

# Your Conservation Easement: A Landowner's Guide

SOCIETY FOR THE  
PROTECTION OF  
NEW HAMPSHIRE  
FORESTS

SINCE  
1901



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CELEBRATING  
**125**  
YEARS  
1901 - 2026

Dear Conservation Partner,

The Society for the Protection of New Hampshire Forests welcomes you as a new conservation easement property owner. Since the early 1970s, we have used conservation easements to protect forest lands, water resources, scenic vistas, wildlife habitat, and important agricultural resources. Prior to that, deed restrictions were used to place the same types of protection on private property. To date, we have protected more than 136,000 acres of land through conservation easements and deed restrictions. You join more than 775 others who share stewardship responsibility on their conservation land with the Forest Society. We trust that you are as committed to seeing your special property's continual protection as we are; and we look forward to working with you to ensure that the purposes of the conservation easement are supported.

We've prepared this document so that you may become more familiar with your responsibilities as an easement owner and the assistance available from the Forest Society to help you meet those obligations. As the owner of 68,000 acres of land all across New Hampshire, we understand property ownership and are here to support you. We hope you will contact our easement stewardship team if you have questions about your easement and how it relates to management of your land. I wish you success in the management of your property and many years of enjoyment and satisfaction from living with the land.

Sincerely,



Jack Savage  
President



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# What is Easement Stewardship?

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The primary role of an easement stewardship program is to ensure that the conservation values of protected properties are preserved. The Forest Society's job of protecting land isn't finished when the deed is recorded; the hard work comes in our ability and commitment to steward, or defend, the identified conservation values in perpetuity. In fact, the Forest Society is legally obligated to ensure that all the terms of the conservation easement are met.

Our easement stewardship staff carries out this important commitment through annual monitoring, building mutually beneficial relationships with landowners, providing educational resources, maintaining permanent records, and working with natural resource professionals.

As a conservation easement landowner, you will work directly with a Regional Stewardship Manager assigned to your property. Your Stewardship Manager is available to help you understand your easement, evaluate whether land uses you are contemplating are acceptable under the easement terms, and identify silvicultural, agricultural, and ecological resources on the property.



We consider a conservation easement to be a partnership and an opportunity to work together with landowners to protect the special conservation features of their property.

# Easement Stewardship Staff

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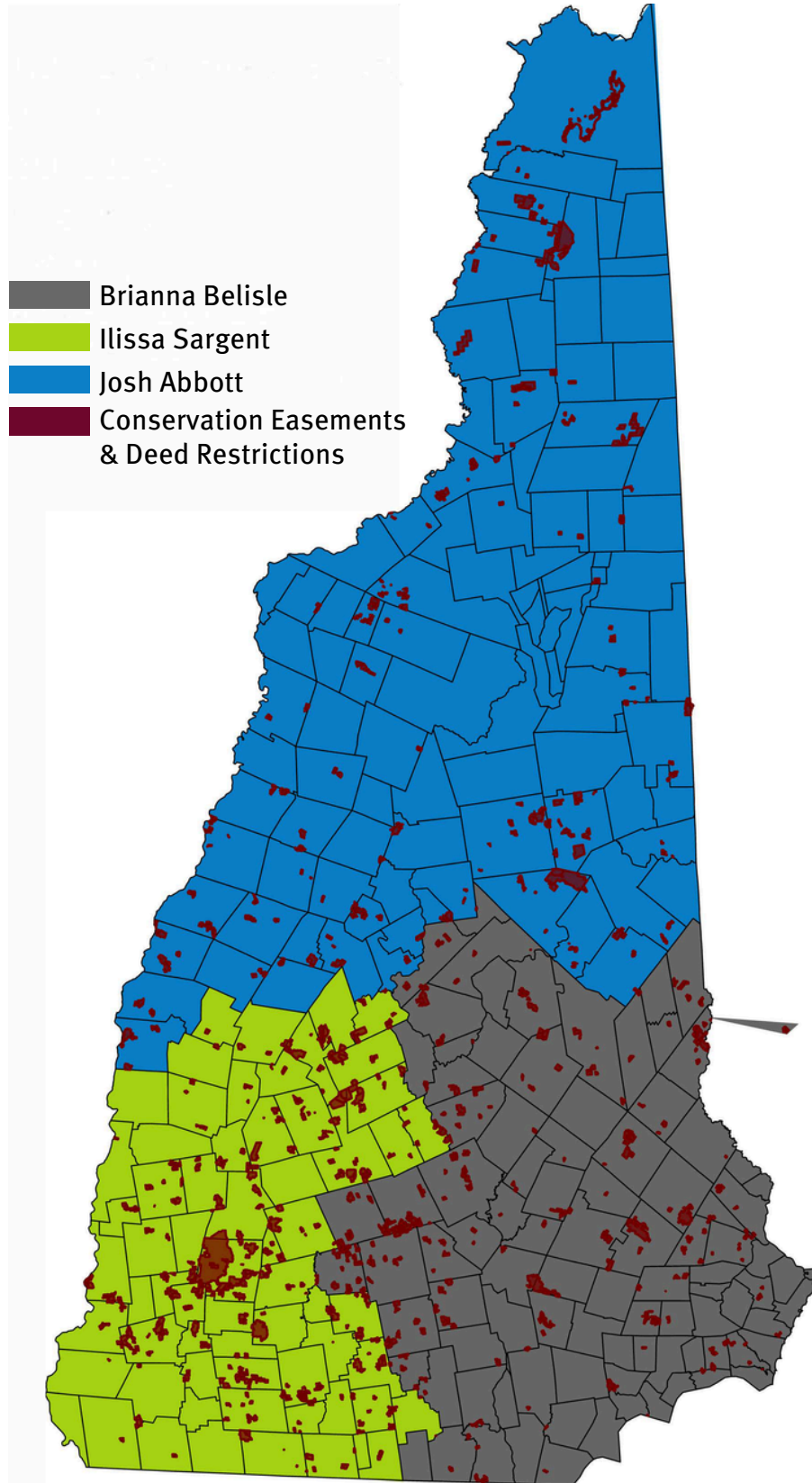
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# Regional Service Areas



