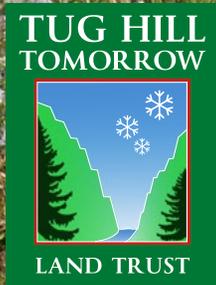


12 Steps to Conserving Your Land

What's involved in completing a permanent conservation agreement



CONSERVING LAND

CONNECTING PEOPLE

CELEBRATING NATURE

What Do You Love About Your Land?

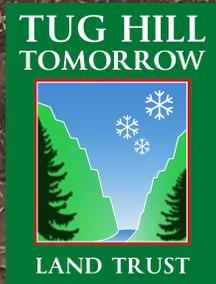
When Bob Burt sat down and thought about that question it was his family's connection to the land that made him decide to conserve it. Bob's family has owned the same land for generations—over 200 years.

Like so many of us, whether we came here recently, or many years ago, Bob knew that once the land was gone it was gone for good.

“This is a magical place,” Bob explained, “The thought of losing it to development is too much to bear. When you're at the farm, you notice things. You notice the seasons and the passage of time. I'm so thankful that I've conserved this land. I never took it for granted and neither did my ancestors. I think they would be proud of what I have done.”

And while many people feel the same way, we hear a range of reasons from other landowners.

Some people want to pass the land on to the next generation and have peace of mind that the land will remain free of housing developments; they want to ensure that the next generation has a chance to own, and manage, the lands they love as they do.

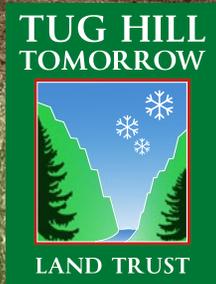


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What is a conservation easement?

A conservation easement is a land protection tool, written in the form of a legal deed that runs with the land forever.

The land trust holding the conservation easement is responsible for partnering with the landowner to ensure that the vision for the property is upheld over time.



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Conserving your land with a voluntary conservation agreement (technically called a conservation easement), can make the land more affordable to your heirs or new owners.

Then, some are passionate about local food, homes for wildlife, or slowing down climate change.

Increasingly, people are finding that protecting the land is a perfect way to ensure that the lands they love—the very essence of Tug Hill—reflect what they, and their family, care about.

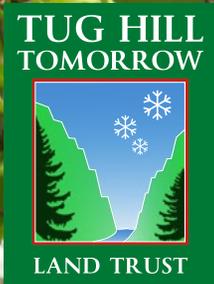
That was why the Clarke family conserved their land. As Maureen explained, “With wildlife needing places to thrive, including access to woodlands and waters, it was really important to our family to do something about it. We wanted to protect the reservoir and streams that border our land and ensure that wildlife has a place to rest as they migrate through. It’s something we are proud we did.”

Like Bob and Maureen, you too love your land. We look forward to working with you to understand what that might mean for you.

7

Seven Quick Facts About Conservation Easements

Conserving your land is always a big decision. Yet over the years, we have seen that there is one thing that all landowners who have done so have in common: they love their land and they know it's part of their legacy.



Here are a few key points to consider if you, or someone you know, is interested in land conservation using a conservation easement.

1. Ownership retained

You retain ownership of your property after it is conserved. You can sell, lease, or pass your land on to others subject to the conservation easement. You continue to manage the land according to the conservation goals of the agreement.

2. Flexible

Farming, forestry, managing for wildlife, recreational uses like hunting, fishing, snowmobiling, and home-based businesses are usually permitted. Every property is different, and each conservation easement is tailored to the goals of the landowner and the land.

3. Voluntary

All landowners who decide to conserve their land with a conservation easement do so voluntarily. Protecting their land is exercising one of their private property rights.

4. Not All Development is Prohibited

Depending on what you and our land trust are working to conserve, an easement often allows for limited development that is compatible with the conservation goals. Working lands, including forestry and farming, are often part of a conservation project.

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5. Public Access is Not Required

As a landowner of protected land, you are free to welcome or exclude the public as you would any other property.

6. Taxes

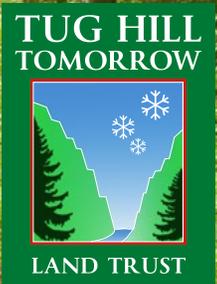
You continue to pay your property taxes. You may qualify for an updated tax assessment that factors in your conservation easement, although that is not common.

If you donate the conservation easement, you may also qualify for state and federal income tax deductions that could provide up to 15 years of income tax deductions against your adjusted gross income.

