



Land Acquisition Guidelines, Policies and Procedures

Land Trust Standards and Practices Standard 8: “Land trusts carefully evaluate and select their conservation projects.”

The following Practices (stated here verbatim) associated with that standard are intended to assure that land conservation projects are properly evaluated and selected, and will guide WRF’s land conservation strategies:

A. Strategic Conservation Planning

1. Identify specific conservation priorities consistent with the organization’s mission and goals.

B. Project Selection Criteria and Public Benefit

1. Develop and implement a written process to select land and conservation easement projects
2. Develop and apply written project-selection criteria that are consistent with the land trust’s conservation priorities
3. Document the public benefit of every land and conservation easement project

C. Project Evaluation

1. Visually inspect properties before buying or accepting donations of conservation land or conservation easements to determine and document whether:
 - a. There are important conservation values on the property;
 - b. The project meets the land trust’s project-selection criteria.
2. Evaluate potential threats to the conservation values on the property and structure the project to best protect those conservation values.
3. Evaluate any current or potential risks associated with the project, including to the land trust’s reputation or to the land trust community, and modify or decline the project if the risks outweigh the benefits.

D. Project Planning

1. Individually plan all land protection projects so that:
 - a. The land trust identifies the best available conservation strategy for the property;
 - b. The property's important conservation values are protected;
 - c. The project furthers the land trust's mission and goals.
2. Assess the stewardship implications of each project and the land trust's capacity to meet those obligations.

E. Partnership Documentation

1. When engaging in a partnership on a joint acquisition or long-term stewardship project or when co-holding conservation easements, create written agreements to clarify:
 - a. The goals of the project;
 - b. The roles and responsibilities of each party;
 - c. Legal and financial arrangements;
 - d. Communications to the public and between parties.

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Your consultant collected from land conservation organizations that operate in proximity of the Winyah Rivers Foundation their Policies and Procedures for making land acquisition decisions, including their evaluation process and selection criteria for potential land protection projects, all of which have been shared with WRF staff.

Project Evaluation and Selection Procedures and Criteria recommended for adoption and use by Winyah Rivers Foundation:

Your consultant recommends that Winyah Rivers Foundation, at least for a period of time in the immediate future, limit its direct involvement in land acquisition decisions to parallel the practices of Ducks Unlimited* in that WRF will involve itself in "facilitated" land acquisitions in which WRF is assured that it will hold title to an acquired property for a limited time period and will relatively soon be able to convey the property title and/or principal management responsibilities to a federal, state, or local public agency (such as the Waccamaw National Wildlife Refuge, South Carolina or North Carolina state natural resources, wildlife and parks agencies, or county or municipal parks and recreation agencies). In these decisions, WRF will partner with and enter into formal agreement with the public agency that will better assure the intent and resolve of the partner public agency to accept conveyance of title to the acquired property within a feasible period of time and/or will assume principal management

responsibilities for the acquired property. The partner agency must agree to protect and manage the acquired property and its primary environmental assets for the long term.

[* Note that while Ducks Unlimited engages in facilitating grant financed land acquisitions of substantially larger sizes, WRF may in the future assist in facilitated acquisitions of critically important tracts of land of smaller sizes and scale of grant funds.]

A possible exception to this recommended role of WRF limiting its future land acquisitions to temporary, facilitated projects may be in event that the land property is conveyed (possibly by donation or at substantially reduced costs) with a financial donation or grant specified for long-term management of the land and serving as an endowment fund that will pay for all expected costs associated with long-term ownership and management of the property.

WRF needs to assure itself of the land acquisition and due diligence costs and its financial capability before committing to acquire title to a property. A fundamental question to be answered is whether WRF can afford those costs. Ideally the property acquisition will be done either by donation or at a purchase price substantially less than full appraised property value (i.e., a “bargain sale”). If there is not a donation or bargain sale involved, WRF’s project partner agency must work with WRF to assure adequate and expedient funding from other sources.

It is not anticipated that WRF will in the near-term future enter into conservation easement agreements with private landowners, unless an opportunity arises in which WRF considers holding a conservation easement on property owned by another partner land conservation organization or public land management agency (thus effectively serving as an insurance policy guaranteeing long-term protection of the conversation values of the property).

