



Land Protection Policy of the Society for the Protection of New Hampshire Forests

I. The Forest Society's Land Protection Goals and Priorities:

The Forest Society's mission, as stated in its original 1904 mission statement is "to perpetuate the forests of New Hampshire through their wise use and their complete reservation in places of special scenic beauty". Today, the Forest Society has interpreted this in contemporary terms in its strategic vision, New Hampshire Everlasting (2001): "The Society for the Protection of New Hampshire Forests envisions a living landscape where managed woodlands, farms, and wildlands are woven into the fabric of community life. We envision people caring for lands that sustain dynamic communities with clean water and air, employment, forest and agricultural products, habitat for native plants and animals, scenic beauty, and recreational opportunities". The land protection priorities that derive from this strategic vision are:

- Protection of productive forest land to ensure the continued viability and improvement of the state's forest resources and forest products industries, especially including historically well managed forest land
- Protection of important agricultural land.
- Protection of water supply lands and important aquatic resources.
- Protection of important wildlife habitat areas and the natural ecosystems on which native wildlife and plants depend.
- Protection of places with special scenic, recreational, scientific, cultural, and/or educational value to communities.

Further refinement of these priorities is accomplished through the development of regional conservation plans, often in collaboration with our partner organizations, and which help define the particular "niche" of the Forest Society's land protection work in each region.

II. To achieve these priorities the Forest Society will focus on:

- Expanding and connecting existing and new conservation lands, especially those that contribute to the protection of important ecosystems and/or secure long term opportunities for productive and economic forest management. (e.g. ecosystem reserves, large contiguous blocks of productive forest/conservation land).
- Protecting places of special natural resource significance where it is determined protection enhances other goals of the Forest Society.
- Collaborating with and assisting other organizations to achieve common land

conservation goals and ensuring that landowners will have appropriate protection options when a project is outside the Forest Society's land protection priorities.

- Protecting areas identified by the Forest Society as our priorities within each of the regional conservation plans (e.g. Q2C, Lakes Region, etc.).

III. Land Protection Methods:

The Forest Society works to protect lands with important conservation resources using a variety of techniques including:

- Acquisition of fee title by gift, devise, purchase, bargain sale, and pre-acquisition for transfer to other conservation agencies or private parties subject to conservation restrictions.
- Acquisition of conservation easements and deed restrictions on privately or publicly owned land.
- Providing technical assistance to other organizations.

IV. Fee Title Land Acquisition:

1. Gifts and Devises

The Forest Society may accept gifts and devises of land parcels of any size, provided such lands contain truly productive or important natural resources (or as provided in IV. 4. below) and meet the criteria described in sections V. and VI. below.

2. Purchases and Bargain Sale Purchases

Land may be purchased by the Forest Society at fair market value, or where an appraisal or other appropriate property valuation method confirms the fair market value., or at a price above fair market value only when a parcel is of significant strategic conservation importance. In all cases the Forest Society ensures that it conveys no impermissible private benefit. Purchases shall meet the criteria described in sections V. and VI. below.

3. Pre-acquisition for Transfer

Important lands identified by public natural resource agencies as needing protection in order to protect or add to existing public lands, can be pre-acquired by the Forest Society for eventual transfer to appropriate non-profit conservation organizations or government agencies.

4. Land Acquired with Intent to Sell

Lands or real estate not necessarily containing conservation attributes that are donated or bargain sold to the Forest Society with the understanding that these lands or real estate will be sold to generate funds to support Forest Society programs.

V. Management and Protection of Lands Acquired In Fee Title:

Lands acquired by the Forest Society in fee are categorized in one of the following ways:

1. **Land intended to be retained and designated by action of the Board (or by donor restriction) to be managed as Forest Society Reservations.** The definition of a “Reservation” is that the property is added to the inventory of properties managed by the Forest Society for the long-term and previously defined as “permanent ownerships” in earlier land protection policies.
2. Land to be retained **under management of the Forest Society**, and that at the time of acquisition is designated by the board (or by donor restriction) as land that may be transferred (when appropriate, subject to conservation restrictions) if future circumstances suggest alternative ownership is appropriate and consistent with the goals of the Forest Society.
3. Land purposefully **pre-acquired for transfer**, subject to appropriate restrictions or agreements, to other non-profit conservation organizations or government agencies.
4. Land acquired with **the intent to sell** (usually acquired by donation, with donor consent to sell) having the following characteristics
 - A. Real Estate with no natural resource value, (e.g. houses, cottages, building lots, etc.) that has been donated, devised or sold at a bargain price to the Forest Society with the expressed purpose of providing a financial benefit to its programs and activities and intended to be sold without restrictions.
 - B. Conservation Property, being land with natural resource attributes deserving protection that can be sold with appropriate permanent conservation restrictions. Such properties may be conveyed with or without rights for limited development

(see Land Sales Policy).

VI. Acceptance Criteria for Forest Society Reservations

1. Forest Society Reservations.

The Forest Society owns Reservations to conserve and actively manage for the multiple attributes that forests contribute to New Hampshire's quality of life. The acquisition and ongoing management of this portfolio of properties supports our achievement of the goals of New Hampshire Everlasting, and the Forest Society's Mission. We intend to demonstrate to private landowners how the practice of sustainable forestry can advance forest health, protect clean water, develop and improve wildlife habitat, and provide recreational opportunities as well as economic benefits.

