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Promoting Land Conservation in the Coastal Watershed through Local Faces, Special Places

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Promoting Land Conservation in the Coastal Watershed through Local Faces, Special Places

A Final Report to

The Piscataqua Region Estuaries Partnership

Submitted by

Brian Hart
Southeast Land Trust of New Hampshire
Exeter, NH



October 28, 2011

This project was funded in part by a grant from the Piscataqua Region Estuaries Partnership as authorized by the U.S. Environmental Protection Agency's National Estuary Program.



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Abstract

The Piscataqua Region Estuaries Partnership provided nearly \$3,300.00 to support the Southeast Land Trust of New Hampshire's (SELTNH) promotion of donated conservation easements in the coastal watershed of Rockingham County. The Southeast Land Trust produced three short web-friendly videos, explaining land conservation from the perspective of a Tree Farmer, vineyard owner, and a community leader. In addition, the Land Trust hosted two workshops in Kingston and Epping for landowners interested in learning more about the tax and financial benefits of land conservation. Workshop invitations were mailed to more than 1,200 current use landowners within the region. Twenty-two landowners attended the two workshops. From these workshops, the Land Trust generated one donated and one bargain sale conservation easement in 2011 and one potential bargain sale conservation easement in 2012. While originally intended to be part of the grant funded project, the Land Trust was unable to complete a mobile tabletop display or a brochure on the enhanced federal tax incentive for donated conservation easements.

Executive Summary

The Piscataqua Region Estuaries Partnership provided nearly \$3,300.00 to support the Southeast Land Trust of New Hampshire's promotion of conservation easements in the coastal watershed of Rockingham County through the theme of "Local Faces, Special Places" – telling the story of land conservation through the voices and faces of landowners. The Southeast Land Trust produced three short, web-friendly videos on land conservation, hosted two conservation easement and estate planning workshops for landowners, and initiated but did not complete the design of a mobile, table top display on SELTNH and land conservation. SELTNH was unable to complete a brochure on the enhanced federal tax incentive for donated conservation easements.

Introduction

The Southeast Land Trust of New Hampshire is a non-profit conservation organization whose mission is to conserve the significant land and natural resources of southeastern New Hampshire, including water, working farms and forests, wildlife habitat and natural areas, and community landscapes.

At the time of application in September 2009, SELTNH recognized that all of the projects it completed in 2008 and 2009 were purchases – with no donations of conservation easements. Through this grant, SELTNH was seeking to increase donated conservation easements by promoting the so-called enhanced federal tax incentive. Under the enhanced incentive landowners can receive a 50% deduction of their adjusted gross income for up to 16 years for qualified easement donations, as compared to prior law which allowed a 30% deduction for up to 6 years. In late 2009, legislation was pending to continue the higher level of deductions in 2010 and beyond. To reinvigorate awareness of land conservation, promote conservation easements, and encourage the donation of easements, the land trust will revamp and increase its communication tools through the theme of *Local Faces, Special Places*.

This final report describes accomplishments achieved with the assistance of the PREP grant, including Action Plans LND-15, LND-26 and LNH-36 from the PREP Management Plan.

Project Goals and Objectives

The goals of this project were to overhaul and expand our landowner conservation outreach program by sharing the story of land conservation through local faces and special places.

Specifically, the following objectives were identified:

1. Showcase landowners through video clips, photographs and interviews to be played on the SELTNH website.
2. Create a mobile, table-top display promoting land conservation and SELTNH for use at events and programs.
3. Design, print, and mail a brochure on the enhanced federal tax incentive to landowners within the coastal watershed priority conservation areas.
4. Host an estate planning and land conservation workshop for landowners.

Activities

The specific activities completed for each of these objectives and focus areas were generally consistent with the grant application and are discussed in more detail below.

