

TRI-VALLEY CONSERVANCY PROJECT SELECTION CRITERIA

Standard 8 - Practice B

Adopted October 14, 2006

Prior to making a final decision to purchase or accept a donation of property, or an interest in property such as a conservation easement, the Board of Directors will use the following criteria to guide the actions of the Conservancy. The Board of Directors retains discretion over acquisition or acceptance of property, and will evaluate each project and proposal on its own merits after careful investigation of the property, its conservation values, and its public benefits.

I. LOCATION CRITERIA

In order to be considered by the Conservancy, the property must first substantially meet the following criteria:

1. Property is located in the Tri-Valley area (Livermore, Dublin, Pleasanton, San Ramon and Sunol)
2. Property is sufficiently large to stand alone as a conservation area or is adjacent to other protected properties.
3. Adjacent properties are, or likely to be, sufficiently safe from development in a manner that would significantly diminish the conservation values of the property in question.
4. Property is adjacent to existing or anticipated city boundaries thereby forming a barrier to urban development.

II. POLICY CRITERIA

The Tri-Valley Conservancy will use the following criteria to determine priorities in property acquisition/donation projects. These criteria are not used quantitatively as a scoring system. Rather, they help the Conservancy to evaluate, rank or choose among different property acquisition projects.

A. Protects Land Best Suited For Agriculture

- ___ 1. Is the property presently in agriculture as the primary use?
- ___ 2. Was the property historically used primarily for agriculture?
- ___ 3. If not presently in agriculture, is the soil type and topography of the property suitable for agriculture?
- ___ 4. Does the property have access to sufficient agricultural quality water now or in the near future?
- ___ 5. Does the property presently, or have the potential to, contribute to the critical mass of agricultural operations in the surrounding area?
- ___ 6. Will acquisition of the property create, preserve or enhance contiguous tracts of agricultural land?
- ___ 7. Is the property of a size large enough to maintain a viable agricultural operation by itself or if added to an adjacent parcel?

B. Preserves Scenic, Rural and/or Historical Qualities

- ___ 1. Will acquisition of the property enhance the rural and scenic ambiance of the area?
- ___ 2. Will acquisition of the property protect scenic views from points of public access such as trails or roads?
- ___ 3. Will acquisition of the property help to preserve or create an open space buffer between urban areas?
- ___ 4. Will acquisition of the property preserve features important to the region's history or rural character?

- ___ 5. Will acquisition of the property provide or enhance public access to public property?
- ___ 6. Will acquisition of the property add to or connect existing adjacent protected open space?

C. Protects Habitat Areas

- ___ 1. Is the property inhabited by, or contain habitat for, State or Federal “listed” plant or animal species?
- ___ 2. Will acquisition of the property help protect areas of biological diversity?
- ___ 3. Will acquisition of the property protect a riparian area?
- ___ 4. Will acquisition of the property help create or protect a corridor for movement of wildlife?
- ___ 5. Will acquisition of the property protect habitat important for biological pest control species useful for agriculture or IPM?
- ___ 6. Will acquisition of the property help buffer a wildlife area from potentially disruptive adjacent land uses?
- ___ 7. Does the property contain or have the potential to contain keystone species?
- ___ 8. Is the overall quality of the ecosystem in tact or, if not, is there potential with funding for rehabilitation?
- ___ 9. Is the property located where it may become a flagship for public awareness of habitat protection?

III. FEASIBILITY CRITERIA

Prior to approving the acquisition or acceptance of property or interests in property, the Board of Directors will consider the following list of potential complicating factors, at a minimum, any of which may preclude further consideration of the acquisition or acceptance of property by the Conservancy. Some complicating factors may not arise until after Board approval of an acquisition project. In this case, projects will be brought back to the Board for evaluation and reconsideration.

1. Is the proposed property acquisition or easement price to the Conservancy unreasonable in relationship to the property's conservation values?
2. Are there Title issues?
3. Are the terms of a conservation easement acceptable in protecting the conservation values?
4. Will acquisition of the property or conservation easement create ethical or conflict-of-interest problems for the Conservancy?
5. Could the terms and monitoring of that the land or easement be unusually difficult for the Conservancy to manage or enforce?
6. Are there hazardous materials or structures on the property that would present an undue liability to the Conservancy?
7. Is acquisition by the Conservancy the best means of saving the property from development?

8D1

See 8B1

**TRI-VALLEY CONSERVANCY
CONSERVATION EASEMENT PROJECT APPROVAL CHECKLIST**

Project Name: _____

Preliminary Review

1. Date initiated: _____
2. Property owners _____
3. Assessor's Parcel Number _____
4. Site visit by staff and director(s)
 - a. Staff: _____
 - b. Directors: _____
 - c. Land Conservation Committee _____
 - d. Date of Visit: _____
5. Identified Conservation Values _____
6. Review potential funding options:
 - a. Acquisition Funding: _____
 - b. Endowment Stewardship Funding _____
7. Appraisal quotes: _____
8. Land Conservation Committee review and approval _____
9. BOD approve
 - a. TVC to hire selected Appraiser _____
10. Appraisal review:
 - a. TVC staff and LCC _____
 - b. Funding Partners _____
11. Land Conservation Committee review and approval _____
12. BOD approve
 - a. Letter of Intent and TVC staff to proceed _____

**TRI-VALLEY CONSERVANCY
CONSERVATION EASEMENT PROJECT APPROVAL CHECKLIST**

Project Name: _____

Project in Process

1. Preliminary title report obtained _____
 - a. Reviewed by Staff _____
 - b. Reviewed by Legal Counsel _____
2. Negotiate restrictions and draft document with landowner _____
3. Negotiate and finalize Purchase Agreement
4. Negotiate Easement Stewardship Fund contribution _____
 - a. Amount \$ _____
 - b. Payment Schedule: _____
5. Mortgage subordination obtained *if applicable* _____
6. Baseline Data collection and completion _____
7. Finalize C.E., Project Summary and escrow instructions
 - a. TVC Staff final review _____
 - b. TVC Legal counsel review _____
 - c. Property Owner Review _____
 - d. Land Conservation Committee approve: _____
8. BOD approval of Conservation Easement _____
9. Execute and Record CE
 - a. Signatures as required:
 - i. Property Owner(s) _____
 - ii. Third Parties *if applicable* _____
 - iii. TVC _____
 - b. Submit original document into Escrow process for completion of purchase including title insurance, signing and recordation of easement _____

**TRI-VALLEY CONSERVANCY
CONSERVATION EASEMENT PROJECT APPROVAL CHECKLIST**

Project Name: _____

Project Completed

1. Donor thanked *if applicable* _____
2. Copies of recorded CE and Baseline sent to
 - a. Landowner _____
 - b. Third Party(ies) *if applicable* _____
3. Original recorded CE and Baseline sent to Vault _____
4. Easement Stewardship Fund payment schedule established _____
5. Publicity (NCLT newsletter and press release) _____
6. TVC signs IRS Form 8283 prior to April 15, *if applicable* _____