

BAINBRIDGE ISLAND LAND TRUST



Project Check List

Site Inspection, Conservation Values Criteria, Potential Threats

This form modified to meet LTA Practices 8B, 8D, 8E, and 8F

Mission Statement:

The mission of the Bainbridge Island Land Trust is to preserve and steward the diverse natural environment of Bainbridge Island for the benefit of all. To achieve this goal, the Bainbridge Island Land Trust seeks to foster, through education and example, a greater understanding of the natural environment and the benefits of its preservation and stewardship in perpetuity; to acquire interests in land having significant conservation values such as scenic vistas, wetlands, open spaces, tidelands, forests, unique plant and animal habitats, and stream and wildlife corridors; and to help landowners minimize the environmental impact of development.

PROJECT: _____

Potential Project Type:

- Conservation Easement Donation
- Conservation Easement purchase
- Land Acquisition Donation
- Land Acquisition Purchase
- Habitat Restoration
- Partnership Project – List key partner(s) _____

REVIEWER (S): _____

DATE OF REVIEW: _____

GENERAL

Parcel Number(s) _____

Address _____

Owner/Agent/Contacts _____

Size _____ Zoning _____

Property Summary Sheet filled out _____

Conservation Plan Habitat type priority rating:

- Primary: Wildlife Networks
 - 1st-with Streams & Associated Riparian Areas
 - 2nd-with Wetlands
 - 3rd-with Forests
- Primary: Shorelines
- Secondary: Recreation (Passive Open Space, Trails, Public Shoreline Access)
- Support Partner Led Projects: Agricultural Lands
- Tertiary: Scenic Vista

Conservation Plan scarcity of resource _____

The following criteria are intended to guide rather than limit the actions of the Trust.

GOALS AND PURPOSES CHECKLIST

To qualify for selection property must meet ALL of these criteria: (This section addresses LTA Practice 8B)

- The property is located on Bainbridge Island.
- The property fits into one or more priority categories listed in the Conservation Plan
- The property is of natural, scenic or historic interest, has recreational or agricultural value, or is in active agricultural use.
- The property is of sufficient size that its conservation resources are likely to remain intact, even if adjacent properties are developed or sufficient neighboring property is either already protected or to be included as to have the same result.
- Protection of this property aids sound land use planning, promotes land conservation, and encourages careful stewardship of land and water resources.
- The conservation values of this property are able to be protected under the Bainbridge Island Land Trust's capacity to monitor and steward.
- The project will result in no private inurement or impermissible private benefit.

BILT CONSERVATION VALUE CHECKLIST

To qualify for Conservation Easement consideration the property must meet one or more BILT criteria listed below: (This section addresses LTA Practices 8B, 8E)

- Property is significant for hydrologic features such as shoreline, tidelands, wetlands, riparian areas, stream, watershed position, ground water recharge or an opportunity that would directly enhance these features.
- Property is significant for wildlife habitat, forest canopy retention, open space, rare or endangered species protection or the opportunity for restoration that would directly enhance these qualities.
- Property connects to existing protected area or is within an identified wildlife network.
- Property has scenic vistas and/or visual resources in addition to priority resources.
- Property provides passive public recreational opportunities consistent with the protection of natural resources.
- Property provides important educational or research opportunities that relate to natural resource criteria.
- The Property sets an important precedent for resource or open space protection in a targeted area.
- Property provides productive agricultural land either realized or potential.
- Property has restoration potential that when complete would further the goals of BILT's Conservation Plan.

MAN MADE SITE FEATURES

(This section addresses LTA Practices 8E)

- Buildings including main structures, out buildings, farm buildings. How many? _____
- Well, well house, pressure tanks, etc.
- Cleared or excavated areas in preparation for structures
- Septic Drain Fields
- Public Roadways
- Driveways
- Fences & Gates
- Garbage and compost areas
- Signs
- Survey markers
- Farm animal use areas
- Garden or crop growing area
- Fire pits

- Electrical lines
- Sport courts
- Encroachment issues _____
- Other _____

POTENTIAL THREATS or COMPLICATING FACTORS

Factors which may preclude Trust involvement: *A property may meet the selection criteria favoring a land protection proposal and still may not be accepted if one or more of the following considerations apply: (This section addresses LTA Practices 8D, 8E)*