Videos

The creation of the three videos (*Tax Incentives Help Conservation Make Economic Sense*, *Community Conservation Partnerships*, and *Protecting Farmland for the Future*) regarding land conservation took a significant amount of time, longer than anticipated in the grant application. Executive Director Brian Hart managed this project, contacting potential landowners to inquire if they may want to be interviewed, creating the interview questions, lining up volunteer photographers and a videographer to do the interviews and editing, and then designing the content of the video to portray the intended goals. Volunteer Will Najar completed the video interviews of the landowners and did some preliminary editing. Volunteer Eva Powers photographed the landowners and their properties during the interview (these photos are used on our website and other print materials). Professional video company Heartwood Media was hired to do final editing and packaging of the videos for web use. The three videos are summarized below:

- Tree farmer Jerry Langdon and his wife Pat, a local realtor, needed land conservation to make financial sense. The video *Tax Incentives Help Conservation Make Economic Sense* explains the federal income tax incentives that ultimately informed their decision to conserve their Tree Farm on busy Route 125 in Epping.
- Alison Watts was a key leader of the community effort to protect the 316-acre Piscassic Greenway in Newfields in 2005 and 2006. Slated for a 102 unit development, the property was in jeopardy until a partnership of the Trust for Public Land and Southeast Land Trust sealed an agreement to acquire the property for conservation. In the video *Community Conservation Partnerships* Watts explains “I’ve also found the Southeast Land Trust are really able to help us understand what types of conservation projects will work, help us identify lands that are important, and help us work through the process of getting the Town to understand and approve of a conservation easement.”
- For farmer and vintner Frank Reinhold, the sale of the conservation easement on Flag Hill Winery achieved personal and business goals, honoring the wishes of his parents who wanted to see the land protected and allowing him to expand his business. In the video *Protecting Farmland for the Future*, Reinhold explains that “The money from the conservation easement was a critical part of my expansion, because we were Flag Hill Winery. The amount of money received was directly put into the distillery and we became Flag Hill Distillery, the state’s only distillery.”

The videos can be viewed at the Southeast Land Trust’s website www.seltnh.org or by going to www.vimeo.com and choosing the Southeast Land Trust of New Hampshire channel. A press release (attached) was distributed announcing the completion of the videos on August 31, 2011.

Mobile Display

The mobile display has not been completed. At this point, various options have been conceptually created for review by SELTNH and will be completed by the end of 2011. Graphic designer Cathy Arakelian did the research on the design, material options, potential vendors, and supporting components. The biggest challenge was making the display inspiring and lasting while making it updateable with current projects and opportunities.

Tax Incentive Brochure

Unfortunately Congress had not passed the enhanced land conservation tax incentive on which this mailing was based until July 2010, and only extended the incentive until the end of 2010. Therefore, the drafting and production of this item was delayed in anticipation of Congress passing the legislation in the fall of 2010 and making it permanent. Congress eventually did extend the tax incentives until the end of 2011, but did not do so until late March. Both of these delays made the creation, printing and mailing of this brochure too difficult to complete in the grant period, so this component of the project was not completed.

Land Conservation Workshops

SELTNH hosted two workshops in Kingston and Epping for landowners interested in learning more about the tax and financial benefits of land conservation. These workshops provide an opportunity for a landowner to learn more about land conservation and its tax benefits without directly contacting a conservation organization. The workshop brochures were mailed to more than 1,200 current use landowners within the region. Graphic designer Cathy Arakelian designed the brochure based on text prepared by SELTNH. UNH Cooperative Extension prepared for and paid for the mailing, using non-federal funds. Phil Auger, then UNH Land and Water Conservation Educator, and Tom Masland, attorney with Ransmeier & Spellman, PC (and one of the state's leading figures on conservation easements) led both workshops. David Viale, staff member, represented SELTNH at each workshop.

In partnership with the Lamprey River Advisory Committee and UNH Cooperative Extension, brochures were mailed to more than 1,200 current use landowners within the region. Thirty-seven landowners signed up with 22 attending.

A press release (attached) announcing the workshops was distributed on March 14, 2011.

