

MEMORANDUM

Subject: ATC Land Conservation - documents
To: Mid-Atlantic Regional Partnership Committee
From: Caroline Dufour, Land and Resources Coordinator
Date: 2/27/07

Attachment #4 includes three documents that ATC uses to guide its land protection efforts at different levels. As the Regional Partnership Committee discusses priorities and options for land conservation in the mid-Atlantic, we thought that those documents would provide a good platform to frame some of the issues.

The first document is a map showing the “high priority areas” or “threatened landscapes” that have been identified along the Trail. These may be areas where the corridor is very narrow, where the viewshed is mostly showcasing private lands, where there are significant management issues that might be prevented by securing additional lands, or where development is expected that would affect the Trail experience (i.e. major developments close to the Trail, prime tower sites...). They are broadly defined stretches, in some cases very large: we currently do not have very good knowledge of what exact pieces of property within those areas are most relevant to us.

The second document presents ATC’s criteria for determining whether a specific piece of property is relevant to ATC, and whether ATC should consider accepting direct responsibility for that piece of property, whether it is in the form of an easement or fee interests. These are broad criteria: if according to these criteria, it would be reasonable for ATC to consider holding a property in fee or accepting an easement, further steps have to be completed to ensure that the deal itself is sound and sensible, financially and otherwise.

The third document is part of that third level of scrutiny and due diligence: if a property is worth ATC accepting an easement on it, the easement document itself has to meet certain standards. The standards were revised and upgraded in 2006 to ensure that 1) all ATC easements would provide true conservation benefits and good protection to the lands they apply to, and 2) ATC would only take on legal responsibilities that it is equipped to oversee and enforce. The second point refers directly to easement monitoring: it is essential for an organization to consider the perennial cost of monitoring whenever accepting an easement, and to realize that permitted activities can substantially change those costs.

Suggested discussion points are:

- 1) Can the mid-Atlantic priority areas be further prioritized? Can the RPC identify more pressing needs, or areas of greater opportunity?
- 2) Considering the significant liability and perennial cost of easements, what are the relative merits of using partnerships with like minded organizations, influencing local zoning and other planning tools for land protection as opposed to easements?