

SOME QUESTIONS AND ANSWERS

What is the Henrietta Conservation & Recreation Conservancy?

The Conservancy is a private, non-profit land conservation organization that is supported by its membership and governed by a volunteer Board. We work with landowners, both individuals and families, and with other conservation organizations. We are not connected to state government, but we do work with public agencies at the federal, state, and local levels.

What kind of land does the Conservancy conserve?

Our focus is on permanently conserving agricultural and wooded areas, in part because these lands help sustain Jackson County's rural economy. Priority is also given to properties that are important to maintaining a community's "sense of place." We also conserve important recreational assets, scenic lands, historic sites, and wildlife habitat. We are guided by the Mid-West Land Trust Alliance regional protection priorities.

Who benefits from land conservation?

Everyone does. For families land conservation ensures that lands with important personal meaning will be protected. The conservation of farmland ensures that future generations will have an agricultural land base, and when a farm easement is purchase, conservation can make farming and farm ownership more affordable.

Wildlife enthusiasts, hikers, hunters, and anglers benefit from recreational access to Conservancy preserves. The Jackson County business community benefits from the conservation of Jackson's scenic beauty and rural character, two assets that help attract talented employees to our County, support its travel industry, and enhance the business climate. Most important, land conservation helps communities achieve their natural resource goals, by protecting the lands that do much to create each township's distinctive character.

How does the Conservancy conserve land?

We do this primarily by holding conservation easements that landowners voluntarily sell or donate to us. A conservation easement is a legal document that restricts the uses of a property; the landowner sells or donates development rights to a piece of land by placing a conservation easement on it. The land remains in private ownership, and can be used for farming, forestry, recreation, education, and other purposes. Most easements only restrict use of the land for development.

Many landowners retain the right to build a limited number of houses for their family's future needs, or for future financial considerations. Conservation easements are flexible enough to accommodate such needs, as long as natural resource values are protected.



How does the Conservancy ensure the perpetual protection of land?

The Conservancy's Stewardship Program monitors the conservation easements that we hold, and makes sure the goals are perpetually met. This program is supported in part by an endowment, which is funded through contributions from each conservation project. The stewardship endowment is kept separate from the general operating fund.

Because the Conservancy accepts these perpetual obligations of stewardship, we have provided that all conservation easements and stewardship endowments would be transferred to a similar nonprofit conservation organization if this Conservancy goes out of business.

Can conservation easements be changed?

Conservation easements are perpetual restrictions that run with the title to the land. Only in rare circumstances are they changed. Any amendment to a conservation easement must be consistent with the terms and conservation intent of the original agreement. Changes may be allowed to correct an error or an ambiguity, to settle condemnation proceedings, or to allow a minor modification that is consistent with the original conservation purpose.

Does the Conservancy dictate how land is managed when it is conserved?

No. The property's management is left to the landowner, within the limits of the conservation easement. On conserved farms, all generally accepted agricultural practices are permitted. The Stewardship Program ensures that the intent of the conservation easement is fulfilled, but it has no involvement in day-to-day decisions and operations.

Is public access required on conserved lands?

No, although many landowners choose to allow public access in varying ways. A specific trail easement can be included in the conservation easement, or an access easement can provide for other recreational uses. In most cases, landowners keep the right to restrict or allow public use as they wish.

Will the assessed value of my property change if I place an easement on my land?

State law requires that land protected with a conservation easement be assessed at its restricted value. These values vary over time and from place to place. Because of these variations, and because easements are still relatively new in many places, assessors have been uncertain how to properly assess the value of conserved land. It is likely that there will be tax appeals over some assessments before easements become more commonplace.

Does it cost anything to conserve land?

Yes, it does. Landowners who are donating or selling an easement usually pay the costs of their own legal and/or accounting advice. If development rights are being sold, landowners will incur some appraisal costs. When the Conservancy works with landowners who donate conservation easements, we ask that they cover the cost of our staff time spent directly on the project. We also ask them to contribute to our stewardship endowment, which covers the cost of the perpetual responsibility that the Conservancy takes on when we accept each conservation easement.

If a landowner cannot afford these costs, the Conservancy will try to fund raise limited funds to cover staff time and contribute to the stewardship endowment.