



# CONSERVATION CORNER

## Conservation Easements 101

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### What On Earth Is A Conservation Easement Anyway?

Perhaps you've heard the term in passing, assumed it had no bearing on your life, and disregarded it in favor of something more pressing, like World Cup soccer or being out of coffee. Maybe you have heard of septic field easements or access easements, isn't that the same thing? Possibly you attended Kaniksu Land Trust's Wild and Scenic Film Fest last winter and heard Eric and Kyler expounding on something or other, but really you were there for the sweet films and trendy swag.

### So what is a Conservation Easement anyway? And why should it matter?

According to Merriam-Webster, "conservation" refers to the careful use of something so it isn't lost or wasted. Whether it's your child's paint set, your last box of Girl Scout Cookies, or the Great Barrier Reef, we humans think about conservation all the time. I just thought of it this morning when I scored replacement snow pants for my kids at a neighbor's yard sale for \$3 each. Yes! I love conservation!

"Easement" is more complicated to define as it is generally a legal term that refers to your property rights. In non-legal lingo, an "easement" is something that eases your mind. Perhaps that's an equally appropriate

way to think of the "easement" in Conservation Easement. These easements are legal agreements that ease your mind by using your stuff (i.e. property) carefully so that it lasts for a long time.



Imagine a family farm whose owners want to keep it that way, a parcel of forest that's been carefully tended for generations,

or a hiking trail through private land where the public is permitted and you frequently find refuge. These types of private resources could easily be altered or lost if not cared for, and will then be gone forever. Which is a very long time.

Enter the Conservation Easement (CE). A CE is a legal contract that is attached to the deed of a parcel of land and stipulates permanent rules for how that land is used. The CE is an insurance policy that the land will always be maintained according to wishes of the landowner who applied the easement. As the land's ownership changes, the original rules of the CE, whether in regard to how many homes can be built or how the timber is utilized, are permanently upheld.

The Conservation Easement is "held" or watched over by a private non-profit organization called a land trust. The land trust's job is to make sure that the rules imparted by the original owners are followed, even after the property has changed hands. The land trust works closely with the landowner to customize the CE meet their conservation goals, and also with future owners to ensure that the easement is understood and upheld.

### So Why Should It Matter To Me?

Perhaps your family doesn't own a farm, or other sizeable acreage, and you wonder if Conservation Easements could possibly have any relevancy to you? They absolutely do.

Here in North Idaho we are fortunate to conduct our lives against a backdrop of remarkable mountain vistas, bucolic rural scenes, lush forests, and abundant water (a whopping 9% of Bonner County is water). Sometimes I have to remind myself to stop, take a look around, and wonder at what an amazing place I live.

While much of our landscape is held by state and federal agencies, 40% of Bonner County and 26% of Boundary County are in private ownership. Private lands contribute considerably to our scenic environs, and some also offer tremendous recreational opportunities for all of us to enjoy.

These private lands have the potential to be either maintained as such, or undergo changes that would permanently alter our landscape. As our communities continue to grow and expand,

rural farmsteads, private forests, and open spaces that offer community access are falling under increasing pressure to turn into something else. And that is why Conservation Easements matter to each one of us.

Without the ability to set legal ground rules for how their property is handled in the future, a landowner has little assurance that their land will remain in its current state after they are gone. And the rest of us have little assurance that the remarkable landscape we call "home" will continue to look and feel like it did when we first discovered it.

**Still have Questions?**  
The friendly folks at your local community-based land trust, **Kaniksu Land Trust**, are always available to visit about Conservation Easements, how they work, and whether they may be relevant to you, your family, or your private lands. Feel free to look us up on the web ([www.kaniksu.org](http://www.kaniksu.org)) or call the office at 208-263-9471.



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