



Dispelling the myths around conservation easements

What is a conservation easement?

A conservation easement is a voluntary agreement between a landowner and a qualified conservation organization that restricts particular development uses of the landowner's property in order to protect certain resources and traditional uses.

What are the benefits of a conservation easement?

- Protection of farm and forest land – Conservation easements permanently restrict large-scale subdivision or development (see below for further detail, not all development is restricted), ensuring that the land will always be available for farm and forest activities. Conservation easements make it easier to transfer property to the next generation of farmers and ranchers and will enable future generations to retain land.
- Financial and tax incentives – Landowners who donate easements may be eligible for financial and tax benefits through federal income tax deductions and estate tax exemptions.
- Preservation of rural communities and local heritage – Protecting working farms and forest land through conservation easements can help maintain the viability of the local economy. Easements also offer a way for communities to work together and preserve natural resources, open spaces, and wildlife habitat that drive recreation and tourism dollars.

Who owns the land with a conservation easement?

The landowner retains ownership of the property. The conservation easement only conveys certain rights (such as the right to develop or subdivide) to the designated land trust.

What rights are typically retained by the landowner after a conservation easement is put into place?

The landowner retains ownership in the property; the right to sell, lease, convey, or otherwise transfer the property, the right to continue existing agricultural operations and customary rural enterprises (i.e. farm, ranch, graze, hunt, fish, etc.), and the right to control public access.

Does a conservation easement prohibit all future development?

No.

Most conservation easements prohibit large-scale subdivision or development, mining and commercial and industrial uses that will harm a property's conservation values or traditional uses. However, a conservation easement does not prohibit all future development. Conservation easements are intended to be flexible enough to allow for limited residential development. The details of the agreement are negotiated between the landowner and Inland Northwest Land



Conservancy and will depend on the character of the land and the conservation values the easement is designed to protect.

Can I sell my property if I put a conservation easement on it?

Yes.

The landowner retains full ownership of their land. The property is sold with the conservation easement attached and the new landowner will be subject to the same restrictions as the landowner who initiated the easement.

Is Inland Northwest Land Conservancy going to tell me how to manage my property?

No.

INLC will not tell you what to do with your property. We monitor conservation easements to ensure that the landowner is complying with the mutually agreed-upon terms of the easement. We expect that landowners will be good stewards of their land as part of their own property management.

Do conservation easements require public access?

No.

The term easement can be misleading. Conservation easements do not require public access. While a landowner may choose to allow public access, there is no obligation to do so. The landowner decides who is allowed on the land and when.

Can conservancy staff come on my land whenever they want?

No.

INLC staff visit each property at least once a year, more often if the ownership is changing, timber harvest is planned, or other reserved rights are being exercised. The staff always gives notice and usually arranges to walk your property with you.

What rights does INLC have to the land?

The organization holding the easement is required to monitor and enforce the terms of the easement. To accomplish this, a representative will visit the property at least once every year to ensure that the terms of the agreement are being upheld. This does not mean, however, that INLC or any other group has the right to use the land, nor does it grant public access for any reason.

Questions?

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