

*Hundreds of acres in the Stowe area have been conserved by landowners who have generously donated conservation easements to Stowe Land Trust.
Thank you for considering joining them.*

What is a conservation easement?

A conservation easement is a legal agreement that limits development and subdivision, while protecting land for farming, forestry, wildlife habitat, scenic views, and/or recreation. Landowners who donate an easement continue to own and pay taxes on the land. They can use the land for farming, forestry, recreation, education and other activities that sustain the property's resources. Conservation easements are tied to the land, whether it is sold or remains in the family—so you can be assured that the land you cared for will be protected, even when you no longer own it.

What kind of land does Stowe Land Trust conserve?

We conserve scenic, recreational, and productive farm and forest lands for the benefit of the greater Stowe community. These lands are also often critical habitat for Vermont wildlife. Generally, we work with landowners who want conserve 50 acres or more that meet SLT's conservation criteria. On occasion, we will conserve smaller parcels with excellent resources, unique natural features, or special importance to our community.

What is protected and what is allowed under a conservation easement?

Conservation easements are written to protect things like special wildlife habitat, high-quality farm soils, and timber resources. We also consider a landowner's future plans, identifying appropriate sites for barns, homes, or other structures.

What are the costs of donating a conservation easement?

We ask for a contribution towards 1) our costs and 2) a stewardship endowment. The stewardship endowment is used to make sure conservation easements are honored for generations to come. Sometimes we are able to get funding to offset a portion of these costs. You will be responsible for covering your own legal and appraisal expenses.

What are the income tax and estate tax benefits of donating an easement?

Landowners who donate qualified conservation easements may be eligible for federal, and in some cases, state income tax deductions, which can help to offset income and capital gains taxes and reduce potential future estate taxes. As tax rates and regulations fluctuate, IRS criteria must be followed. It is important for landowners to work with their own tax adviser.

The value of a conservation easement (and the charitable deduction) is determined by an independent appraisal. Appraisers look at the value of the land before and after conservation; the difference between these two numbers is the potential deduction. Donors may deduct up to 50 percent of their adjusted gross income. This is deductible against federal and, in some cases, state income taxes. If the value of the gift is not used up in the first year, the unused portion may be carried forward for 15 years. Special rules apply to the deductibility of land owned less than one year.

Will conserving my land reduce my property taxes?

Sometimes. A conservation easement usually reduces a property's value because it removes or limits some landowner rights, such as the right to develop the land. Vermont's listers are directed to consider the impact a conservation easement has on the land's value. In practice, however, many listers have not adjusted the assessment of conserved properties. Some landowners choose to grieve their assessment, especially if they have an appraisal which substantiates the value of their conserved property. If land is already enrolled in Vermont's Use Value Appraisal Program (also known as Current Use) it is already being taxed as productive farm or forestland—usually at a rate that is lower than the municipal assessment. Many owners of conserved land stay enrolled in the program and continue to pay taxes at the use-value rate.

If I conserve my land do I have to let the public use it?

Not necessarily. Unless a conservation easement specifies that the public has access to land, access is up to the landowner. That said, many landowners honor Vermont's tradition of allowing neighbors to enjoy land for hiking or hunting. Some privately owned conserved properties have trails or features that have long been enjoyed by neighbors or the public. In these cases, we often work with landowners to include a provision in their easement to permit public use of the land.

How long does it take to donate an easement?

It can take anywhere from six months to a couple of years. Title issues and family agreements are often an important variable in this estimate.

How does the land trust know that easements are being followed?

A very important part of our work is to check in on the land we have conserved to make sure that nothing is happening in violation of the easement. We regularly visit properties, walk the land, speak with landowners, review aerial data, and follow up on any concerns. Violations are rare, and most are minor, but when they do occur we first try to work with the landowner and/or neighbors to address them. When an easement is donated, we ask for a donation to our stewardship endowment, which is designed to fund this work for the long-term.

Questions? Please contact us at (802) 253-7221 or info@stowelandtrust.org