Outcomes

PREP's grant helped the Southeast Land Trust create simple, short film interviews telling the story of two landowners and one community who successfully conserved important lands. These videos, available through our website, will reach out to landowners in the privacy of their home or business, and offers information on land conservation through the voice of the landowner. In addition, PREP's grant funded two workshops on conservation options. From these workshops, two participants have committed to donating conservation easements to SELTNH in 2011 and one participant has expressed a desire to bargain sale a conservation easement in 2012.

The long-term success of these efforts is difficult to measure, as the seed of land conservation often takes years to sprout and blossom into the permanent protection of land. However, PREP's continued support for direct land conservation work by local and regional land trusts is needed. This support can be made more flexible – to support general land conservation work without the significant burden of measurable outcomes and tasks - and should further encourage donated or significant bargain sales of land or conservation easements, so as to leverage increasingly limited federal, state and local dollars.

WHEN & WHERE

OPTION 1

DATE: Wednesday, March 30th, 2011
TIME: 7-9 P.M.
PLACE: Newmarket Town Hall
186 Main Street, Newmarket, NH

OPTION 2

DATE: Tuesday, April 5th, 2011
TIME: 7-9 P.M.
PLACE: Sanborn Regional High School Library
17 Danville Road, Kingston, NH

WHO SHOULD ATTEND

Residents & landowners from
communities in Rockingham County,
and the Towns of Lee, and Durham

PROGRAM

Introductory Comments

DAVID VIALE, *Southeast Land Trust of New Hampshire/
Lamprey River Advisory Committee*

Land Protection Options & Tax Benefits

PHIL AUGER, *Extension Educator, Land & Water Conservation
UNH Cooperative Extension*
THOMAS N. MASLAND, *Attorney, Ramsmeier & Spellman*

Next Steps for Interested Landowners

DAVID VIALE
*Southeast Land Trust of New Hampshire/Lamprey River
Advisory Committee*

Refreshments will be provided.

PREREGISTRATION IS REQUIRED

CONTACT: Deb Stevens at UNH Cooperative Extension
PHONE: 603.679.5616 or 1.800.248.6672
E-MAIL: deb.stevens@unh.edu
DEADLINE: Monday, March 28th

*If you have special needs in order to participate in this program,
please contact us in advance of the program date to allow us time
to make necessary arrangements. Thank you.*

Southeast Land Trust NH in care of
UNH Cooperative Extension
113 North Road
Brentwood, NH 03833-6623



PSRT STD
U.S. POSTAGE PAID
Epping, NH
Permit No. 23

JOIN US FOR A FREE WORKSHOP

Conserving Your Land: Tax & Financial Benefits

Wednesday, March 30, 2011 ■ Newmarket, NH
or Tuesday, April 5, 2011 ■ Kingston, NH



Conserving Your Land: Tax & Financial Benefits

A **FREE** WORKSHOP FOR LANDOWNERS

Can you benefit from an income tax
deduction or property tax reduction?

Are you concerned about estate taxes?

Do you want to conserve your family's
land but don't know what to do?

Learn how to protect your family's land
while taking advantage of recent changes
in federal tax laws.

JOIN US

The Lamprey River Advisory Committee, UNH Cooperative Extension, and the Southeast Land Trust of New Hampshire are cosponsoring this Land Conservation Workshop to help landowners and others who are interested in estate planning and tools for permanently protecting open space.

Participants will learn about:

- Basic Conservation Options for your land
- Tax Benefits of Land Conservation
- How land conservation can help you and help protect the *Wild & Scenic* Lamprey River

Why Conserve Land?

New Hampshire has been the fastest growing state in New England for the past four decades and we continue to rapidly lose our important farmland, forestland, marshland and open space. Such landscapes not only provide a beautiful backdrop to our daily life in New Hampshire, they also support our economy through agriculture, forestry, recreation, and tourism. Open space saves our communities money by helping to provide clean drinking water, clean air, and flood protection, and studies have shown that open space can be an economic asset that helps keep our tax rates stable. In addition, recent changes in federal tax law can provide landowners with a significant financial benefit. Under current tax law, a conservation easement donor can deduct up to 50% of their adjusted gross income for up to 15 consecutive years!