To assure that the reservations of the future meet these core goals, it is the policy of the Board of Trustees that all new fee acquisitions meet one or more of the following criteria:

- A. The property to be acquired is determined to be a priority acquisition for the purpose of expanding an existing Forest Society Reservation or, if a new reservation, for implementing the Forest Society's Regional Land Conservation Plans.
- B. The property to be acquired shall have one or more of the following natural resource attributes:
 - i. Well managed forest resources
 - ii. Important wildlife habitat
 - iii. Productive forest soils
 - iv. Water resources such as high quality streams, aquifers, etc
 - v. Integrity of large forest blocks of regional significance
 - vi. Special ecological attributes such as exemplary natural communities
 - vii. Important scenic attributes
 - viii. Natural resource attributes that are important to the local community
- C. The property is adjacent to an existing Forest Society Reservation not previously prioritized for expansion.

Additional factors that shall be considered that may affect a decision to acquire a property

include the following:

- D. Potential restrictions on management that may be imposed by the donor funding entity that will have a constraining impact on the Forest Society's ability to meet the aforementioned goals of land ownership.
- E. Public outreach and engagement opportunities created by ownership.
- F. Other unique features that in the determination of the Land Protection and Land Management Committees deem the property worthy of protection through fee ownership.
- G. Stewardship considerations (See policy on Reservation Stewardship approved by the Forest Society Board of Trustees December 2010).

2. Land Under Forest Society Management.

Lands conveyed to the Forest Society where the donor or seller specifically indicates (in writing) that he/she has no expectation that the Forest Society will make the property a "Reservation" and approves that the land may be conveyed to another party at such time the Society deems it to be appropriate. Such lands should meet the acquisition criteria as Reservations (VI.1 above), and shall be managed under the same policies as Reservations.

These lands should be acquired with the understanding that another organization or agency may accept future ownership responsibility if the need arises or such transfer would affect more efficient and effective management/stewardship. Such transfers will be subject to Board Approval at the time of the proposed transfer.

3. Pre-acquisition for Transfer

The Forest Society may pre-acquire lands that are intended for transfer to other conservation organizations or agencies. Projects may be initiated by the Forest Society or at the request of another conservation agency or organization. Land should meet both of the following criteria:

- A. Land is identified by a conservation or government agency as a priority for acquisition; and
- B. Property has outstanding natural resource conservation opportunities.

Additional factors that may be considered:

- C. Land is adjacent to or an in-holding in, existing protected land.
- D. Land provides access to public land or public waters.
- E. Acquisition presents significant public relations or development benefits, or other financial opportunities to the Forest Society
- F. Acquisition and subsequent transfer has potential for producing net income to the Forest Society

4. Pre-acquisition for Sale.

(See Land Sales Policy and V. 4. above)

VII. Conservation Easements:

1. Conservation Easements, where the Forest Society holds less-than-fee interest in land, are an important technique for protecting land that will not be under fee ownership of the Forest Society. Conservation Easements can be acquired by gift, devise, or by purchase. the Forest Society accepts both Grantee and Executory interest in easements, but accepts executory interest only in special situations. (See Executory Interest Policy)

In general, the Forest Society charges fees for assistance to private landowners donating easements on their property. Owners granting easements are also typically requested to make a donation to the Conservation Easement Stewardship Endowment.

2. Criteria for Acquisition of Grantee Interest in Conservation Easements: All grantee interests in conservation easements must meet all of the criteria below:

- A. At least one of the conservation priorities outlined in the Land Protection Goals outlined at the beginning of this document; and
- B. A minimum standard of public benefit, as defined in part by the IRS regulations on conservation easements, the “Land Trust Standards and Practices” of the Land Trust Alliance, and other public policies of the State of New Hampshire and its counties and municipalities; and
- C. A sufficient size to protect the conservation attributes of the property, unless the parcel adds to existing contiguous conservation land, or has unique natural resource attributes that justify accepting an easement of smaller size;

D. A sufficient amount of funding, based on either the standard calculation or a specific analysis of the stewardship costs for a unique property, is provided to the Easement Stewardship Endowment.

3. Criteria for Acceptance of Executory Interests: Acceptance of all executory interests is subject to the Executory Interest Policy for Conservation Easements.

VIII. Committee and Board Approvals:

All proposed acquisition of land, conservation easements or other interests in real estate, and all transfers, conveyances or sales of interests in real estate, must be reviewed by the Land Protection Committee prior to action by the full Board of Trustees. Acquisition of new fee interests that will be managed by the Forest Society must be reviewed by the Land Management Committee. Exceptions exist for urgent projects and these shall be handled according to the bylaws provisions providing for action by the Executive Committee; however, whenever possible input from the members of the committees will be sought prior to Executive Committee action. Final approval of all such acquisitions, transfers, sales or other conveyances is made by the Board of Trustees.

IX. Transaction Processes

The process of acquiring all land, easements or other interested in land will, at a minimum, conform to the “Land Trust Standards and Practices—Part II” of the Land Trust Alliance (adopted by the Board, June, 2005) and (upon receipt of accreditation) the Land Trust Accreditation Commission.

The Forest Society maintains checklists of the proper actions, steps and processes that are to be undertaken in the acquisition and conveyance of land, easements or other interests in land. These checklists shall be written and amended from time to time to reflect the above Standards and Practices and Accreditation requirements.

Final Draft as approved by the Land Protection and Land Management Committees on May 25, 2011

Approved by the Board of Trustees at its meeting on June 1, 2011.