

Incentive for Conservation at Risk!

Ask your Members of Congress to Cosponsor HR 1576 or S 469

In 2006, Congress changed the tax incentive for voluntary conservation donations – donations by private landowners that retire development rights to protect significant natural and historic resources – including working farm and ranch lands. Such donations protect up to 1 million acres a year – and the 2006 change is causing that figure to grow.

The 2006 change enables family farmers, ranchers, and other moderate-income landowners to get a significant tax benefit for donating a conservation easement on their land. That opens the door to voluntary, landowner-led conservation on millions of acres of land across the country. Many such donations are made to local, community-based charities dedicated to keeping land in agriculture, conserving important wildlife habitats, and protecting important open space and historic resources. The incentive also enhances “bargain sales” of easements purchased by local, state and federal conservation agencies.¹

The 2006 law expired at the end of 2007, and we need YOUR help to secure a permanent and retroactive renewal! By cosponsoring H.R. 1576 or S.469 your Members of Congress can help us demonstrate bipartisan support for the tax incentive. The Senate’s Farm Bill already includes these provisions and by gathering more cosponsors we can help insure the conservation tax incentive survives in the final bill.

How It Works

The 2006 law:

- Raised the maximum deduction a donor can take for donating a conservation easement from **30%** of their adjusted gross income (AGI) in any year to **50%**;
- Allowed qualified farmers and ranchers to deduct up to **100%** of their AGI; and
- Increased the number of years over which a donor can take deductions from 6 years to **16 years**.

Under prior law, an agricultural landowner earning \$50,000 a year who donated a conservation easement worth \$1 million could take a total of no more than \$90,000 in tax deductions! Under the new law, that landowner can take as much as \$800,000 in tax deductions – still less than the full value of their donation, but a significant increase.

Conservation Incentive and Solid Tax Reform

The 2006 law also set higher standards for appraisers and appraisals of all donated property, and set higher penalties for abusive appraisals. Conservationists supported this to ensure the integrity of the charitable donation process. The law also tightened restrictions on donations of easements to protect historic buildings. These reforms did not expire at the end of 2007.

Widespread Support

Passage of the 2006 law was supported by a wide variety of organizations, including:

American Bird Conservancy	Land Trust Alliance
American Farm Bureau Federation	National Audubon Society
American Farmland Trust	National Cattlemen's Beef Association
American Fisheries Society	National Shooting Sports Foundation
American Sportfishing Association	The Nature Conservancy
Archery Trade Association	North American Grouse Partnership
ArrowSport	Pheasants Forever
Association of Fish & Wildlife Agencies	Piedmont Environmental Council
BASS/ESPN Outdoors	Quail Unlimited
Bear Trust International	Quality Deer Management Association
Berkley Conservation Institute	Rocky Mountain Elk Foundation
Boone and Crockett Club	Safari Club International
Bowhunting Preservation Alliance	Scenic America
Campfire Club of America	Texas Wildlife Association
Civil War Preservation Trust	Theodore Roosevelt Conservation Partnership
Congressional Sportsmen's Foundation	Trout Unlimited
Conservation Force	Trust for Public Land
The Conservation Fund	Whitetails Unlimited
Dallas Safari Club	Wildlife Management Institute
Ducks Unlimited	The Wildlife Society
Houston Safari Club	
Izaak Walton League of America	

How You Can Help

The best way for your Congressional delegation to show support for the conservation tax incentive in the Farm Bill is to cosponsor one of the stand-alone bills making the incentive permanent. Call the Capitol switchboard: 202-224-3121 and ask to speak to your Representative and each Senator. Once you reach their offices, ask for the staffer who handles Agriculture issues and urge them to cosponsor!

Representatives Mike Thompson (D-CA) and Dave Camp (R-MI) introduced House legislation (H.R. 1576) making the new easement incentive permanent and have gathered 155 other sponsors from all parts of the country. Urge your Representative to cosponsor H.R. 1576 by calling Elizabeth Thomas in Rep. Thompson's office at 5-3311.

Senators Max Baucus and Charles Grassley introduced identical legislation in the Senate (S. 469), which led to the Senate's Farm Bill provision. Urge your Senators to cosponsor S. 469 by contacting Jonathan Selib in Senator Baucus' office at 4-0515.

The President's 2009 budget also endorses an identical provision, which it scores as costing \$245 million over ten years. For more information including sample letters and press releases visit: http://www.lta.org/publicpolicy/tax_incentives_updates.htm

Questions? Contact [Sean Robertson](#) at the Land Trust Alliance: 202-638-4725 x319

1. A "bargain sale" is the sale of property to a charity or government agency for less than its full fair market value.