



WHAT IS A CONSERVATION EASEMENT?



A conservation easement is a voluntary legal agreement (a deed) between a landowner and a land trust (or other qualified organization), such as [Potomac Conservancy](#), in which landowners place restrictions on the use of their property in order to permanently protect the natural, agricultural, and scenic values of their land.



What does a conservation easement do?

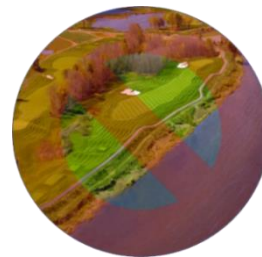
A conservation easement restricts development on forested, agricultural, open and/or streamside land to protect wildlife habitat, water quality, good soils, and the rural economy and character of an area.



Prohibits mining, oil or gas extraction, and major excavation



Limits or prohibits subdivision



Prohibits the removal of streamside vegetation

- Limits the number and size of structures
- Requires a Forest Management or Conservation Plan for some activities
- Limits other activities based on your desired use(s) of the land

How long does a conservation easement last?

Forever. All future landowners must adhere to a conservation easement's terms. The conservation easement is created as a deed and recorded in county public land records.

Why donate a conservation easement?

- Your family loves and has a special connection to the forest, agricultural land, water resources, history, and/or scenic beauty of your property.
- You want to ensure the effort and care you have put into your land care is not undone.
- Whether your easement is donated during life or by will, it can make a critical difference in your heirs' ability to keep the land intact.
- Donating a conservation easement can reduce your property, state income, and federal estate taxes. In Virginia, Land Preservation Tax Credits can offset your tax burden or be sold for income.

Who owns the property after it is protected?

You continue to own your property.

Do I still retain my property rights?

After donating a conservation easement, you may continue to use your property as you intended, subject only to the restrictions you agreed to include in the conservation easement.

What am I “giving up” when donating a conservation easement?

By working one-on-one with an organization to draft your conservation easement, you create terms that meet your needs and protect your property. These terms often restrict harmful development practices such as subdividing your land into small housing lots or paving over it with impervious surfaces.

An easement reduces the land’s market value by removing its development potential. As a result, donors may receive tax incentives because the reduction in value may be considered a charitable donation.

Why do easement donors get tax benefits for protecting their land?

The structure and incentives supporting conservation easements exist because local and federal governments and communities acknowledge the importance and overall public benefit of conserving our waterways, forests, agricultural lands, and open space.

Will my land qualify?

Potomac Conservancy’s criteria helps determine if we are best suited to hold your conservation easement. If we are not the best holder, we will connect you with other organizations who might be a better fit.



What is the role of Potomac Conservancy?

We work with you to create and record a conservation easement that reflects your desires for your land, protects your land’s conservation values, and adheres to federal and state requirements. From that point on, we are responsible for safeguarding your land by ensuring the terms of the conservation easement are upheld. We are also a resource for helping find solutions to land management concerns and conservation goals.

Why does Potomac Conservancy want to acquire easements?

Potomac Conservancy holds conservation easements because we want our local waterways to be safe for swimming, fishing, and drinking; our lands to be viable for wildlife habitat, forestry, and agriculture; and our rural communities and culture to be preserved and connected with the environment around them.



210 South Braddock St. | Winchester, VA 22601 | (540) 667-3606

potomac.org/lands

