

## **CONSERVATION EASEMENT CRITERIA OF THE PALOUSE LAND TRUST**

The Palouse Land Trust is a non-profit organization whose **mission** is to facilitate land conservation to meet the needs and priorities of landowners and communities in the greater Palouse region.

The Palouse Land Trust (PLT) functions in cooperation with equivalent land trusts based in Spokane and Walla Walla, WA, western Montana, and southern Idaho. As such, the PLT has defined a primary geographic area of focus. This includes the counties of Latah, Benewah, Lewis, Clearwater, Idaho, and Nez Perce in Idaho, and Whitman County in Washington. Any requests outside this area of concern will be considered on a case by case basis.

### **Why the Palouse Land Trust is interested in conservation easements**

The PLT accepts conservation easements on properties within its region of geographic concern that satisfy the criteria stated below and that seek to fulfill its mission of conserving open space, plant and animal habitat, water quality, scenery, and cultural values of the Palouse. In addition, easements may also provide important environmental educational values. These values help to define the benefit the public may gain from the easement and they are instrumental in determining what federal tax advantages may accrue to the grantor of the easement.

### **What kinds of conservation easements are considered?**

The conservation values the PLT feels most in need of protection on the Palouse include:

1. Remnant plant communities that reflect the original Palouse Prairie
2. Palouse Prairie wetlands
3. Riparian zones, perennial and semi-perennial stream corridors
4. Aquifer recharge areas
5. Wild animal travel and migration routes
6. Prime farming soils

The cultural and scenic values the PLT feels are important to protect on the Palouse include:

1. Retaining open spaces that protect a scenic vista
2. Retention of open-space in an otherwise developed setting
3. Emphasis on landscape connectivity and potential easements that connect with other easements or existing protected lands

The PLT supports the plan of the Idaho Landowner Incentive Program to use conservation easements to conserve remnants of the Palouse Prairie to prevent further

losses of this ecosystem. As such, it would be willing to accept the management of conservation easements developed under this program.

### **Conservation easement provisions**

The PLT will accept easements that are tailored to the special land management needs of the landowner. These may include the continuation of existing agricultural practices and sustainable timber management. The PLT will not consider easements on properties where land management practices stipulated in the potential easement provisions are either not sustainable or which may compromise the conservation/scenic values of the property.

Specific resource management practices on a property under consideration for a conservation easement will be evaluated on a case by case basis. In general, the PLT will not be inclined to consider easements with management provisions that are so complex that they may make monitoring and easement enforcement difficult or that are legally hard to interpret. The PLT will also not typically consider easements on lands that show evidence of contamination or are adjacent to contaminated sites, or on lands that are adjacent to inappropriate land uses.

Potential public access provisions either for recreation or education will be detailed in any easement and these provisions will be at the sole discretion of the landowner.

All easements administered by the PLT will be subject to periodic monitoring to assure the provisions of the easement are adhered to and a report will be supplied to the landowner detailing the results of this monitoring survey.

The periodic monitoring of easements and their potential enforcement in a court of law requires funding. For each easement the PLT administers, it therefore requests that funding be made available from the landowner to be invested in a stewardship account in order to ensure perpetual active monitoring, and if necessary, enforcement of easement provisions. The latter generally become most important when there is a transfer of ownership of the property. The amount of stewardship funding requested is typically based on the financial capabilities of the landowner, the complexity of the easement provisions, the size of the easement, and the distance to be traveled to reach the property.

The PLT has no hard rules about the minimum acreage it will consider for potential easement. Each parcel will be evaluated on its own merits with the proviso that it be commensurate with preserving the conservation, scenic, and cultural values of the Palouse.