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Local Landowners Address Conservation Easement Issues in the Blackfoot

Ovando, MT— The film “A River Runs Through It” put the Blackfoot on the map as one of the most scenic drainages in the west. Yet it is the foresight of generations of landowners and conservation groups that will keep it on the map for years to come due in large part to conservation easements.

In 1976, the first conservation easement in Montana was signed in the Blackfoot Valley. Since then, nearly 89,000 acres of private lands in the Blackfoot watershed have been protected through conservation easements, keeping the landscape intact with a diversity of wetland, riparian, vegetation and wildlife resources. Working ranches have also been kept intact preserving a way of life that is slowly disappearing.

But like all land planning tools, conservation easements must be perfected to ensure they are working for today’s landowners and for future generations. Conservation easements limit a property’s uses to protect its conservation values forever. The landowner relinquishes some of his/her development rights, but continues to own and manage the land.

With ever-changing resource conditions and the evolution of science on good land management and stewardship practices, writing a document for perpetuity can be a daunting challenge. In the Blackfoot, landowners have organized a group comprised of land trusts and agencies that hold easements in the Blackfoot, the Powell County Planning Board, and the Blackfoot Challenge to take a critical look at how to build flexibility into a legal document that runs with the title of the land.

“I believe conservation easements should be thought of as a land planning tool,” says David Mannix of Mannix Brothers Ranch. “Land planning allows for adaptive management as we slowly learn to take care of the land we’ve been entrusted with. Our management must adjust and evolve with the land. The wisest two parties in the world won’t be able to structure a conservation easement that foresees all future challenges, thus the need to design a flexible easement tool.”

In just one year, the group has made important progress and tackled some of these issues. A major accomplishment was the agreement of all Blackfoot easement-holding organizations to review and refine their easement template based on landowners’ comments and to ensure the terms work for present and future landowners.

The group will continue to meet to ensure conservation easements are working in practice, share information, and help answer questions related to conservation easements in the Blackfoot. If you are considering a conservation easement on your land, here’s what you can do to learn more:

- Request a *Guide to Land Conservation in the Blackfoot: Using Conservation Easements* from the Blackfoot Challenge (406) 793-3900 or visit their website at www.blackfootchallenge.org for a copy.
- Contact a landowner that you know that has a conservation easement on his/her property and find out how it has affected their land planning and management.
- Contact your attorney to learn about how a conservation easement will affect your income and estate planning.
- Consider the current and future uses of your land and work with the land trust or agency to develop a conservation easement that meets your needs. Be sure the wording and structure of

the document clearly addresses the conservation purposes of the easement and allows flexibility as the science of conservation and resource management evolves.

For more information on this work group, please contact David Mannix, Landowner, at 793-5601 or mannixbros@blackfoot.net, Hank Goetz, Blackfoot Lands Director, at 244-5524 or hank@blackfoot.net, or Bill Mattice, Powell County Planning Board/Landowner, at whmattice@biggdog.com.

The Blackfoot Challenge coordinates efforts that will enhance, conserve and protect the natural resources and rural lifestyle of the Blackfoot River Valley for present and future generations.

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