In addition, New York State also provides an annual property tax credit of up to 25% of your town, county and school taxes on the protected land, up to \$5,000 that current and successive landowners are eligible to claim.

7. Funding for Conservation

There may be state or federal funding to help you conserve your land. We can talk to you about what is available after we understand your conservation goals and the conservation attributes of your property.



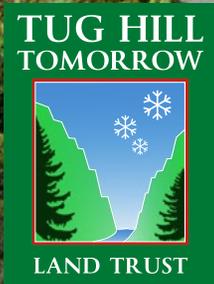


As an accredited land trust, it's important to us that you understand the overall conservation process to protect your land.

Conserving your land involves clarifying your conservation goals, identifying the important elements you and our land trust want to conserve, and clarifying the public benefits of conserving your property.

We will also talk with you about the timeline and related costs. Because every project is different, the timing and sequence of tasks can vary.

We provide the outline below to give you a general sense of the process.



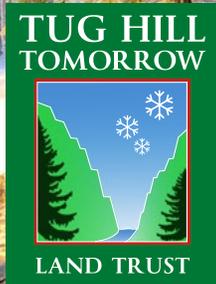


Contacting Us

All conversations are confidential to respect your family's decision whether or not to conserve your land.

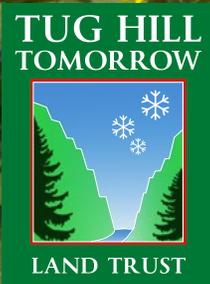
Feel free to give us a call, email us, or stop by the office.

We will provide additional information about various conservation options, including conserving your land with a conservation easement, reserving a life estate, donating your land to become a public conservation area, or donating it as a gift for us to conserve and resell subject to a conservation easement.





© Jeannie Eckel



Filling Out the Landowner Information Form

The first step in the process is to fill out the Landowner Information Form, which clarifies who owns the land, and other relevant information and send it back to us.

We will provide you with a copy of this form, or you can find it on our website.



© Jacqueline Humphrey

Initial Site Visit

After we have received your completed Landowner Information Form, and confirmed your interest in exploring how to protect your land, we will make an appointment to visit with you to walk your property.

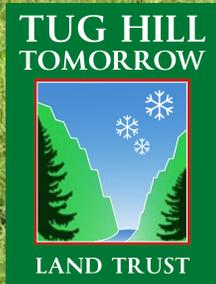
During this first visit, we will talk with you about your conservation goals for the property.

We'll also collect information about past and present land use, history of ownership, and the property's character and features.

It may take more than one site visit to gain a full understanding of your property, your goals, what conservation options you are interested in, and the overall process to protect your land.



© Leslie Sheldon



Clarifying Possible Funding Opportunities

New York State has several conservation programs that may apply to your property.

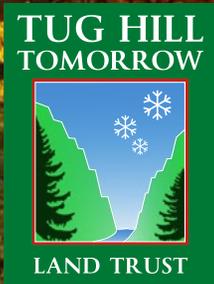
- Qualifying farmland protection projects may be eligible for a state farmland protection grant.

This is a highly competitive grant program; our staff can tell you more about the criteria, matching requirements, and process to apply. You can also review the program at <https://agriculture.ny.gov>.



© Alyssa Youngs

- New York also has a forest conservation easement program. Grants to conserve forested land with a conservation easement may be possible, although the funding is limited at this time. Check out the website for [additional information](#):
- Other State land protection funding for water quality.



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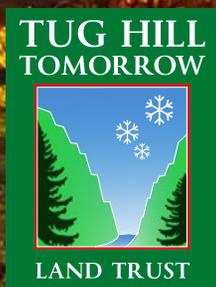
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- Federal farmland protection funding.
- Other Federal land protection funding. Occasionally there are federal funds available for water quality and wildlife habitat.
- Carbon sequestration funding. Protecting your land with a conservation easement shouldn't hinder your ability to tap into carbon funding if that opportunity arises.

We will discuss these with you and determine if they are the right match for your property and your conservation goals.



© Linda Garrett



Understanding Related Project Costs

Each project necessitates considerable staff time, attorney review, title searches, a baseline documentation report (as discussed below) and sometimes surveys and appraisals.

Some of these costs are the land trusts responsibility and some are the landowners. As a nonprofit, we work with the landowner to help cover these costs through a combination of a charitable donation and sometimes grant funding.

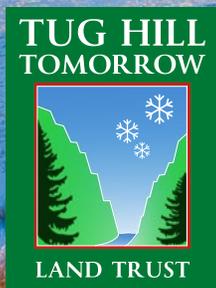
We can provide an estimate of costs once we understand the scope of your project.

