to the community?
9. Is access to the property inadequate or difficult for effective stewardship and/or public access?
10. Are there ethical, public image or conflict of interest problems associated with the acceptance of the project?
11. Is there little or no conservation value? (If there is no conservation value that the board deems worthy of protecting, then the “Criteria for Evaluating Potential Trade-Lands” should be used as the appropriate guideline for board review.)

Board’s Discretionary Role:

The board of directors retains discretion over acquisition and must evaluate each project and proposal on its own merits after careful investigation and consideration of the property, its resources and its public benefits, consistent with the board’s ethical obligation to secure a substantial public benefit with each transaction.