

What is a conservation easement?

A conservation easement is a voluntary, written legal agreement between a landowner and a qualified conservation organization or government agency that permanently protects specific conservation values.

Examples of conservation values include:

- - wildlife habitat
- - riparian lands and forests
- - scenic views and open space
- - agricultural lands
- - historic property



Okanogan historic structure.



Why create a conservation easement?

The short answer is: because you want to!

Conservation easements are statements of shared values, which are important to both the landowner and the Okanogan Valley Land Council. Every landowner has different priorities, just as every property offers distinctive resources and natural beauty and habitat. A conservation easement is not designed to hinder the enjoyment or personal use of private property. It is designed to protect, for the long-term, wildlife habitats, open space, sustainable agriculture, meandering rivers, fresh air and brilliant night skies. Although an easement is a legal and somewhat dry document, it is crafted to protect the personal values which inspire land protection to begin with.

“We did it because we believed it was the best way to steward the land that we love.”
-Ferne Rosenblatt



How do conservation easements work?

Conservation easements provide a way to make sure that specific management plans and zoning objectives remain in place over the long term. Each conservation easement is permanently attached to the property title as a deed restriction, and each easement has a specific site map, which outlines various zones.

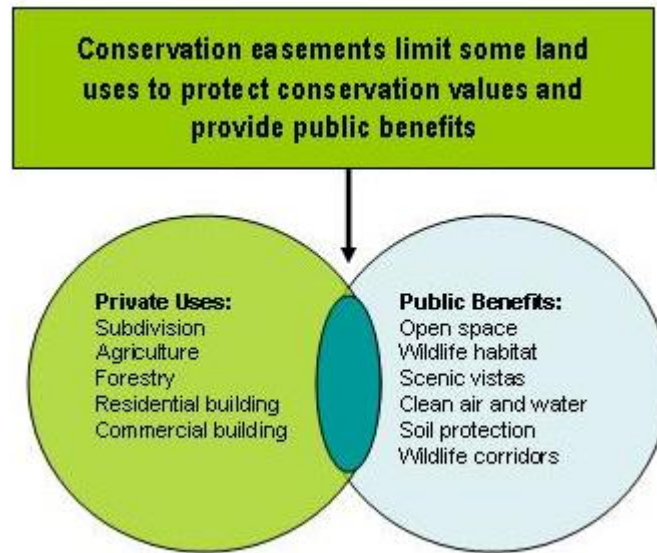
The Okanogan Valley Land Council works within current County zoning guidelines, and many of the values protected by our easements are also protected by the existing zoning or the County Shoreline Ordinance. However, in contrast to current zoning, covenants or ordinances, the restrictions in a conservation easement are permanent and are monitored for compliance every year, long after the original landowner moves on.

A conservation easement does not change the property ownership; it does not grant public access and it does not change a landowner's right to sell or bequeath their land.



What kinds of land does the Okanogan Valley Land Council want to protect?

When landowners are interested in an easement, the Okanogan Valley Land Council looks for ways to protect conservation values that benefit both the landowner and the general public.



The Okanogan Valley Land Council accepts easements on a wide variety of private properties, generally within the Okanogan watershed. We are interested in easements on agricultural land, forest land, riparian land and shrub land. We consider potential easements on an individual basis, and each easement that we accept represents a carefully researched and documented decision by the Board of Directors.

In recent years there has been extensive state and federal interest in protecting riparian areas and salmon habitat. We are interested in easements which protect working forests, working farms and wildlife habitat. The specific conservation values that



What does a conservation easement protect?

In general, conservation easements protect conservation values from permanent damage and degradation. Because every property is different, and every landowner has different goals, the specific easement restrictions vary with each property.

The Permitted and Prohibited Use sections of each conservation easement outlines specific restrictions that the Okanogan Valley Land Council agrees to monitor and defend over time.

Typical uses which may be specifically permitted or restricted include:

- -Residential use
- -Subdivision
- -Farming
- -Ranching
- -Forestry
- -Recreation
- -Road building
- -Fencing

The Okanogan Valley Land Council encourages landowners to prohibit specific uses carefully, and remember that it is not possible to foresee all future problems. Where the future is uncertain, as with a grazing plan or a farming plan, the Okanogan Valley Land Council recommends writing a Stewardship Plan, which can change over time with the owner objectives, as long as the basic conservation values are still protected. It is also common to use an “except” clause at the end of some restrictions to allow specific uses. For example: Off-road vehicular traffic is prohibited, except as specified in the forest plan.



Conservation Easements often define specific uses and protect riparian or agricultural zones.



Criteria for conservation easement acceptance

The Okanogan Valley Land Council evaluates the conservation value of each potential easement on a case-by-case basis. The recitals section of the easement document justifies the public benefit of protecting specific conservation values, and the Baseline document adds detail to the description of the ecological conditions that the easement protects. Specific grants or projects may lead to additional easement objectives and criteria (i.e. Salmon Recovery Grants will only pay for easements on riverfront properties).

Conditions where the Okanogan Valley Land Council may not accept an easement include:

- - Monitoring or enforcement of a conservation easement would be unusually difficult or expensive.
- - The landowner demands provisions in the conservation easement that would significantly diminish the property's conservation values.
- - The property is included in, or adversely affected by a larger development proposal, which would diminish the property's conservation values.
- - The property is unalterably contaminated.
- - The property has an outstanding mortgage of a value higher than the value of the property under easement, there are liens against the property, or the county property taxes are not paid
- - The property ownership is disputed.
- - The property does not have adequate conservation values.

