



Interested landowners are encouraged to contact:

OPERATION GRASSLAND COMMUNITY
OR
PARKLAND STEWARDSHIP PROGRAM

Alberta Fish and Game Association
 6924 – 104 Street NW
 Edmonton, AB T6H 2L7
 Phone: (780) 437-2342
 Fax: (780) 438-6872
 On-line at: <http://www.afga.org/>

Conservation Easements



Looking out across your land, you see a landscape that have been stewarded by generations of landowners like yourself. But you can also see changes creeping onto that landscape. Many producers are facing different pressures today on their land. These pressures continue to grow in strength, resulting in some new challenges for the landowner and for their communities.

These challenges include:

- Conversion of more and more agricultural lands into rural subdivisions
- Increasing sales of rural lands due to attractive offers from developers
- Burdensome taxes levied against families upon death of the landowner
- Increasingly high costs of buying out family members

A Conservation Easement is one tool that can help moderate the future demands that may be made on your land.

WHAT IS A CONSERVATION EASEMENT?

Conservation Easements are tools that individuals and communities can use to ensure the availability of unbroken productive landscapes and natural areas for future generations.

When you think of owning a piece of land, you can think of it as a bundle of rights. You may have the right to construct buildings, irrigate the land, cut timber, subdivide, etc.. A Conservation easement is a legal tool by which you voluntarily relinquish certain (but not all) of those rights (e.g., an easement can still allow grazing, but all easements preclude subdivision and environmentally damaging forms of development.). If you grant a conservation easement, you still retain title to the land. Conservation easements are typically granted in perpetuity and remain with the land regardless of ownership.

Granting a conservation easement has associated financial benefits, and can help landowners pass their property on to the heirs or to new owners as a viable agricultural unit.

The legislation lays out who is eligible to hold the conservation easement you grant. In general, you have the choice of granting a conservation easement to the crown, a municipality, or certain registered charities. You can also choose between granting an easement on all or a portion of your land.

Remember that there are a variety of stewardship options for a landowner, and a conservation easement may or may not be for you.

WHY A CONSERVATION EASEMENT?

Conservation Easements contribute to the maintenance of open spaces and a healthy environment. They can protect watersheds and wildlife habitat, and help maintain clean air, clean water, agricultural land and scenic beauty.

Conservation Easements may be attractive to you or your community for the following:

- Conservation of rangelands and ranching communities (easements prevent conversions to non-ranching uses)
- Income tax deduction if the easement is a charitable donation
- Appraised value of the property may be lowered through the relinquishment of development rights; this can reduce capital gains when the land is sold or transferred.
- In some cases, the easement can be sold to an eligible organization to reduce debt loads and to provide return for non-farming heirs.
- Protection can be provided for both the property's environmental and agricultural features



- A landowner can grant an easement on all or part of the property, and can reserve a building site for a future residence.
- You retain title to the land, so are free to sell, will or gift the land subject to the terms of the agreement.

WHAT ARE THE FIRST STEPS?

1. Do your homework. This is a big decision, and there are many organizations and resources that can help you.
2. Choose an organization to work with. We can put you in touch with Environment Canada for the most current list of the eligible groups in your area.
3. Get expert advice. How will an easement affect your taxes and estate plan? You will want to consult a lawyer, tax advisor, and/or estate planner. We can put you in touch with the organizations that can help you find the expertise you need.
4. Talk to someone else who has granted an easement. If you do not know anyone, the organizations eligible to hold easements can put you in touch with these individuals.

There are many organizations and resources that can provide you with more detailed information. For information on where to look, please don't hesitate to contact us:

**Operation Grassland Community or
Parkland Stewardship Program
ALBERTA FISH AND GAME ASSOCIATION**

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We would like to thank the Southern Alberta Land Trust Society for generously allowing us to use their conservation easement literature as a template from which we developed this fact sheet.

Materials used in preparation of this fact sheet include:
Joint publication: Southern Alberta Land Trust Society, The Land Conservancy of British Columbia, and Sonoran Institute. 2000. Preserving Working Ranches in the Canadian West. Booklet. 48 pp.
Nature Conservancy Canada. A Conservation Toolchest for Landowners: Investing in the Land you Love. Booklet. 16 pp.
Southern Alberta Land Trust Society. 2000. Conservation Easements: A Landowner's Guide. Booklet. 19 pp.
Southern Alberta Land Trust Society. Conservation Easements: Leaving a Legacy. Folder. 6 pp.

