

Land Conservation Fact Sheet

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You love your land and care about its future.

Thank you for considering permanent conservation of your woods, fields, streams and wetlands. It's a big decision. It can take time to formulate a land conservation strategy that works for you and your family. Finding the right advisors and having detailed discussions are all part of the process.

A first decision is to realize whether you want to continue caring for the land directly or whether you prefer another entity to take over the long-term stewardship of the land. To retain ownership of your land but still conserve it for the future, read further about [conservation restrictions](#). To transfer the land to another entity and conserve it for the future, read further about [fee simple transactions](#).

A Conservation Restriction (CR) is a voluntary legal agreement between a landowner and a qualified conservation organization or agency, such as the East Quabbin Land Trust, that protects the land from future development. A CR is a flexible technique that can be tailored to the specific needs of the landowner and resources to be protected. In general, the rights to mine, dump, pave and build are forever eliminated as permitted uses on land. The landowner retains ownership and the remaining rights to use the land, sell it, or pass it on to heirs. Typically, CRs expressly allow landowners to enjoy the scenic beauty, build trails, manage the woods, grow food and raise animals, promote wildlife, clean air, clean water and hold carbon for climate change mitigation. The conservation organization accepts the responsibility to monitor the property and enforce the terms of the CR.

A fee simple transaction is where ownership of the land transfers to the qualified conservation organization or agency, such as the East Quabbin Land Trust or a Massachusetts state agency like the Department of Fish and Game or Department of Conservation and Recreation. The receiving entity then cares for the woods, fields, streams and wetlands into the future. Members of the public are invited to enjoy the land, especially when there aren't sensitive areas or rare wildlife habitat. After transferring the property, the landowner no longer is responsible for property taxes and annual maintenance.

Ms. Grimes, who passed away in 2022, donated her 74-acre property in Oakham to the East Quabbin Land Trust. Our charge is to keep the land farmed with no more houses. Eva Grimes was a critical part of this farming legacy since her grandfather ran the farm a hundred years ago. Though farming enterprises changed over the years, this is the place where Ms. Grimes grew to love the cows and the land.



We were fortunate that Ms. Grimes lived in her trailer until her passing, helping to keep an eye on the farm. She retained a life-estate, so she was able to live at the farm as long as she wanted to. As with every gift of significant monetary value, we worked with the lawyers to be sure that the transaction details were clear. Ms. Grimes' love of the land and Oakham made this possible, and we appreciate the opportunity to turn her vision into reality.

Renowned scientist and naturalist E.O. Wilson calls on us to protect half the land and sea in order to manage sufficient habitat to safeguard the bulk of biodiversity. If we protect half the global surface, the fraction of species protected will be 85% or more and life on Earth enters the safe zone. In the East Quabbin region there's already 40% of the land protected from future development. **How can we reach or exceed that 50% goal and know that we've conserved the land with the most important natural resources?**

Some factors that elevate the importance of conserving one property instead of another include:

- Lands with good soils for growing food or trees
- Adjacent or nearby existing conservation lands
- Diverse wildlife habitats and known spots for rare species
- Opportunities for public walking trails
- Part of public drinking water supply areas

The Commonwealth of Massachusetts has an online dataviewer that shares this and other information at <https://maps.massgis.digital.mass.gov/MassMapper/MassMapper.html>. **Through the website you can learn more about the identified important natural resources on your land.**



The Town of New Braintree obtained 60+ acres of woodland and wetland because the former owner wasn't paying the property taxes. The Town prefers private ownership of the land so that the owner will be responsible for caring for the land and paying the annual property taxes. With limited frontage and the linear wetland configuration which blocks the majority of the land from the main road, the neighbors on either side were the logical owners. One neighbor has an active cattle operation and knows that the 60+ acres can be an integral part of expanding their business by including silvopasture (grazing in the woods).

Funding was a problem, so a creative solution was formulated. The East Quabbin Land Trust loaned the farmers the money to buy the 60+ acres at auction. The loan will be paid off through the donation of a CR on the land through the Mass Conservation Land Tax Credit program, which reimburses landowners up to 50% of the donation value through a tax credit payment. This funding is almost enough to cover the full purchase cost. Conserving this land is positive for all involved and the cattle will have more grazing land!

There are costs associated with conserving your land, even if you are making a donation. Some of these expenses include an appraisal, survey, legal fees, environmental site assessment, title and recording fees, and organization staff time. Your team of professional advisors may vary depending on your conservation and financial goals.

Budgeting between \$5,000 - \$10,000 for straight-forward transactions is a reasonable cost estimate. Complexity and time to complete the transaction does increase overall cost for land conservation efforts. If a CR is involved, then an additional \$7,000 for a baseline monitoring report and long-term enforcement fund contribution also needs to be considered.

Not all landowners are able to pay these upfront costs to conserve their lands. **The East Quabbin Land Trust can assist owners of lands that contain critical natural resources to raise the necessary funds for these expenses.** Contact us today to start the discussion about conservation of your beloved land.

Closing Thoughts

The decisions (or lack of decisions) you make about your land will have financial and personal impacts long beyond the time of your caring for the land. Your land is an important but flexible asset that can be used to meet a wide variety of personal goals. Conservation planning can be an intimidating and sometimes lengthy process, so don't delay—take a step today to begin your planning process. The hardest step is often the first. Formalize your wishes for your land. Don't leave the future of your land and your family's relationship with it to chance.

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