

Project Selection Criteria

Methods of Protection

NLT primarily uses three methods of permanent land protection—conservation easements, fee purchases, and open space produced by our “Growing Greener” ordinances. Over the past fifteen years, easements have constituted the majority of the projects and preserved acreage in Pennsylvania, whereas fee purchases have been more prevalent in our New Jersey preservation efforts. During the same period, NLT fee acquisitions have been limited to additions to current preserves, and occasional new preserves (with and without accompanying endowments). Open space produced by Growing Greener ordinances is not owned by NLT, although occasionally we hold an easement on the open space.

As a non-profit conservancy, NLT has an obligation to demonstrate that its land protection projects are consistent with our charter and current strategic goals, do not create conflicts of interest or private inurement, and also provide public benefit. Therefore, each land protection proposal is reviewed by the staff and Board before NLT completes an acquisition. In addition, when NLT receives a charitable gift of a conservation easement, the Trust sufficiently satisfies itself that the gift meets the current standards of the Internal Revenue Service before acknowledging the gift as charitable.

Although guided by the detailed criteria below, the Board of Trustees retains its full discretion to approve or deny land protection projects based on its assessment of all the pertinent facts and circumstances.

Key Policies Guiding Protection

Regardless of the protection technique, NLT uses the same basic principles to decide whether to proceed with the work:

- Location- emphasis on important landscapes selected from in-house and other planning documents
- Quality-
 - Pristine or easily restored habitats are preferred to degraded lands or land with many buildings
 - The presence of rare flora, fauna and habitat is also a strong positive factor
 - Motorcycle and ATV use, gravel pits, dams or other disturbances diminish interest in acquisition
- Size- larger properties have more weight than smaller properties
- Adjacency- properties adjacent to NLT preserves or other protected lands are given more emphasis; conversely, proximity to residential neighborhoods may be problematic
- Costs
 - Properties that are donated, or completely funded from other sources are given higher weight than land requiring use of NLT internal funds

- An endowment for operations and maintenance provided by the seller, as part of an estate agreement or will, or from other external sources increases the likelihood of acceptance

Formal, mathematical weights or values are not assigned to these criteria; rather they are guidelines that inform our decision making. These factors are used to craft a case for proceeding in the “Project Fact Sheet/Offering Form”—a standardized document NLT staff prepares for Board review of all real estate transactions.

Location

NLT has long been attracted to particular landscapes, starting in the 1960s with the Atlantic Coast of New Jersey and the Wissahickon Creek watershed in suburban Philadelphia. The Trust’s focus areas, however, tend to shift with changing circumstances. For example, the Hopewell Big Woods in northern Chester and southern Berks counties became an NLT focus area in the early 2000s, and today is a conservation landscape for which we are well-known. Alternatively, the Atlantic Coast hasn’t been a focus of NLT activity since the 1980s.

The selection of focus areas grows both out of NLT internal conservation planning efforts and the open space plans of public agencies, townships and other non-profits. An example of NLT internal priority setting is the development and use of *SmartConservation®*, a formalized process for identifying and assessing ecologically viable landscapes for protection based on terrestrial resources, aquatic resources, rare resources and vertebrate habitat. The pursuit of land acquisitions in the Burden Hill Forest of Salem County, New Jersey is an example of following the recommendations of others—in that case the New Jersey Conservation Foundation. NLT’s acquisition work for local governments (East Bradford, Wallace and West Rockhill townships, for example) is based on their open space plans.

NLT currently works in eastern Pennsylvania and Southern New Jersey. Its primary focus is the five Pennsylvania counties surrounding Philadelphia and Salem and Cumberland counties in New Jersey. Increasingly we are called into the Lehigh Valley counties of Lehigh and Northampton and the Poconos counties of Monroe, Pike, Wayne, and Luzerne for community planning and acquisition projects.