Note that these recommended evaluation criteria are not relevant to the exceptionally rare opportunities whereby WRF may be offered a property donation as a “tradeland” with intention for WRF immediately to sell a donated property as a financial “asset.” Such properties may not have any significant environmental or conservation values. On rare occasions land or other property owners may convey title to a charity by donation for its resale, and the revenues of that sale are used for the charity’s general operational financial needs or to establish a general endowment fund.

WRF Project Decision Process (see additionally the Evaluation Process below):

WRF staff will first consider a prospective land acquisition opportunity and determine that it meets WRF’s mission and its adopted Land Protection Project Selection Criteria. WRF staff will visit the property and talk directly with the landowner to obtain needed background information. If staff believe the project can be successful and appropriate for WRF to undertake, WRF staff will develop a Project Resolution containing essential information about the prospective acquisition project (see content outline below) and submit it to the Executive

Committee of the WRF Board of Directors (or to another committee so designated in the future by WRF's Board of Directors) for consideration [note: as the volume and frequency of land acquisition opportunities and decisions will be only occasional and infrequent for WRF, there is no need at present to form a Land Conservation Committee of the Board of Directors]. If the WRF Executive Committee approves proceeding with the potential acquisition project, it will be recommended to the full Board for consideration and decision. The full Board must formally vote to approve the project before WRF moves forward with further action steps toward completion of the property acquisition process.

Contents of a Land Acquisition Project Resolution:

PROJECT PROPOSAL

INFORMATION ABSTRACT & RECOMMENDATION TO BOARD

SITE NAME:

PROJECT TYPE: land property acquisition

ACREAGE:

LOCATION:

OWNER(s) (with address):

CONSERVATION SIGNIFICANCE:

MEETS WRF LAND CONSERVATION PROJECT CRITERIA:

DESCRIPTION OF THE PROJECT (including the natural resources present, physical features, present conditions)

HAZARDS OR RISKS AFFECTING MANAGEMENT CONSIDERATIONS:

ACQUISITION COSTS AND FUNDS NEEDED:

STEWARDSHIP NEEDS/COSTS:

ACTIONS RECOMMENDED:

Winyah Rivers Foundation Guidelines for Land Conservation Project Evaluation and Selection Criteria

Explanation: The Winyah Rivers Foundation (also referred to as WRF), inclusive of its RIVERKEEPER® program, collaborates with government agencies, landowners, and other land and water conservation organizations to conserve lands with high ecological, water quality, scenic, wildlife habitat, historic, and/or public recreational values contributing to public health and quality of life within the Waccamaw River and the Lower Pee Dee Basin, and with focused priority attention to the riparian corridors of those rivers and their major tributary streams. WRF may on selective occasion acquire title ownership to properties it deems to possess critical importance, and WRF may hold title to these properties for conveyance of ownership and/or for management by a responsible public lands management agency. WRF's staff and Board of Directors will evaluate each prospective land acquisition project to assess its assets, benefits, costs and risks in accordance with the mission and goals of the organization.

The following project evaluation and selection criteria are intended to evaluate new land conservation project opportunities. These criteria should be periodically reviewed and updated no less than every five years as part of WRF's strategic planning process.

These policies and criteria do not apply to "tradeland" property donations accepted as unrestricted gifts with understood intent for WRF to sell the property for its financial assets.

As a 501(c)(3) public-interest charitable organization, WRF is obligated to the public to always practice due diligence to insure ethical, responsible and fair treatment of the public and landowners in evaluating possible land acquisition projects.

1. Land Acquisition Project Priorities:

Protection of Water Quality: WRF works to protect clean water by advocating for conservation of forested and naturally vegetated riparian corridors, wetlands, and sensitive watershed lands, and by advocating against non-sustainable and irresponsible development and land management practices.

Preservation of Ecologically Significant Features: WRF works to protect intact, sensitive natural habitats and species. Ecological significance may be determined by other public agencies or qualified biologists and other professionals. WRF collaborates with coalitions of affiliated interests to identify and map areas of important biological and ecological importance.