- The property’s values are primarily scenic, but are not readily visible or accessible to the general public.
- The property is small and there is little likelihood of adjacent properties being protected.
- The property is part of a development proposal which, overall, is likely to have significant adverse impacts on conservation resources.
- Adjacent properties are being, or are likely to be, developed in a manner that would significantly diminish the conservation values of the property in question.
- There is reason to believe that the acquisition or conservation easement would be unusually difficult to manage/enforce, for example because of multiple or fractured ownerships, frequent incidence of destructive trespassing, fencing restrictions, irregular configuration, or shared use agreements.
- The landowner insists on provisions in a conservation easement that the Trust believes would seriously diminish the property’s primary conservation values or the Trust’s ability to enforce the easement.
- The property cannot be acquired by the Land Trust with reasonable effort in relation to the property’s conservation value or would require significant restoration without the capacity to implement.
- The property has possible or known hazardous waste contamination.
- Ethical or public image problems exist in association with the acceptance of this project.
- Another organization is more appropriate to steward the project.
- There are title considerations that could cause complications.
- There are extensive invasive species issues.
- The property rates high in BILT’s Conservation Plan but competing projects have already stretched the capacity of BILT’s staff and/or budget.
- There is uncertainty as to how we would fund stewardship.

IRS PUBLIC BENEFIT CHECKLIST, including natural resource value.

To qualify for selection, property must meet at least one of these criteria. (This section addresses LTA Practice 8D)

- Complies with IRS criteria for the “conservation purposes” test of Internal Revenue Code Sec 170 (h)(4)(A) *[see below]*
Please list which: _____
- Contributes to protection of lands in furtherance of community plans or policies.
Please list: _____
- Contains species or natural communities identified as being at risk
Please list: _____
- Contains relatively natural wildlife habitat, ecosystems, or natural features.
Please list: _____
- Is in active agricultural use or provides an example of historic agricultural use.
- Contains shoreline, tidelands, waterways, riparian corridors, aquifer recharge areas, watershed or other lands necessary for protection of water supply, water resources or wetland habitat.

- Buffers shoreline, tidelands, agricultural land, wetlands, wildlife habitats, or other sensitive areas.
- Provides a buffer for, or is close or contiguous to, existing conservation easement, park, preserve or other protected land.
- Protects scenic views from public roadways, waterways or recreation areas.
- Public access for education or recreation will be permitted.
- Offers an opportunity to protect an open space or a resource in a targeted area.
- Provides connection to other open protected or open space lands that is important for movement of wildlife between habitats or through developed corridors so that natural areas do not become isolated "islands."
- Has historic or archaeological value, or is adjacent to and buffer for such lands.
- Contains unique or outstanding geographic/natural characteristics.
- Offers significant relief from urban closeness &/or helps define community form.

IRS QUALIFIED CHARITABLE CONSERVATION CONTRIBUTION REQUIREMENTS

(excerpted from TITLE 26 - INTERNAL REVENUE CODE, Subtitle A - Income Taxes, CHAPTER 1 - NORMAL TAXES AND SURTAXES, Subchapter B - Computation of Taxable Income, PART VI - ITEMIZED DEDUCTIONS FOR INDIVIDUALS AND CORPORATIONS, Sec. 170. Charitable, etc., contributions and gifts. These excerpts not complete. See full 170(h) for additional requirements re historic lands or structures, mineral rights and exclusively for conservation purposes):

170(h) Qualified conservation contribution

(1) In general

For purposes of subsection (f)(3)(B)(iii), the term "qualified conservation contribution" means a contribution -

- (A) of a qualified real property interest,
- (B) to a qualified organization,
- (C) exclusively for conservation purposes.

(2) Qualified real property interest

For purposes of this subsection, the term "qualified real property interest" means any of the following interests in real property:

- (A) the entire interest of the donor other than a qualified mineral interest,
- (B) a remainder interest, and
- (C) a restriction (granted in perpetuity) on the use which may be made of the real property.

(3) Qualified organization

For purposes of paragraph (1), the term "qualified organization" means an organization which -

- (A) is described in clause (v) or (vi) of subsection (b)(1)(A), or
- (B) is described in section 501(c)(3) and -
 - (i) meets the requirements of section 509(a)(2), or
 - (ii) meets the requirements of section 509(a)(3) and is controlled by an organization described in subparagraph (A) or in clause (i) of this subparagraph.

(4) Conservation purpose defined

(A) In general - For purposes of this subsection, the term "conservation purpose" means -

- (i) the preservation of land areas for outdoor recreation by, or the education of, the general public,
- (ii) the protection of a relatively natural habitat of fish, wildlife, or plants, or similar ecosystem,
- (iii) the preservation of open space (including farmland and forest land) where such preservation is -
 - (I) for the scenic enjoyment of the general public, or
 - (II) pursuant to a clearly delineated Federal, State, or local governmental conservation policy, and will yield a significant public benefit, or
- (iv) the preservation of an historically important land area or a certified historic structure.

THE BOARD'S DISCRETIONARY ROLE

All the preceding notwithstanding, the Board of Trustees of the Bainbridge Island Land Trust retains discretion over acquisition or disposition and will evaluate each project and proposal on its own merits after careful investigation of the property, its resources, and its public benefits.

Board adopted 3-25-08

Revised version approved by Projects Cmte 8/10/2012