In addition, landowners are asked to make a one-time contribution to our Stewardship Fund which helps us cover the costs of stewarding and defending the conservation easement, forever.

The amount is determined by the complexity of the easement and the size and location of the property. This contribution may be tax-deductible.



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Board Approval

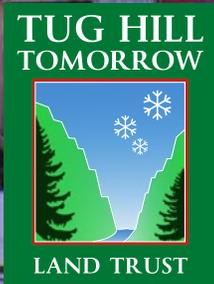
After we receive your Landowner Information Form, our Stewardship Committee will review the overall project characteristics to ensure it meets Tug Hill Tomorrow's mission and criteria for land conservation projects.

If these criteria are met, the Stewardship Committee will then make a recommendation to the full board to move ahead with the project.

The board, pursuant to national land trust standards will decide whether the project meets our land trust's program goals and if we have the current capacity to undertake the project.



© Judy Anderson

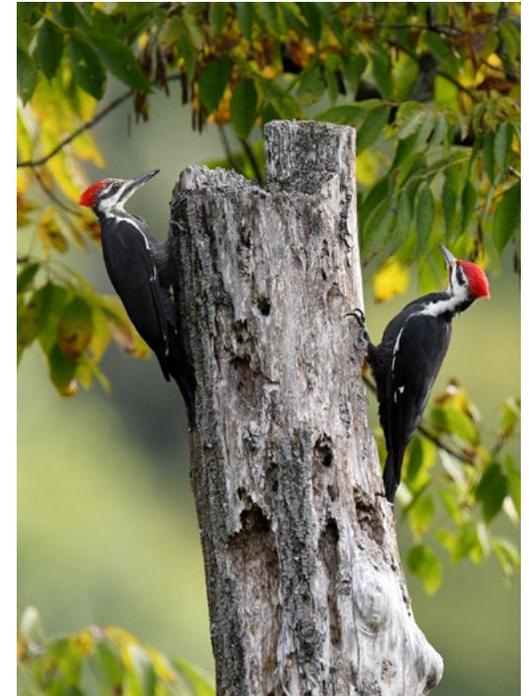


Drafting Your Conservation Easement

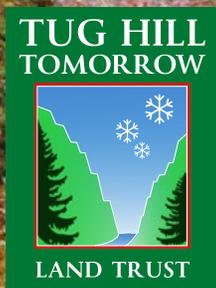
After the board approves your project, our conservation staff will draft a conservation easement that outlines the important conservation attributes of your land we collectively feel should be conserved and reflects your vision of the property's future as it may evolve over time.

The easement will include a site plan map outlining the different areas of use.

It may take several drafts and related maps to ensure that your goals, and the land trust's conservation goals, are properly reflected.



© Pamela Underhill Karaz



Reviewing the Conservation Easement

Once our attorney has reviewed our draft easement, we will send it to you for your review.

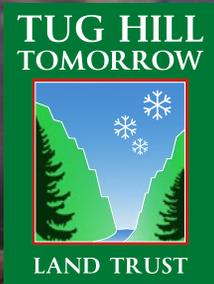
The easement document can be daunting, as it is written in legalese, so you are advised to take your time to review the document carefully. We are also happy to sit down with you and walk through the easement together.

After you are comfortable with the concepts and terms of the easement and supporting map and feel we have crafted a document that meets our collective goals, we recommend that you ask an attorney familiar with conservation easements to review the document on your behalf.

We can provide a list of attorneys who have worked with landowners on conservation easements.



© Janet Thompson



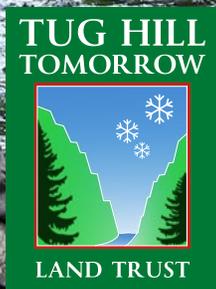
Property Title and Environmental Review

National conservation standards require that before completing an easement a title search to confirm there is nothing that could invalidate the conservation easement such as previously established mineral or gas leases, liens, and unsubordinated mortgages.

Many landowners have a mortgage on their property. The lending agency will need to subordinate the mortgage to the conservation easement. This often means clarifying the value of the property at the conserved value through an appraisal or, in some cases, paying off the mortgage prior to conserving the land. We will work with you to help create a plan to address any issues that could complicate, or invalidate, the easement.

National land trust standards also require that an environmental assessment of the property is completed. The purpose of this assessment is to ensure that there isn't contamination that would cause the land that's going to be protected to be substantially harmed.