Preservation of Open Space and Scenic Views: WRF works to protect undeveloped, open space lands – particularly forests and wetlands – that contribute to public benefits by providing clean water for drinking and recreation, healthy habitats and natural

environments within the midst of human development. These land assets also conserve rural, cultural, and historically important landscapes.

Connectivity of Protected Land Areas: Larger areas of protected natural landscapes provide more ecological benefits than small, fragmented natural areas. Resulting benefits of connected protected land areas include numerous ecosystem services including clean water, flood protection, functional and sustainable wildlife habitat, connectivity and migration corridors between natural habitat types, more protection and reduced likelihood against invasive species encroachment, and more protection against human-caused encroachment. WRF collaborates with conservation partners to expand existing protected natural lands and to provide connectivity between protected areas when possible.

Enhancement of Nature Preserves, Public Parks and Recreation Areas: WRF collaborates with federal, state, and local public agencies and targets protection of lands that will enhance, expand, and sustain the Waccamaw National Wildlife Refuge, State Parks, Wildlife Management Areas and Natural Heritage Preserves, and county and municipal and community parks and outdoor recreation areas.

2. Land Acquisition Decision Process and Considerations:

WRF may purchase or accept donations of land that meet its project selection criteria and other policies and guidelines. WRF may decline to accept offered land donations when WRF criteria or not met, the project is too costly and expensive for its financial and personnel resources, or when a donor wishes to place unacceptable restrictions on the land use as a condition of the donation.

WRF for the foreseeable future will involve itself principally in “facilitated” land acquisitions in which WRF is assured that it will hold title to the acquired property for a limited time period and will relatively soon be able to convey the property title and/or principal management responsibilities to a federal, state, or local public agency (such as the Waccamaw National Wildlife Refuge, South Carolina or North Carolina state natural resources, wildlife and parks agencies, or county or municipal parks and recreation agencies). In these decisions, WRF will partner with and enter into formal agreement with the public agency that will better assure the intent and resolve of the partner public agency to accept conveyance of title to the acquired property within a feasible time period and/or will assume principal management responsibilities for the acquired property. The partner agency must agree to protect the acquired property and its primary environmental assets for the long term.

Purchasing Land: If WRF purchases land, it will first obtain a qualified independent appraisal to justify the purchase price, or in limited situations when a property has a low economic value or a full appraisal is not feasible obtain a letter of opinion from a qualified real estate professional

to justify the purchase price. WRF will document the justification for the purchase price and assure that there is no private inurement or impermissible private benefit involved. If negotiating for a purchase price below appraised value, WRF shall ensure that its communications with the landowner are honest and forthright.

Land Acquired Through Mitigation: WRF may consider acceptance of land through the process of regulated mitigation, including mitigation of development impact on wetlands, streams, and endangered species habitats. Acceptance of properties through mitigation will be subject to all criteria contained in these guidelines. In instances of acquiring land through impact mitigation processes, the general policy of WRF shall be that all transactional costs, including surveys, legal fees, staff costs, and stewardship funds, must be provided by the mitigator or another available source related to the project.

Land Donations Associated with Sustainable Development Projects: WRF values the protection of environmentally-significant land areas within its rapidly urbanizing region. WRF may work with land developers to encourage environmentally sensitive development practices. Acceptance of conveyance and ownership of properties associated with land development projects will be subject to all the criteria contained in these guidelines. Because of the benefits to be accrued by the land developer, it will be the general policy of WRF that all its transaction costs, including boundary surveys, legal fees, staff costs, and stewardship/management costs and funds, must be provided by the developer or other source available to the land donor.

Selling Land: If WRF sells land, it will first document the important conservation values of the property, plan the project so as to assure protection of the property's conservation values, including assuring protection agreements appropriate to the property. WRF will obtain a qualified independent appraisal (or in limited circumstances, obtains a letter of opinion from a qualified real estate professional) that reflects the protection agreements and justifies the selling price. WRF will select land buyers in a manner that avoids any appearance of impropriety, preserves the public's confidence, and adheres to WRF's conflict of interest avoidance policy (which your consultant recommends adopting in the future).