# How to Read Your Deed

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A conservation easement deed is a permanent, legally binding agreement between a land owner (the Grantor) and the easement holder (the Grantee). Conservation easements provide permanent protection of the scenic, recreational, ecological, or natural resource values of the land. They normally restrict certain activities that could adversely affect these values.

Each conservation easement is unique, based on the conservation values of the land, and is the result of negotiations between the original grantor and the Forest Society. Generally, each conservation easement identifies the purposes for the easement and the conservation attributes it protects, sets limitations on the uses of the land, and sometimes reserves specific rights for the property owner.

The “purposes” of the easement identify what the conservation easement restrictions are designed to accomplish. These purposes are referred to throughout the easement deed. Land “use limitations” in Forest Society conservation easements usually prohibit commercial or industrial uses except for acceptable forestry and agricultural activities as described in the easement. Most Forest Society conservation easements also limit or prohibit subdivision, separate conveyance of two or more tax parcels, introduction of any buildings, structures, or improvements, any disturbance of soil or water features, any outdoor advertising signage, mining or removal of rocks, soil, or other materials from the property, and dumping. Some conservation easements guarantee public access, which would also be specified in this section.

Some easements contain “reserved rights,” which are activities specifically permitted on the property. Reserved rights may be permitted perpetually, or only once, and allowed only on a certain portion of the property, or over the whole property. There is normally a requirement to notify the Forest Society before exercising a reserved right.

# Your Easement Responsibilities

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As a conservation easement property owner, you are responsible for complying with the specific terms of the conservation easement on your property. Although each conservation easement has different restrictions, in most cases you are responsible for at least the following:

- 🍃 Allowing Forest Society representatives access to the land to monitor the property;
- 🍃 Comply with the terms of your conservation easement and working with Forest Society staff to resolve any compliance issues;
- 🍃 Obtaining all local, state, and federal land use permits; and,
- 🍃 Providing notice to the Forest Society before exercising certain reserved rights or transferring title.

Because each conservation easement deed is unique, the Forest Society recommends contacting your Stewardship Manager with any management or project plans before beginning to ensure they are in alignment with your deed. The easiest way to do this is by submitting an Activity Request Form detailing the activity, event, structure, or improvement to your Stewardship Manager. These forms can be completed on the Forest Society's website, by scanning the QR codes provided, or by contacting your Stewardship Manager directly.



Submit a Request for an  
Activity or Event

([ForestSociety.org/ActivityForm](https://ForestSociety.org/ActivityForm))



Submit a Request for a  
Structure or Improvement

([ForestSociety.org/ImprovementForm](https://ForestSociety.org/ImprovementForm))

# Boundary Maintenance

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We recommend that you routinely identify and mark your easement boundaries on the ground.

