

San Elijo Lagoon Conservancy

Conservation Project Selection Criteria Policy

Adopted on June 11, 2008

The following criteria guide the actions of the Conservancy with regard to land or easement acquisition. They were developed to ensure that the Board act in a manner consistent with its mission, land conservation goals, and the Internal Revenue Service's regulations governing tax deductibility. The Board retains discretion over acquisition of land projects and will evaluate each land project proposal on its own merit after investigating the property, its resources, and its public benefits.

Goals criteria

Property must support the conservation values that the Conservancy was formed to protect. To qualify for selection, property must meet ALL three following criteria.

1. The property is within the Escondido Creek watershed or its connected ecological systems.
2. Property is of sufficient size that its conservation resources are likely to remain intact and sustained despite adjacent development or there is potential for adding more acreage in the future or sufficient neighboring property is either already protected or will be. For some types of resource protection, large parcels are preferred; in other cases smaller properties may accomplish the Conservancy's purposes.
3. Protection of property aids sound land use planning, promotes land conservation, and encourages careful stewardship of land and water resources.

Public benefit criteria

To qualify for selection, property must meet AT LEAST ONE of the following 14 criteria with preference given to those land projects meeting multiple public benefit criteria.

1. Project contributes to protection of lands in furtherance of federal, state, regional, or local conservation plans or policies.
 - a. The property is part of a critical areas plan, comprehensive land use plan, management plan, local parks and recreation plan, local zoning ordinances/regulations, or local resolution;
 - b. The property is, or has the potential to be, part of a community, regional, state or national hiking trail or greenway or contributes to the scenic and passive recreational attributes of such a trail or greenway by its proximity; or
 - c. The property is determined to be of special environmental, aesthetic, or historic significance.
2. Project contains or buffers endangered, threatened, or rare species of natural communities.
3. Project contains or buffers relatively natural wildlife habitat, exemplary or critical ecosystems, or natural features such as:
 - a. Wetlands,
 - b. Wildlife migration routes,
 - c. Migratory waterfowl wintering areas,
 - d. Exceptional natural communities

4. Project involves land in active agriculture use such as:
 - a. Property designated as prime agricultural land or as an agricultural preservation district, or
 - b. Farms significant for scenic beauty or historic resources.
5. Project contains important hydrologic features necessary for protecting water supply, water resources, wetland habitat or for providing natural flood control such as:
 - a. Wetlands,
 - b. Floodplains,
 - c. Waterways,
 - d. Riparian corridors,
 - e. Aquifer recharge areas, or
 - f. Lake shores
6. Land borders or affects the integrity of a creek, stream or river.
7. Project contains land that buffers or is contiguous with existing protected open land or that is likely to be protected in the foreseeable future:
 - a. Shares a boundary with, or is in close proximity to, a state park or parkway, nature preserve, or other public preserve or park, or
 - b. Provides access to public land or public waters.
8. Project contains open space contributing to the scenic enjoyment of the general public:
 - a. Has scenic attributes visible from parks, parkways and roadways, public foot trails, streams used by the public for recreation, or public use areas within state parks, or
 - b. Is situated such that its development would obstruct or diminish scenic views from public use areas, interfere with views across already protected open space lands, or diminish the visual integrity of the community.
9. Property can be acquired with legal, unconditional access from a public road, unless it is contiguous with other Conservancy or public property open for inspection and/or public use, and public access for education or recreation is permitted if it is consistent with the protection of the resource.
10. Project sets an important precedent for resource or open space protection in a targeted area:
 - a. Land that will serve as a primer for a larger land protection effort, abuts existing Conservancy or public holdings, or represents highly significant natural resources; or
 - b. Land that is within the acquisition priority area of the Escondido Creek Watershed Action Strategy.
11. Land provides connection to other protected or open space lands and is important for movement of wildlife between habitats or through developed corridors so that natural areas do not become isolated islands.
12. Land has recognized historic, archaeological, or cultural value, especially land included in, or adjacent to, designated historic properties, and necessary for the protection of the resources, including land providing a buffer for properties of historical, archaeological, or cultural values.
13. Land contains unique or outstanding physiographic characteristics such as geologic landforms, caves, waterfalls, cliff faces, etc.
14. Project involves open space valuable to a community due to its proximity to developing areas or areas on which development appears imminent or due to its prominent role in how people perceive their community.