Transferring Land: IF WRF transfers or exchanges land in its ownership, it will consider whether the proposed new landowner can fulfill the long-term stewardship responsibilities for the land and its natural resources, and ensure that the transaction will not result in a net loss of important conservation values, and, for donated properties, ensure the transfer of the land is in keeping with the donor's intent. It will be policy of WRF to only transfer ownership of properties containing significant conservation values to another nonprofit organization or to a public agency. If WRF acquires and transfers land property that has little or no conservation values, to some other party other than a public agency or another nonprofit organization, the sales price consideration will be based on a qualified independent appraisal (or letter of opinion in appropriate circumstances) in order to prevent private inurement or impermissible private benefit.

Land Acquisition Assistance: WRF, in appropriate cases, may provide assistance to agencies and other organizations working to acquire and protect significant natural areas in the region. In general, these projects will enjoy broad community support, and will be consistent with WRF's mission. WRF will consider the land protected through its assistance as part of its measurement of success, even though it does not take ownership of such land properties.

Conservation Easements: WRF will NOT accept conservation easements (agreements). WRF does not at this time possess sufficient expertise or financial resources to administer and manage a conservation easement program adequately, and it will defer and refer landowners who wish to donate or sell conservation easements to other partner public agencies or qualified private land trusts operating in the region.

3. Project Selection:

Winyah Rivers Foundation (including its staff and its Board of Directors, or a committee thereof) will scrutinize all proposed and potential land acquisition projects to assess risks and benefits in light of the goals and purposes of the organization (as stated in its Articles of Incorporation, Corporate Bylaws, and strategic plans), the public benefits associated with protecting the property, the feasibility of acquiring and stewarding the property even for the short-term, the feasibility and timeline for conveying management responsibilities and ownership to another public agency, and the significance, priority and importance of the project in relation with other potential projects and organizational needs.

Protection of a specific parcel of land will provide an **identifiable public benefit** such as:

- protection of surface water quality, including protection of riparian buffers, wetlands and vegetated floodplains along the rivers identified as high priority by the WRF;
- protection of river-associated natural habitats for wildlife, fish, plants or natural ecosystems;
- protection of lands that enhance or expand the Waccamaw National Wildlife Refuge or state-owned wildlife management areas, parks, or nature preserves;
- preservation of open space lands along the rivers within the WRF region of concern, including forestland or farmland, for the scenic enjoyment of the general public ;
- preservation of open space lands in furtherance of government policies;
- preservation of historically or culturally important lands along the rivers within the WRF region of concern;
- preservation of undeveloped lands as water "recharge areas" for groundwater or subsurface aquifers;
- preservation of land associated with rivers within the WRF region of concern important for public outdoor recreation or education;

- public recreational access to the Waccamaw River or its tributary streams, or to other high priority streams in the Lower Pee Dee Basin.

The protection project selection criteria described in this document are intended to ensure that the inherent conservation and public benefit values of a site will be the primary factors considered during the project selection process. Protection of a selected site will be intended to permanently protect the land from uses that could negatively impact the conservation values of the site. Additionally a river recreational access site may be protected by acquisition.

4. Evaluation Criteria for Land Conservation Projects:

It is understood that WRF will serve as a land trust of “last resort” when no other land conservation organization or agency is willing or in a position to take the lead role in accepting title ownership of properties deemed by WRF to possess high priority conservation or river access values.

In those cases, Winyah Rivers Foundation will use the following considerations and criteria in determining whether a prospective project (by fee simple acquisition, or by other forms of project assistance) qualifies as its conservation priority.

Project protects water quality or riparian natural habitats along a WRF priority river segment along the Waccamaw River or within the Lower Pee Dee Basin.

Project protects significant or rare wetland or upland natural communities, or rare or endangered species habitats associated with those priority rivers.

Project protects land important for public outdoor recreational use or access, or for public environmental education.

Project protects land that buffers or links with existing conserved land areas.

Project contains **land that could be likely transferred to a federal, state, or local government agency** that would manage the land in the long-term as a wildlife management area, nature preserve, or public park.

