

One-time tax break to boost land conservation

By Andy Dennison

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A new federal tax break for landowners who protect their property through a conservancy easement promises to keep Taos Land Trust staffers busy in 2007.

"We expect this to be one of the busiest times for the Taos Land Trust," said Tanya Duncan, land project manager for the organization.

For 2007 only, property owners can donate their land to the trust and deduct the value of their donation up to 50 percent of their adjusted gross income in any year for 16 years, Duncan said. Farmers and ranchers who continue to work the land can deduct up to 100 percent of any year's

income, she said.

Previously, a landowner could deduct up to 30 percent of the value of the donation on up to six years of federal tax returns, Duncan said.

"We encourage people to come in sooner than later this year," she said. "We anticipate more contacting us later in the year, and we may have to turn some down."

In addition to the one-time federal tax break, an ongoing New Mexico program permits a dollar-for-dollar deduction on state income tax returns for 50 percent of the value of the donation, up to \$100,000 for 15 years, Duncan said.

A conservation easement agreement can be written in many ways, but each one requires the landowner to give

up some rights associated with the land, such as the right to subdivide.

Year ends strongly

Since 1988, the Taos Land Trust has received conservation easements for more than 23,000 acres in the surrounding area. The final months of 2006 proved fruitful with the completion of three major agreements totaling 1,029 acres, according to the trust.

Landowners Roger and Terri Meeker, who live part time in Taos, put 554 acres just above Eagle Nest in their Touch-Me-Not Mountain Preserve. The donated land borders the 33,000-acre Colin Neblett State Wildlife Area, home to elk, deer, mountain lion, bear and several endangered species,

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according to the Land Trust.

Along the Río Ojo Caliente, two parcels moved out of range of development. Ojo Caliente residents Don and Charmi Morris protected 323 acres along the river, including a hillside of prehistoric petroglyphs. Their neighbor, Ann McDaniel, took out an easement for another 152 along the same stretch. Both pieces front the

cliffs of Black Mesa.

"When I first bought the property, I took one look at it and told the Realtor that I figured the appropriate building density was one," said Don Morris. "Anyone who has ever watched a red tail hawk hunting the side of Black Mesa in the golden sunset light would never want to see this land developed."

All three projects came after the federal tax incentive program began in August, Duncan said.

The Land Trust also is working on conservation easements for more land contiguous to each of the two Ojo Caliente parcels, in hopes of extending the protection to more than 2,000 acres each, the trust said.

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Easements require a legal agreement with a nonprofit land trust or agency. They permit landowners to make a charitable, tax-deductible donation of the land, but still decide how their land will be used in the future by giving up certain development rights while retaining ownership. Options include farming, ranching or sustainable forestry; home sites for families; or selling or passing along to heirs.

Regardless of which option is taken and who is the owner, the protection accompanies the land forever.

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