

A LANDOWNER'S GUIDE TO CONSERVATION EASEMENTS

LOVE YOUR LAND

Now & Forever.





CONSERVATION
EASEMENTS

YOU KNOW YOUR LAND.

**YOU HAVE A DEEP CONNECTION TO THE GROUND,
THE WATER, THE WILDLIFE.**

People conserve their land for different reasons, but they all have something in common: they love their land.

By discussing your vision for the future of your land with the **Bitter Root Land Trust**, you can assess whether conservation is right for you and your family. It's your livelihood, it's your way of life, and it's a big decision.

Our job is to listen and provide options for your consideration that best fit your family, your land, your agricultural operation, and your financial objectives.

Whether your family has been farming or ranching here for generations, or you recently made the Bitterroot Valley your home, **BRLT** is here to partner with people like you: thoughtful landowners with a long-view approach and deep understanding of the special lands and waters of this valley.

BRLT provides voluntary, landowner-driven, market-based conservation tools to landowners in the Bitterroot Valley. Period. Conservation easements, land donations and purchases respect private property rights and are, by definition, non-regulatory.

That's our conservation philosophy. We respect your private property rights, and are here as a resource to help you achieve your goals.

It's important to consider that conservation easements are permanent and present a difficult decision for any landowner. It's best to take the process slow and be certain that a conservation outcome is the right fit for you and your family.

This publication is designed to provide some initial information to landowners interested in learning more about conservation options for their land. We hope this helps identify some questions to ask as you determine whether conserving your land meets your objectives.

We encourage you to talk with your family, friends, advisors, and neighbors who have conserved their land, for valuable perspectives on whether the tools mentioned here fit your vision for your land.



It was after a lot of thought and discussion that my mom and I decided that the right thing to do, for our family, was to conserve our ranch.

As more working land is preserved in this magnificent valley, I hope that more young people who choose agriculture as a career will be able to do so.

- DWIGHT AUCH,
AUCH ANGUS RANCH IN CORVALLIS,
CONSERVED 2018

WHAT IS A CONSERVATION EASEMENT?

Conservation easements are voluntary agreements between landowners and a qualified conservation organization like the **Bitter Root Land Trust** that permanently limits certain land uses on your property. This is done to ensure future owners respect your vision of protecting the natural, agricultural, scenic, or other values inherent to your Bitterroot Valley land.

With a conservation easement on your land, you are assured that your place will be protected forever, can remain in family hands, and continue to be part of the agricultural and natural heritage of the Bitterroot for generations to come.

Landowners who place a conservation easement on their land continue to own and manage the conserved property, pay property taxes, are free to sell the land, or pass it on to the next generation. Landowners continue to manage any agricultural operations as well.

Conservation easements do NOT require public access. As the landowner, you retain the right to allow or deny access to your property.

Conservation easements can be effective tools for preserving

the land's fundamental character for future generations. However, they are not for every landowner or every piece of land.

CONSERVATION EASEMENTS ARE FLEXIBLE, AND TAILORED TO EACH LANDOWNER AND PROPERTY.

As the landowner, you continue managing your land the way you always have. The specific provisions of the conservation easement are created by the landowner and **BRLT** to ensure the unique characteristics of your family land are protected for the future.

Once finalized, a conservation easement stays with the land, whether the land is sold or remains in the family. **BRLT** is obligated to ensure your vision is respected by future landowners. This legal agreement will provide continuity and give you the assurance that the land you cared for will be protected forever.

OUR PROMISE

STEWARDSHIP & PARTNERSHIP



CONSERVING YOUR LAND

HOW DOES IT WORK?

Our experienced staff can guide you through the process by:

- discussing your vision and goals for your land and family
- discussing the range of conservation tools available to you (conservation easements, partial or full land sales, or land donation)
- helping you develop a plan that protects the values most important to you and your family
- and researching potential funding sources

Grants or other funding may be available to help pay both transactional costs and to purchase a portion of the conservation easement or fee title. Costs include, but are not limited to, due diligence, document drafting, and appraisals to determine the land or easement's value. You will need the advice of your own attorney and accountant, as **BRLT** does not provide legal or tax advice.

HOW DOES BRLT UPHOLD ITS STEWARDSHIP PROMISE?

BRLT Stewardship staff visit with you (or any future owner) once annually to ensure the terms of the conservation easement are followed. We take seriously our commitment to landowners to uphold our stewardship responsibilities and ensure the land you've cared for is protected for generations to come.



IS CONSERVATION RIGHT FOR ME?

LANDOWNER BENEFITS:

Income Tax

Conservation easements can provide estate and income tax benefits. If a conservation easement meets federal tax code requirements, the value of the easement can be treated as a charitable gift and deducted from federal income tax following the IRS guidelines for a “qualified conservation contribution.”

Landowners should consult with an attorney experienced in this area and with their financial advisors or accountants to determine if they would benefit from granting an easement. BRLT does not provide legal or tax advice. The deed of conservation easement must be written very carefully so that the landowner’s wishes are carried out and so that the desired tax benefits are obtained.

Financial Planning

By limiting future development, conservation easements may reduce the value of your land for estate tax purposes, which can help with long term planning.

Compensation

For certain projects, **BRLT** can apply for funding to pay for a portion of your conservation easement’s fair market value.

Land Management

BRLT staff can connect you to resources available that support your land management activities. Landowners remain responsible for the management of their property.



WHY BRLT?

The decision to conserve your land is a personal one. It takes time, consideration, and planning.

BRLT staff are here to answer your questions about conservation options, and help you determine whether or not it's the right decision for you and your family.

If you decide to conserve your land with **BRLT**, we remain your ongoing partner, providing advice, resources, and support, ensuring that your vision for the land is carried out - even if the property changes ownership.

BRLT has been and will always be dedicated to the people and land of the Bitterroot Valley.

The feeling of protecting this place is second only to seeing your kids grow up right. I have four kids—two sons and two daughters—and now it's possible for this farm to continue for future generations of my family or another family that believes in the importance of agriculture for the community.

- DAN SEVERSON, FLYING E RANCH
IN STEVENSVILLE, CONSERVED 2011





BITTER ROOT



LAND TRUST

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