Sufficient size. In recognition of the fragmentation of natural landscapes occurring in this region, and the ecological principle that the size of a conserved area increases the diversity of flora and fauna within the area, WRF will work to identify opportunities where a proactive attempt to protect clustered and/or contiguous sites within the focus area will attain maximum protection of threatened natural habitats and ecosystems. In non-urban environments, WRF generally will give strong preference to projects on larger parcels of land. In general, WRF will be most interested in protecting large tracts of land – allowing large-scale

protection of watersheds, contiguous river and stream corridors and ecosystems. In cases when a proposed land acquisition project is intended to provide public recreational access to a river, the property size consideration will be based on management and security factors.

WRF may on occasion consider acquiring smaller parcels of land when one or more of the following criteria are met:

- The property is adjacent to other properties protected by WRF or by other conservation organizations or a government agency for the purpose of protecting water quality, open space and natural areas;
- The property has the potential to be clustered with other such protected properties in a conservation plan;
- The property is habitat for an outstanding resource, such as an endangered or threatened species or ecosystem, that realistically can be protected and defended by acquisition of a property fewer than 50 acres in size;
- There is substantial support for acquisition of the property from government agencies, conservation organizations or other stakeholder groups;
- The site provides needed public access to a river or stream of high priority to WRF.

Site Integrity and Defensibility. The WRF will give strongest preference for those projects that, based on the best available scientific information, are thought to be ecologically and legally defensible in perpetuity. This determination will be made based on all of the following considerations:

- The project includes provision of adequate riparian buffers including upland habitat around wetlands, riparian buffers on both sides of streams and rivers, and other buffers deemed appropriate. Buffers will be at least 100 feet in width unless topography, geography, code required setbacks, or some other compelling argument for narrower buffers is made.
- Future potential stewardship issues and expenses are manageable and feasible.

Landscape Context. When evaluating projects, WRF will consider the surrounding landscape and the potential impact of a change in the surrounding landscape on the proposed project, and more importantly the conservation values to be protected through the protection of the proposed site. For instance, if a site is proposed to protect habitat for interior songbirds and the site is less than 25 acres in size, and the likelihood of adjacent lands becoming protected is very small, then this project may be declined as the size of the proposed site is inadequate to maintain the conservation values. In contrast, if this site is adjacent to a previously protected site of 50 acres, then the site may be accepted as its conservation values are not under threat of being negated by a future change in the surrounding landscape.

Federal and State requirements. For land projects that may involve federal or state tax incentives, WRF will attempt to determine if the project meets the applicable federal or state requirements, especially the conservation purposes test of IRC 170(h).

Features weighing against property acceptance. The following features tend to indicate that a proposal is not suitable for WRF:

- The property is small, adjacent properties have not been protected, and there is little likelihood that they will be protected in the future. High-density residential area parcels are obviously inappropriate, but small parcels may be considered if the parcels are adjacent to existing protected lands or otherwise of conservation importance.
- The property is part of a larger land development proposal or activity that would unduly compromise or diminish conservation values to an extent that WRF cannot protect them in perpetuity.
- Adjacent properties are being planned or developed in a way that is likely to diminish significantly the conservation values of the property in question.
- Legal or logistical concerns such as parcels with toxic substances, unresolved boundary disputes, or overlapping third party rights that are not subordinated to the interest of WRF.
- The transaction results in a violation of the rules against private benefit or inurement, or otherwise adversely affects the status of WRF under applicable laws, including Section 170(h) of the Internal Revenue Code of 1986, and state statutes;
- WRF or the land seller or donor have a conflict of interest associated with the project; the project would result in erosion of public trust or confidence; or the project could significantly damage the public image of WRF.
- There are no funds available from WRF, landowner or other source for project expenses, including survey, legal fees and stewardship fund.
- The project cannot be negotiated and completed by WRF with reasonable effort in relation to the project's significance.
- The project would not result in significant public benefit, as defined in the Internal Revenue Code regarding 501(c)(3) nonprofit organizations.