This is called a Phase 1 Environmental Assessment. It's the land trust's responsibility to ensure this is completed.



Survey and Appraisal

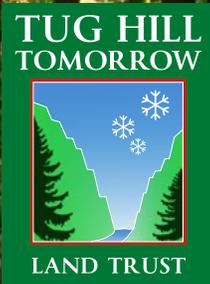
In certain circumstances, depending on funding sources and/or boundary markings, a survey may be required. We will work together to determine if this is necessary.

An appraisal of the value of the conservation easement, usually called a “before and after” appraisal is necessary if the conservation easement is being purchased through a grant, which will usually cover this cost.



© Kate Kramer

If you are planning on donating an easement and wish to take a charitable deduction against your federal and state income taxes, an appraisal is necessary and must be paid for by you, as the landowner.



Creating a Baseline Documentation Report

We are required to prepare a Baseline Documentation Report.

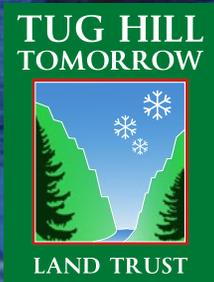
This information usually includes several maps locating the property; aerial photos and on-the-ground photos documenting structures and significant natural features; survey maps, and property description; topography, property tax maps, and soil maps; information on specific historic, scenic, biological, or recreation features; and any pertinent additional items.

The Baseline Documentation Report serves as a tool to help ensure the conservation easement is upheld, and understood, over time. Several visits to the property may be necessary to complete this required baseline documentation report.

You, as the landowner, are welcome but not required, to be present each time Tug Hill Tomorrow returns to the property to work on the Baseline Documentation Report. We will always call and arrange for permission to visit the property, regardless of whether you will be present or not.

Before the completion of the project, we will ask you to review the Baseline Documentation Report and ensure it accurately reflects the property as related to the terms of the conservation easement.

We will also ask you to initial each photo page and sign the Certification of Baseline Documentation at the project closing.



2 Completing the Project

Once the language and terms of the easement are agreed upon, the designated representative from our land trust, and you as the landowner, will sign the Baseline Documentation Report and conservation easement documents at a pre-scheduled project “closing.”

You do not need to be present at the project closing if you are out of town at the specified time; we can work with you and your attorney to arrange a remote signing.

Document filing

We will then file the conservation easement document with the deed at the county clerk’s office and send you a copy of the signed document, as well as the baseline documentation, for your records.

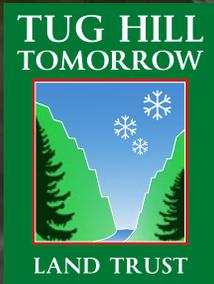
The easement will also be filed with the NYS Department of Environmental Conservation.

Baseline storage and use

The original baseline report is stored in our office. As soon as the easement is filed, Tug Hill Tomorrow assumes responsibility for monitoring the property annually and upholding the easement’s goals.

We look forward to working with each new conservation landowner to achieve their conservation goals.

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As the property changes hands in the years to come, we will work with each successive owner of the property to ensure they understand and adhere to the terms of the easement; we update the baseline as conditions change.

Storytelling

As a community-supported nonprofit, it is important that our donors and community members understand, and feel part of, our conservation work. We work with each landowner to draft a story about why protecting their land is important to them.

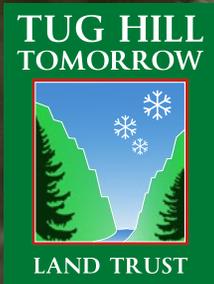
Sometimes people talk about providing wildlife with a safe haven or their desire to ensure clean water and local food for generations to come. Other times they relay how it was part of a tribute to their parents or their connection to the land.

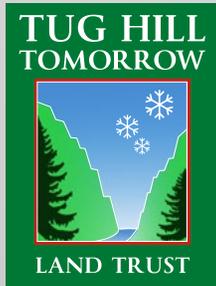
We will do the same with you. These stories are published in our newsletter, online newsletter, and sometimes in the press.

They often inspire others to follow your lead and conserve their own land. You can see examples of past stories on our website including past issues of newsletters and annual reports.



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Questions?

Feel free to contact our staff for a confidential discussion. You will also find additional information on our website.

Tug Hill Tomorrow Land Trust

1 Thompson Park
PO Box 6063
Watertown, NY 13601

315.779.8240

TugHillTomorrowLandTrust.org



facebook.com/Tug-Hill-Tomorrow-Land-Trust



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