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Ohio land trusts applaud congressional vote on conservation easement tax incentive

Ohio's top land trusts are applauding Congress's vote to make permanent a federal tax incentive for those who preserve land with a conservation easement.

When landowners donate a conservation easement to permanently protect their land from future development, they give up part of the value of their property. The conservation easement tax incentive offsets some of that loss in property value, making conservation a viable option for more landowners.

In a strong bipartisan action, the House voted 318-109 and the Senate voted 65-33 to pass the bill that eliminated the expiration date on the enhanced incentive.

The vote drew praise from the Coalition of Ohio Land Trusts (COLT) and its member organizations, including Western Reserve Land Conservancy, Tecumseh Land Trust, the Appalachia Ohio Alliance and the Black Swamp Conservancy.

"Land conservation is critical to the vitality and health of the communities we serve, and the federal tax incentive is an important tool for all of us who preserve Ohio's vibrant natural areas and working farms. Making this incentive permanent better enables landowners to protect our region's essential natural assets now and for future generations," said Rich Cochran, president and CEO of Moreland Hills-based Western Reserve Land Conservancy, which has protected more than 580 properties and 43,000 acres in northern and eastern Ohio.

Krista Magaw, executive director of Yellow Springs-based Tecumseh Land Trust, which has preserved 144 properties and 25,000 acres in southwestern Ohio, said, "We really appreciate Sen. Portman's commitment on this important policy. We're glad that Sen. Brown and so many of our U.S. Representatives have come on board as well. Privately conserved lands benefit our communities and safeguard our clean water supply. To top it off, the land stays on the tax rolls, and there are no ongoing management costs to the taxpayer."

Steve Fleegal, executive director of the Appalachia Ohio Alliance, which does conservation work throughout central and southeast Ohio, said, "We are grateful for our representatives' support on this issue. The conservation incentive program enables many landowners to conserve farmland and riparian corridors that enhance water quality and habitat, ensuring a legacy for future generations."

Rob Krain, executive director of Black Swamp Conservancy, which has protected more than 15,500 acres in northwest Ohio, said "The conservation tax incentive has helped Black Swamp Conservancy work with families across northwest Ohio to protect working farms, natural habitats and critical wetlands. We applaud Congress for this important policy, which will impact conservation in our community and across the nation."

COLT is a voluntary network of land trusts and other conservation organizations dedicated to advancing land conservation for the benefit of all in Ohio.

A conservation easement is a legal agreement in which a private landowner can permanently retire the development rights to his or her property, thereby preserving natural resources and keeping farm, forest and ranch lands in productive use. Future owners also will be bound by the easement's terms, ensuring the property remains as it was when protected.

The enhanced conservation easement tax incentive enables landowners to deduct a larger portion of their income over a longer period of time; under previous law, they received little or no benefit for donating what may be their family's biggest asset.

The incentive was first passed in 2006 and the pace of land conservation increased by about 33 percent, exceeding one million acres per year. It expired in 2011, and Congress has had to enact short-term extensions ever since then. When the provision expired at the end of 2014, the result was a 50 percent drop in conservation easement donations across much of the country, according to the Land Trust Alliance, a national conservation organization representing over 1,100 land trusts.

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