



What is a Conservation Easement?

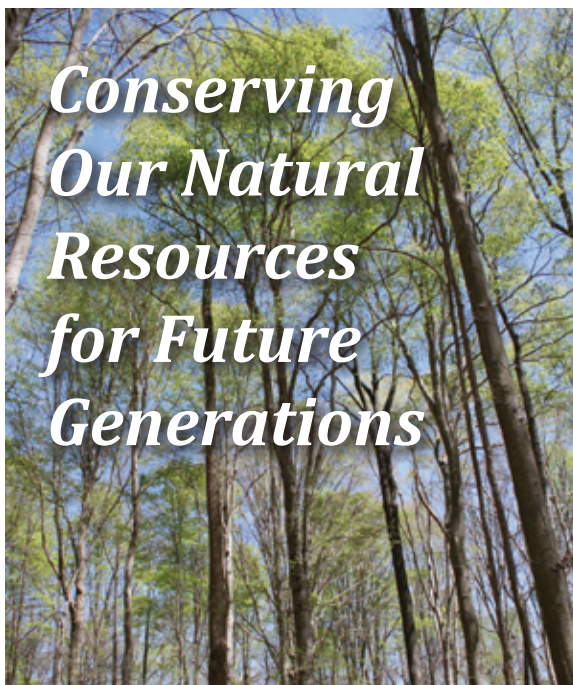
A conservation easement is a voluntary legal agreement between a landowner and a government agency or land trust that permanently limits future development of the land to protect its conservation values. The terms of the easement are negotiated between the landowner and the organization that will hold the easement.

Under a conservation easement, landowners continue to own, use and control their land, and can sell it or pass it on to heirs. Easements allow for and encourage rural land uses, such as forest management, agriculture, hunting and fishing. An easement does not require landowners to provide public access to their land.

A conservation easement protects land primarily by limiting the number of times the property can be subdivided. However, depending on the size and nature of the property, and the conservation values being protected, landowners often can retain the right to exercise one or more subdivisions. Conservation easements also include provisions for building homes, farm buildings and other structures typically found on rural land.

Easements are perpetual in nature – they protect the land forever. The terms of the easement apply to all future landowners. The organization holding the easement is responsible for ensuring the easement's terms are followed.

Conserving Our Natural Resources for Future Generations



For More Information

For more information about VDOF services or programs, please contact your local Virginia Department of Forestry office or visit:

www.dof.virginia.gov

Western Region Office, Salem:

Phone: (540) 387-5461

Central Region Office, Charlottesville:

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CONSERVATION EASEMENTS

*Virginia Department of Forestry
Working Forest
Conservation Easement Program*



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VDOF Conservation Easements

The goal of the Virginia Department of Forestry Conservation Easement Program is to enable forest landowners to make certain their land is available for forest management in perpetuity. Managed or working forests provide a sustainable flow of natural goods and services that benefit all Virginians. Because larger blocks of working forest provide the greatest range of benefits, VDOF conservation easements focus on keeping the forestland intact and undivided, enabling landowners to manage their forestland for timber products and environmental values.

A VDOF working forest conservation easement is similar to a traditional conservation easement, except that the easement terms are primarily developed to protect the working forest. Language is included in the easement that will guide and encourage long-term natural resources stewardship within the context of a forest stewardship management plan.

VDOF Easement Requirements

- ◆ A written forest stewardship management plan prepared by either a private consulting forester or a VDOF forester. Once

under easement, all forest management activities on the property must conform to the management plan, which is tailored to meet the landowner's goals and can be updated at any time as goals, forest conditions or timber markets change.

- ◆ A written pre-harvest plan before any timber harvesting can take place.
- ◆ Best management practices to be implemented with any timber harvesting.

VDOF will not recommend or exclude any specific forest management practice within the terms of the easement.

Property Criteria

Because the VDOF Conservation Easement Program focuses on protecting large blocks of managed forest, we typically hold easements only on properties over 50 acres in size that are at least 75 percent forested. We also focus on properties that contain forestlands of high conservation value as identified by VDOF's statewide analysis. However, these are general guidelines and other properties where there is strong interest in forest management may be considered.

Benefits of an Easement

The primary reason landowners donate a conservation easement is to preserve their land in its natural state, while still allowing their family to live and work on

the land. Many want to see their legacy of farm or forest management continued for their children and subsequent generations. Most value the peace of mind knowing that their land will always be protected from development.

In addition, there are significant income tax and estate planning benefits. A gift of a qualified conservation easement in perpetuity may qualify as a non-cash charitable gift, which may yield a deduction for federal income tax purposes, a credit for state income tax purposes, local property tax reductions and federal estate tax exemptions.

Donating an Easement

Conservation easements are significant transactions that can take six months or longer to complete. However, they are completely voluntary and the landowner can pause or halt the process at any time.

Landowners choosing to donate an easement will need to work with an attorney, an appraiser and perhaps a financial adviser and a tax credit broker. While there are significant financial benefits available for donating an easement, there are costs as well. Programs may be available to help landowners pay for the upfront costs of developing a conservation easement.