



**PAYETTE LAND TRUST**  
*Conserving the Heart of Idaho*

**SCENIC BYWAY  
CONSERVATION  
PROJECT**



Payette Land Trust's (PLT's) Scenic Byway Conservation Project is designed to support our community's desire to preserve its unique character, build civic pride, and facilitate smart growth by conserving a scenic corridor along Hwy 55. Here are some frequently asked questions and answers about this project. For more details about the Scenic Byway Conservation Project please visit <https://payettelandtrust.org/scenic-byway-conservation-project/>.

## 1. What is a conservation easement?

A conservation easement is a voluntary agreement that a landowner may enter into with a qualified conservation organization (typically a land trust such as PLT). The main purpose is to restrict certain forms of development and uses of the landowner's property in order to protect certain conservation values. Conservation easements are perpetual, which means they run with the land. Even when land ownership changes the easement stays in place. Every conservation easement is unique and subject to conditions agreed upon by the landowner and land trust.

## 2. What rights are typically limited or prohibited by the conservation easement?

All residential and commercial development rights are extinguished except for those specifically retained by the landowner in the conservation easement. The construction of agricultural buildings such as barns may be permitted within designated areas. Subdivision of the property is prohibited or limited to specific parts of the property that may be divided and sold separately. The construction of roads and utilities is limited to only what is necessary to support the permitted uses of the property.

## 3. Who owns the land after a conservation easement is conveyed?

The landowner retains full ownership of the property and all other rights not transferred under the easement. The easement is specifically tailored to the property owner's wishes. Current use and management of the land is usually maintained, with no impact on day-to-day activities.

#### 4. Does a conservation easement require public access?

No. Public access is not a requirement for a conservation easement.

#### 5. Do I have to grant a conservation easement over all of my land?

Typically, a conservation easement does not have to encompass an entire parcel of land and can include provisions allowing landowners to reserve portions of the property as future building sites free from development restrictions.

#### 6. How is a conservation easement valued?

Conservation easements are valued through a conservation easement appraisal. A conservation easement appraisal is basically two appraisals of the property – an appraisal of the property in its current (unencumbered) state (the “Before” value) and an appraisal of the property assuming the conservation easement has been conveyed and the restrictions described have been imposed (the “After” value). The difference between the two appraisal values is the conservation easement value and is the basis for which the easement is valued.

#### 7. What financial incentives can I expect to receive from granting a conservation easement?

There may be income, estate, and property tax benefits for donating or bargain selling a conservation easement. The amount and type of tax benefits depends on a variety of factors, including the value of the donation, your income level and the total amount of your estate. PLT always recommends consulting with a financial advisor and/or an attorney to fully understand the tax implications.

#### 8. Where are the funds coming from for the Scenic Byway Conservation Project bargain sale conservation easements?

A privately funded organization called the Payette River Foundation.

#### 9. What is the relationship between the landowner and PLT once a conservation easement has been placed?

PLT’s stewardship philosophy promotes private land stewardship and ensures the defense of every PLT-held conservation easement. Landowner relationships represent the foundation of our stewardship program. PLT believes that personal, honest, and open relationships with each of our landowners is the best way to ensure that our

perpetual stewardship obligations are met. PLT respects the landowner's ability to make individually responsible management decisions related to the day to day activities on protected properties, so long as they do not contradict the agreement.

## 10. How do monitoring visits work?

PLT monitors each conservation easement annually and works with landowners to resolve any stewardship-related issues quickly and efficiently. PLT contacts landowners in advance to determine a mutually agreeable date and time to conduct the monitoring visit and landowners typically accompany PLT staff on monitoring visits.

## 11. What is the project area? And what properties are eligible for this phase of the project?

The project area encompasses both sides of the Hwy 55 corridor between Lake Fork and Donnelly, Idaho. Any currently undeveloped land within the project area which can be conserved through a conservation easement will be considered. Properties are ranked and prioritized based on a valuation model. See Question 18.

## 12. How are properties ranked within the project?

PLT contracted a land value report by a third party consultant to determine the most likely value range for two types of vacant land within the project area - commercial and agricultural. The estimated value range (based on price per acre), was found by surveying the local market and compiling sales data for the identified property types. PLT then created an internal ranking model based on the information from the Land Value Report. Ranking Values for properties are calculated based on criteria such as: Hwy 55 frontage, agricultural use, number of total acres, wetland acreage, and mature forest or waterway that provides habitat. Once the ranking valuation is completed PLT can then determine the amount of grant funding which can be allocated to the property

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[PayetteLandTrust.org](http://PayetteLandTrust.org)

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