

The Santa Fe Conservation Trust
CONSERVATION EASEMENT COST POLICY
Policy 4.04, 2011-11-05
Adopted on: December 1, 2011
Updated: 08/24/2017, 10/22/2024

The process of developing and closing a conservation easement requires significant effort on the part of Santa Fe Conservation Trust (SFCT) staff and contractors. Also, in accepting a conservation easement, SFCT assumes the responsibility and legal obligation to uphold the conservation easement's terms and conditions in perpetuity. These responsibilities include annual monitoring of the property, administration of all conservation easement documents and records, and legal defense of the conservation easement provisions as necessary. Therefore, SFCT requires a Commitment Fee and requests a Stewardship Contribution with each conservation easement we accept.

Commitment Fee

The Commitment Fee is estimated using the *Conservation Easement Preparation Cost Estimate Form*, which takes into consideration the costs of the initial property assessment, drafting of the Conservation Easement Deed, Baseline Documentation Report, tax applications, as well as recording and legal fees. SFCT requires landowners to pay the Commitment Fee when they sign an Engagement Agreement to formally start the project process. The Commitment Fee is not a donation.

Stewardship Contribution

The Stewardship Contribution is calculated with the *Stewardship Calculator (developed by TNC)*, which takes into consideration


- 1) Monitoring the site to ensure the conservation values are protected
- 2) Maintaining landowner/neighbor relationships
- 3) Enforcement of the terms of the conservation easement, as necessary.

SFCT will suggest a Stewardship Contribution using the established formula and make the conservation easement donor aware of the purpose of the donation. SFCT will not record a conservation easement without identification of the source(s) of the funding for the Stewardship Contribution. The *Engagement Agreement* will reflect that the donor acknowledges the amount of the requested Stewardship Contribution and that the contribution will be paid upon closing of the conservation easement. The donation is placed in a pooled restricted fund, with the proceeds from the interest going to cover annual monitoring expenses. The fund can also be used to support any legal costs in the future relating to enforcement of the conservation easement. SFCT provides donors with a "no goods and services" letter in acknowledgment of the Stewardship

Contribution, which may be considered a tax-deductible charitable donation to the extent allowed by law.

A typical contribution is \$20,000 to \$40,000. Actual requested contributions vary with each property, but are generally determined by the size of the property, the complexity of the conservation easement agreement, and the number and/or types of rights reserved, complexity of property boundaries, ease or difficulty in monitoring, etc. Amendments to add acreage to an existing easement may require a smaller contribution than average. The Santa Fe Conservation Trust Land Review Committee and Board of Directors have the right to adjust the conservation fee or stewardship contribution on a case by case basis.

Approved on the 22nd day of October 2024.



Brant Goodman, Secretary