Quality

Landscape areas are not homogenous—the properties within selected landscapes possess more or less of the features for which the area was selected. Selection of projects within an area then relies on the other factors (size, adjacency, and costs), as well as the natural features of the target property. Staff determines the overall character of the project by looking at a compilation of individual features, such as:

Cover type- the quality and proportions of forest, grasslands, agricultural fields, and built areas.

Hydrology- the quality and amount of floodplain, springs, wetland, bog, etc., as well as the water quality in surface watercourses and the amount of groundwater recharge provided

Presence of Rare Species, Habitats or Unique Natural Features- federal or state rare, endangered or threatened species, species of special concern, or a unique natural feature important to the area, such as old-growth forest

Scenery- while not scientific, the emotional attachment of a community to a beautiful piece of land can be a powerful inducement to protect it

Proposed Restrictions- for easement projects, the proposed easement restrictions should match the character of the land. A worthy property may not be a worthy conservation project if the proposed restriction would be likely to allow permanent damage to its natural features, or more narrowly, would not meet the relevant IRS standards.

Size

Size is an absolute factor for three basic reasons: (1) as all conservation projects are complicated and time-consuming, larger properties protect more land within a given timeframe and limited resources; (2) the ratio of area to perimeter decreases in proportion to size so larger parcels tend to have less “edge”—the place where most land management and enforcement issues are found, and; (3) large properties can sustain a wider variety of flora and fauna. However, it is impossible to set a minimum acreage that is beneath notice because of the way size interplays with the other four factors. A 50' x 100' lot may be worth protecting if it connects properties along a greenway, or if it is an in-holding in an existing preserve. A 5,000-acre property may too far away, degraded or expensive to merit protecting.

NLT uses a rough sliding scale—the size of properties closer to urban areas, our headquarters and staffed preserves can be smaller and still warrant attention, whereas further away, the larger the properties should be (all other factors being equal—which of course they never are). For context, in the recent past ten acres for an easement project close in has been about the minimum size, with about forty acres as the minimum at the edges of the Philadelphia metropolitan area. Projects at the far edge of our region have been at least two hundred acres.

Adjacency

Almost all conservation planning seeks means to connect protected lands together. Plans for greenways, agricultural belts, trail corridors, and refuge systems all share this basic organizing principle. The desire for connectivity relates to the “edge” effect alluded to earlier, as well as the recognition that flora and fauna survive best in areas where barrier-free movement is possible. Long-term scientific studies of “patches” of once larger habitats have conclusively proven that species diversity declines geometrically as patch size declines. Finally, trails can be made much more useful and interesting when they traverse multiple habitats and connect places where people want to go.

NLT fee purchases are limited to adjacent additions to our existing preserves—except in cases where the other factors combine to outweigh adjacency (e.g., the gift of a large, well-endowed preserve otherwise isolated from NLT holdings). NLT easement work also considers adjacency as an important factor, but is freer to consider protection by others as equal to NLT protection. For instance, a smallish easement project may proceed if it is adjacent to an easement held by another conservancy or qualified organization, or creates a link along a greenway called out in public planning documents. The Growing Greener ordinances also emphasize adjacency by encouraging, where feasible, that open space created by developments be connected to other abutting protected lands and form a logical system along natural corridors such as streams and ridgelines.

Cost

NLT's resources are finite, and property acquisition, management, and easement administration are expensive. Before proceeding with an acquisition project, NLT identifies the transactional and long-term costs of the project and the sources of compensation for those costs. Unless the project is extraordinary, it is not likely to be approved if it will cause a long-term drain on our resources, and if the transactional costs are not covered by external sources or the current year's budget.

Cost is determined differently for fee and easement transactions. Both involve staff time, consultants, legal fees, surveys and title work, but fee purchases also include closer attention to investigating for hazardous materials, and an analysis of long-term capital needs for existing buildings and proposed improvements for public access. Easement transactions limit the long term analysis to the cost of monitoring and enforcement of the easement restrictions to determine the easement endowment request.