



Photo by Gravity Shots

Water, Wildlife, Way of Life

Conservation Easements and You

WHY SHOULD WE CARE?

Your land is special. As the property owner, you know its unique features better than anyone – its wildlife habitat, important wetlands, scenic views, rich soils.

Many landowners share a sense of responsibility to be good stewards of the land – not just for today, but for generations to come.

If you have a long-range vision for your land, a conservation easement may be a powerful tool for you to consider.

Conservation easements often carry important financial benefits



Weaver Slough - protected by several conservation easements that keep farm families on their land and protects the wetlands for wildlife and clean water.



Hay land protected by conservation easement. Photo by Harley Mumma

WHAT CAN WE DO?

Conservation easements are increasingly popular for working lands. Hundreds of property owners in western Montana – from owners of small rural acreage to ranchers and farmers and Plum Creek Timber Co. – have used conservation easements to keep their land special. As word spreads about these voluntary conservation agreements, more landowners are using them to achieve their financial and long term land management goals.

What is a conservation easement? A conservation easement is a voluntary agreement that provides landowners with the means to protect and secure the future of their land. Typically, conservation easements restrict residential subdivision and industrial activities, thus protecting traditional uses such as agriculture and forestry. Often other resources such as riparian areas, wetlands, and fish and wildlife habitat are also protected. *Each conservation easement is customized for a specific piece of land and the wishes of the property owner.*

RIVER TO LAKE INITIATIVE: Conservation Easements and You

WHY DOES IT WORK?

Conservation easements can help your bottom line. While many landowners donate conservation easements out of a sense of stewardship, there are often economic benefits as well. Many landowners find conservation easements offer an advantage in estate planning or federal income taxes. Sometimes, land trusts can help arrange other financial benefits – including cash payments – in exchange for a conservation easement. It all depends on the particular situation and your vision and needs.

Conservation easements protect both private property rights and public benefits. Nonprofit groups called *land trusts*, as well as government entities such as the Montana Fish, Wildlife & Parks or a city or county, enter into conservation easements to protect public values – such as wildlife habitat, rich soils or water quality. For example, the Flathead Land Trust and the Montana Land Reliance focus on conserving productive agriculture lands and important wildlife habitat. It's up to the landowner to decide if he or she wants to enter into such an agreement.

Conservation easements are permanent. When land is subdivided and developed, it is changed forever. With conservation easements, the land stays essentially the same. When the land changes hands, the new property owners are bound by the stipulations of the easement. The easement is filed and recorded with the title of the property in the county Clerk and Recorder's office. The land trust monitors and ensures the terms of the easement are upheld over time in partnership with the landowner.

Conservation easements keep private land in private hands. Land with a conservation easement remains 100 percent private property and remains on the tax rolls. Landowners continue to manage their land and retain control over who may access their land.

WHERE CAN WE LEARN MORE?

Like any major decision about your land, conservation easements are not to be taken lightly. You may wish to discuss your options with your attorney and financial advisor.

For more information about conservation easements in the Flathead Valley, contact the Flathead Land Trust at 752-8293 or the Montana Land Reliance at 837-2178.

The Johnston family decided to keep their 700 acres along the Flathead River intact by donating a conservation easement on it.



"We probably couldn't keep this intact without an easement" Dr. Glenn Johnston told the Daily InterLake.

"Having grown up here, I am steeped in the family history, and I had so many marvelous experiences with my father here as a boy." Johnston's grandfather pieced the property together over several decades, starting in 1880.

Johnston and his wife, Hazel, wanted their grandchildren and future generations to be able to enjoy and appreciate the area as much as they do, the waterfowl, the bears, and the land as a whole.