Is My Land Eligible for Conservation?

Properties that have agricultural, recreational, forestry, water resources, wildlife habitat, or scenic or historic qualities may be protected through a conservation easement or through a gift or sale of the land. In addition, the LRAC has identified land along the *Wild & Scenic Lamprey River* as a conservation priority.

How Can I Conserve My Land?

While there are many options that can help meet your goals of protecting your land, the most common options focus on the choice of maintaining ownership and management of the land. Landowners who wish to maintain ownership and management of their land can donate or sell a conservation easement. Landowners who wish to relinquish ownership and management can donate or sell the title to the land to a qualified conservation organization, such as the Southeast Land Trust.

What is a Conservation Easement?

A conservation easement is a voluntary, legally binding agreement between a landowner (the Grantor) and an eligible conservation organization or agency (the Grantee) that permanently restricts future development of a property. In general, a conservation easement forbids or limits future residential or commercial development but allows the landowner to continue to use the land for agriculture, forestry, non-commercial outdoor recreation and other uses compatible with conservation goals of the property. Each easement is specifically tailored to protect the important values of the land, and to the extent feasible and practicable, the individual desires and goals of the landowner.

Are There Financial Benefits to Conserving My Property?

There may be significant estate, income, or property tax benefits from placing a conservation easement on your property, depending on your financial situation. The granting of a conservation easement does constitute a charitable gift that may be deductible for federal income tax purposes if the property meets conservation standards established by the federal government. Further, a conservation easement may reduce the value of your estate, thereby resulting in a reduction of the estate taxes levied on your heirs. In addition, a conservation easement may also reduce property taxes. A landowner may also choose to sell a conservation easement, or the title to the land. Because

availability of funds is limited and the process is highly competitive, most landowners sell at a price lower than its fair market value. Tax benefits to the owner may make the bargain sale nearly as financially attractive as selling at full value.

PRESENTERS

PHIL AUGER is an educator with UNH Cooperative Extension who has worked in the land conservation and forest management fields for more than twenty years.

TOM MASLAND is considered one of the foremost land conservation attorneys in New Hampshire, representing both landowners and conservation organizations in land protection projects and conservation transactions.

DAVID VIALE is the land protection specialist for the Southeast Land Trust of New Hampshire whose mission is to conserve the significant land and natural resources of southeastern New Hampshire.

FOR MORE INFORMATION

SOUTHEAST LAND TRUST OF NEW HAMPSHIRE
www.seltnh.org

UNH COOPERATIVE EXTENSION, ROCKINGHAM COUNTY
<http://extension.unh.edu/>

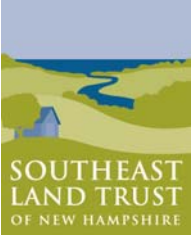
LAMPREY RIVER ADVISORY COMMITTEE
www.lampreyriver.org

This workshop was funded in part by a grant from the Piscataqua Region Estuaries Partnership, as authorized by the U.S. Environmental Protection Agency's National Estuary Program.

Cover photo: *Wild & Scenic* Lamprey River
Photo credit: Jerry Monkman, ecophotography.com

CO-SPONSORED BY:





For Immediate Release: March 14, 2011

Contact: David Viale, Southeast Land Trust of New Hampshire, (603) 778-6088

Enhanced Tax Incentives Allow Landowners to Protect Land and Save Taxes!

Landowners invited to learn how at free workshops in Newmarket and Kingston

(Newmarket & Kingston, New Hampshire) –With tax season upon us, many landowners may be thinking about how they can still keep their land as open space and ensure their heirs can afford to own the land. Recent changes in federal income tax law have significantly increased the charitable deduction allowed for donations of conservation easements, putting land conservation within reach of more landowners.