5. Evaluation Process:

Site Inspection: Before presenting a project proposal to the WRF Board of Directors, the staff will perform a preliminary site inspection of the potential conservation property to determine if the property meets the organization's land protection criteria, to identify the important conservation values and public benefits of the property and threats to those values, and educate the landowner about available conservation options. After this inspection, and if the staff is favorably impressed with the conservation values and opportunities for the site, the staff will complete relevant portions of a Site Inspection Report and Project Proposal. Considerations during this initial project planning process will include identifying the site's conservation values, the proper and most appropriate means of conservation for the project, how the project achieves WRF's mission and goals, and insuring that the project fits the capacity of the organizations to meet future stewardship obligations (including its financial and personnel capabilities) in acquiring and managing the property.

In cases where WRF does not feel it has the skills and resources to protect the important conservation values of the property effectively, it may refer the project to, or engage in partnership with, another qualified public or private conservation organization. The terms of all partnerships with other conservation organizations will be documented in writing that define the roles and responsibilities of each partner organization.

Board and Committee Review: The detailed work involved in the land acquisition process is the responsibility of the WRF Board of Directors, and with its policies and specific directions assigned by the Board to staff or a committee.

Potential land protection projects will be brought from the staff to the Executive Committee of the Board of Directors (or other special committee which may in the future be established by the WRF Board of Directors) early in the process for potential purchases for review and clearance to proceed with negotiations with the landowner. Approval by a majority vote of the Committee allows and permits staff to begin to spend a significant amount of time bringing the project to completion. In the event when the WRF Board of Directors may establish a special committee responsible for reviewing proposals for acquiring land, and if that committee includes members who are not current members of the Board of Directors, approval of the project requires a motion and second from Board members. The Committee may make stipulations in the proposed project for which the staff will be responsible for explaining to the landowner(s) and for incorporating into the acquisition process. Summaries of the Committee meetings are used to inform the full Board of Directors about emerging projects and to allow Board members to comment early in the process.

Board of Directors Decision: The WRF's Board of Directors retains discretion over all conservation acquisition projects and shall evaluate each project and proposal individually on its own merit after careful investigation of the property, its conservation values, and its public

benefits. In most cases a majority vote of the Committee regarding a formal recommendation to accept or acquire land will be brought to the full Board of Directors near the end of project negotiations and shall be placed as a motion for Board approval by majority vote. A resolution authorizing staff and Executive Committee members to acquire the land will be executed by the Board of Directors prior to closing on acquiring any real property interest.

6. Technical Requirements:

Title Issues: WRF will investigate title to each property for which it intends to acquire title to be sure that it is negotiating with the legal owner(s) and to uncover liens, mortgages, mineral or other leases, water rights, and/or other encumbrances or matters of record that may affect the transaction. Mortgages, liens and other encumbrances that could significantly undermine and negatively affect the important conservation values on the property must be discharged or properly subordinated.

Access: WRF's right to physically access the property for management, monitoring and defense and for legal access to a public road is required for all projects. Public access to the property is not required.

Property Descriptions, Boundary Surveys and Marking: A valid, recent property description is required for all projects. WRF reserves the right to require a new survey if there is question or doubt as to the legal validity of an older, existing property description, or if the terms of the property acquisition cannot be adequately accomplished without a new survey. If a survey is conducted, property boundaries and corners should be clearly marked in the field. Older, existing surveys may be recertified if all parties agree.

Environmental Contamination: WRF will evaluate the need for a Phase I Environmental Site Assessment (ESA) for fee simple purchases of land. In appropriate cases, WRF will conduct its own on-site evaluation and may elect not to conduct a Phase I ESA. Staff will inform the Board's Committee of factors that may necessitate a Phase I ESA, and the committee will make a recommendation to the full Board regarding the appropriateness of a Phase I. Situations that would cause a recommendation for a Phase I ESA might include, but are not limited to: a history of industrial or commercial use, visible evidence of chemical or petroleum tanks, visible evidence of landfill activity.

Legal Review and Technical Expertise: WRF will obtain a legal review of every land acquisition transaction, appropriate to its complexity, by an attorney experienced with real estate and land conservation law. As dictated by the project, WRF will secure appropriate expertise in financial, real estate, tax, scientific, and land and water management matters.