- a. The property provides a buffer for active agricultural use or wildlife habitats, wetlands, floodplains, or surface water and groundwater supplies, so that its protection would diminish the negative impacts of development;
- b. The property is a significant part of a community's designated greenbelt, whose future land use in natural or open space is important to the environmental quality and appearance of the community;
- c. The property offers significant relief from urban closeness and/or helps define community form; or
- d. A threat to the resource is imminent and of high magnitude.

Feasibility criteria

ONE or MORE of the following factors MAY preclude involvement even though the property may meet the selection criteria favoring a land protection proposal.

1. Conservancy's cost for acquiring the land.
2. Property's values are primarily scenic but cannot be readily viewed by the general public.
3. Property is part of a development proposal that is likely to have significant adverse impacts on conservation resources or the public image of the Conservancy.
 - a. Development may take undue advantage of the Conservancy's status or reputation, or
 - b. Full information on all related permits, variances or legal approvals for the development plans is not available.
4. Adjacent properties are being developed in a way that is likely to significantly diminish the conservation values of the site.
 - a. The surrounding land use or character prohibits potential linkage to protected lands or avoidance of potential hazardous waste sites.
5. Project would be unusually difficult or burdensome to monitor, manage, and/or enforce in perpetuity in relation to the Conservancy's limited financial and time resources.
 - a. Cost of management would prevent the Conservancy from fulfilling its stewardship responsibility, grantor is unwilling or unable to contribute to a stewardship fund, or there is a tax burden;
 - b. Multiple or fractured ownership, frequent incidence of destructive trespassing, fencing restrictions, irregular configuration, denial of permanent legal access to the property, or other unusual long-term constraints; or
 - c. Special management problems and issues associated with the site preclude a sound and proper management plan.
6. Landowner insists on reserving rights or provisions in an easement or deed that would
 - a. Seriously diminish the property's primary conservation value or the Conservancy's ability to enforce protection, or
 - b. Restrict the Conservancy's use of the property and prevent or deter the Conservancy from its goals, such as restrictions on re-sale to government or on selling/transferring portions that have little or no significance to conservation.
7. Property cannot be negotiated or acquired by the Conservancy with reasonable effort in relation to the property's conservation value, size, or merit.
 - a. There are significant problems or defects in the title;
 - b. There are property encroachments or easement or boundary disputes;

- c. The deed does not have a property survey or a clear property description and easily identified map prepared by a civil engineer or registered land surveyor that locates all corner points on the ground; or
 - d. The donor does not agree to pay all costs of property transfer such as a title search, recording fees, minor partition fees, or other property transfer costs.
8. Project may incur an unacceptable legal or financial liability because of a known threat to public health or safety or the expense of clean-up.
 - a. Property is irreparably contaminated;
 - b. Property may be measurably affected by a disposal site, hazardous wastes, or air, soil, or water pollution; or
 - c. Property has potentially burdensome unoccupied buildings or structures, signs, markers, parking lots, trails, or steps because funds for long-term maintenance are not available.
9. There is an equal or more effective way to achieve conservation through cooperation with other, or more qualified, conservation organizations institutions, or holders, such as the city, the county, the state, the federal government, or another non-profit agency.
10. Legal, ethical, or public image problems are associated with the acceptance of the project.
 - a. There is a conflict of interest on the Board, interested transactions by board members or officers, or involvement in controversial projects with developers;
 - b. The project may jeopardize IRS non-profit status;
 - c. There may be a significant negative economic impact on the community;
 - d. The project may produce a significant negative precedent or impact on local zoning;
 - e. The project does not add to the diversity or continuity of Conservancy holdings;
 - f. There is opposition or no support from local property owners; or
 - g. There is opposition or no community or political support.
11. Administrative burdens are associated with the acceptance of the project.
 - a. There is not sufficient enthusiasm within the Conservancy for the project;
 - b. Proper property inspection or information gathering has not been completed prior to consideration of acceptance;
 - c. There is not sufficient baseline data to determine compliance;
 - d. The language of an easement is not clear and readily understandable;
 - e. Staff capability and capacity do not meet project demands; or
 - f. There are undue opportunity costs.