“For 2011, landowners have many options available to them to protect their land while reducing their income taxes for up to 16 years and potentially reducing their estate taxes,” explains David Viale of the Southeast Land Trust of New Hampshire.

Landowners are encouraged to learn more by attending a free workshop hosted by the Southeast Land Trust of New Hampshire, the Lamprey River Advisory Committee, and UNH Cooperative Extension. This informative workshop will provide objective information on the tax & financial benefits of land conservation for landowners with two local experts on land conservation and estate planning. UNH Cooperative Extension land conservation expert Phil Auger will discuss land conservation options available for landowners, including the use of conservation easements. Attorney Thomas Masland of Ransmeier & Spellman will discuss estate tax issues and potential income tax benefits. David Viale of the Southeast Land Trust of NH will provide an overview how interested landowners can start the process of conserving their land.

Workshops will be held at the following times and locations:

- Wednesday, March 30, 2011 from 7:00 pm to 9:00 pm Newmarket Town Hall, Newmarket
- Tuesday, April 5th, 2011 from 7:00 pm to 9:00pm, Sanborn Regional High School Library, Kingston

This workshop is a great opportunity to get expert advice and answer questions about options for permanent land conservation, how to start the process, what are the costs, what funds are available, and what are the tax and financial advantages.

The workshop is free and open to all area landowners, but pre-registration is required to ensure adequate materials and refreshments. Please call Deb Stevens at 603-679-5616 to pre-register

Funding for the workshop is provided by a grant from the Piscataqua Region Estuaries Partnership, as authorized by the U.S. Environmental Protection Agency’s National Estuary Program, and UNH Cooperative Extension.

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For Immediate Release: Wednesday, August 31, 2011

Contact:

Brian Hart, Executive Director, Southeast Land Trust, (603) 778-6088

New Videos Share the Benefits of Land Conservation from the Landowner's Perspective

In their own words, landowners and community leaders describe why conservation matters

(Exeter, NH) – What do a vintner, conservation commissioner, and tree farmer have in common? They've all partnered with the Southeast Land Trust to permanently conserve critical open spaces and have shared their story through videos just released on the web.

The videos, available for viewing through the land trust's website www.seltnh.org, speak about land conservation through the voice of local farmer Frank Reinhold of Lee's Flag Hill Winery, community leader Alison Watts of Newfields, and tree farmer Jerry Langdon of Epping. Funding for the videos was provided in part by the Davis Conservation Foundation and by a grant from the Piscataqua Region Estuaries Partnership, as authorized by the U.S. Environmental Protection Agency's National Estuary Program.

"These videos let landowners and community leaders speak to why they conserved their land, sharing insights and lessons learned, and how their partnership with the Southeast Land Trust achieved their goals," notes Brian Hart, Executive Director of the Southeast Land Trust. The Land Trust has protected nearly 8,000 acres in 25 communities since 1980. "We hope the videos will introduce conservation to landowners who may have questions or concerns and want to learn more."

Tree farmer Jerry Langdon and his wife Pat, a local realtor, needed land conservation to make financial sense. The video *Tax Incentives Help Conservation Make Economic Sense* explains the federal income tax incentives that ultimately informed their decision to conserve their Tree Farm on busy Route 125 in Epping.

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The videos can be viewed at the Southeast Land Trust's website www.seltnh.org or by going to vimeo.com and choosing the Southeast Land Trust of New Hampshire channel.

About the Southeast Land Trust of New Hampshire

The Southeast Land Trust of New Hampshire's mission is to conserve the significant land and natural resources of southeastern New Hampshire, including water, working farms and forests, wildlife habitat and natural areas, and community landscapes. As a regional land trust, the organization serves 39 communities of greater Rockingham County. The Southeast Land Trust has helped landowners and communities conserve over 125 properties totaling nearly 8,000 acres of land through conservation easements and full-fee ownerships. For more information, contact us at 603/778-6088 or visit our website www.seltnh.org.

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