Appraisals: If the WRF buys land or other real property, it will obtain a qualified independent appraisal to justify the purchase price. However, WRF may choose to obtain a letter of opinion from a qualified real estate professional in the limited circumstances when a property has a

very low economic value or when a full appraisal is not feasible (e.g., before a public auction). In limited circumstances where acquiring property title above the appraised value is warranted, WRF will document the justification for the purchase price and that there is no private inurement or impermissible private benefit. In instances when WRF may acquire an interest in real property at a price higher than fair market value, its Board of Directors must first have determined that such action is necessary to advance the conservation purposes of WRF, with the basis for that decision clearly stated in the board meeting minutes, and the transaction must not result in a violations of rules against private benefit or inurement, or otherwise adversely affecting the status of WRF under applicable federal and state laws. WRF will retain permanent copies of appropriate documentation for any purchases of land for a price more than the appraised value.

If negotiating for a purchase price below the appraised value, the WRF will ensure that its communications with the landowners are honest and forthright.

Baseline Documentation: Before project completion, a baseline inventory report must be prepared for every land acquisition project. The nature and content of the baseline data varies depending on the size and character of the project and the circumstances. Baseline documentation may be expanded in detail after the date of acquisition. Baseline documentation may include maps, photographs, historical information, lists of animals and plants present on the land, and similar information. Baseline data are used to establish the property condition at the time of acquisition, to monitor changes in the property over time, to assist in managing the property and its conservation values, and to restore the property to desirable conditions when necessary.

Land Management Plan: If WRF expects to hold title for a period of time exceeding twelve months before intended conveyance of title to some other public land management agency, it will prepare an interim management plan for the property. The management plan may be prepared in partnership with the public agency expected ultimately to take on management responsibilities or ownership of the property. The written management plan will:

- a. Identify the property's conservation values, including significant natural and cultural features or those that have significant community value;
- b. Identify the overall management goals for the property;
- c. Identify activities to achieve the goals and to reduce any risks or threats to the conservation values;
- d. Specify the uses that are appropriate for the property, in keeping with the property's conservation values, any restrictions and donor or funder requirements;
- e. Provide public access opportunities as appropriate to the property and the land trust's mission.

Tax Benefits to Donors: Donors of fee simple title property interest may obtain significant tax advantages if they comply with IRS and State requirements. Donors should retain their own legal counsel to assist in the transaction. WRF cannot and does not provide legal advice to donors, although it may provide general information and assistance. WRF will not make assurances as to whether a particular land donation will be tax deductible, what monetary value of the gift the IRS or state will accept, what the resulting tax benefits of the deduction will be, or whether the appraisal is accurate.

WRF will notify potential land donors who may claim a federal or state income tax deduction, or state tax credit, that the project must meet the requirements of Internal Revenue Code 170 and accompanying US Treasury Department Regulations and/or federal or state requirements.

WF will inform potential land donors seeking tax benefits of their obligation to obtain a timely value appraisal by a qualified appraiser who follows Uniform Standards of Professional Appraisal Practices complying with specific IRS requirements of the property as a prerequisite to obtaining a tax deduction. A landowner or estate making a fee simple donation must obtain an appraisal of the donation for tax purposes. These appraisals are the responsibility of the landowner, and representatives of WRF will refrain from assuring the landowner that the appraisal is sufficient or accurate and from representations as to the extent of tax deduction the donor may receive.

WRF will notify landowners prior to the donation of land that it will require IRS Form 8283 be completed prior to securing the WRF representative's signature on the form. This includes complete information regarding the estimated value of the property donation. Additionally, WRF will require a copy of the appraisal summary for documentation of land valuation for accounting purposes.

If WRF believes an appraisal or valuation to be grossly inflated, it will notify the donor and appraiser in writing. WRF will require that all appraisers with whom it works, including appraisers engaged by the landowner, sign a letter acknowledging they are aware of Federal and State laws governing appraisals of land, and that they have complied with those regulations in their appraisal of the land. For land donations, this letter will be provided to the landowner, who will be responsible for securing the signature of the appraiser prior to submitting the Form 8283 to WRF. If WRF learns of an attempt to inflate an appraisal prior to completion of land donation, WRF may refuse to accept the donation.

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