This will help you and your neighbors know where the easement boundaries are and might prevent you or your agent from accidentally carrying out prohibited activities in the easement area.

Metal tags and flagging are easy, helpful ways to designate high risk boundaries of the conservation easement, or those along road frontages or public areas. Contact your Stewardship Manager to request tags and instructions regarding their installation.

Blazing and painting is also a helpful method to mark boundaries. However, blazing should only be performed by a licensed forester or surveyor, so please seek professional assistance with this type of boundary marking.

If you need help locating part of your boundary, your Stewardship Manager may be able to help you during a monitoring visit.



# Forest Management Plans

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Easements written after 1992 require a notification to the Forest Society before beginning any timber harvest operation. These easements require that you work with a licensed professional forester who will prepare a management plan and supervise any forestry activities.

Please contact your Stewardship Manager prior to conducting commercial forestry to obtain a certification of the forest management plan because Forest Society requirements in a forest management plan may differ from Current Use or Town requirements. Even when it is not required by the deed, we strongly recommend working with a licensed forester to develop a forest management plan and to oversee any forestry. A forester can help ensure that forestry activities comply with your easement, protect the viability of your forestland, and make certain that your personal goals are achieved. Moreover, working with a licensed forester will generally result in higher financial returns from harvests over time. If planned activities require permits or notification of any government or other agency, you must complete those steps as well before going forward with any activity.



# Land Management Assistance

Activities on your easement must be conducted in accordance with best practices for managing the topography, natural resources, and soils of the easement property, as prescribed in the easement deed. If you plan forestry or agricultural activities, be aware that most easements require these activities to follow scientifically-based practices as recommended by the USDA, UNH Cooperative Extension, or another natural resource management agency. We recommend that you begin your consideration of forestry or agricultural management by contacting your county's Cooperative Extension office.

Your Cooperative Extension forester is a good resource for initial evaluation of your woodlot and information on how to proceed with forest and wildlife management. They can also provide a list of licensed professional foresters in your area. Their services are provided at no cost to you. Cooperative Extension also provides assistance on agricultural issues through their agricultural specialists and educators.

You should provide a copy of the easement deed to each person who has responsibility for management of the land, such as your forester, logger, tenant, or farm manager.

For information from the Agricultural Resources staff, call (877) 398-4769.

To contact your county forester, call (800) 444-8978.

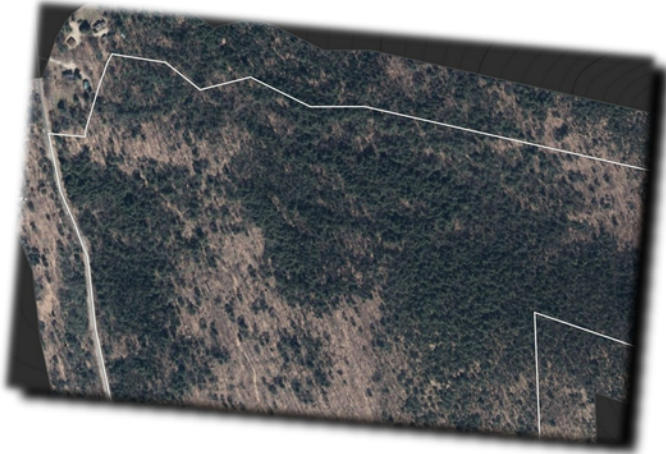


# Easement Monitoring

The Forest Society is responsible for monitoring conservation easement properties annually (ground and/or satellite monitoring) and for enforcing easements if there is a compliance issue. This involves providing assistance to easement property owners to be sure they understand their responsibilities under the easement.

## Satellite Monitoring

We monitor all easement properties annually, using satellites to capture digital images. Your Stewardship Manager then analyzes the images and will contact you if there are questions or concerns. A follow-up visit may be needed to view changes on the ground.



## Ground Monitoring

A Stewardship Manager will visit your easement property every one to five years. You will be contacted prior to the visit to invite you to walk the property with the Stewardship Manager and share your land ownership experiences and any plans you have for the property. If you cannot join them, they will review your land use plans with you.



After each visit, you may hear from your Stewardship Manager who will let you know whether there were any activities observed that raised a concern. Of course, you are welcome to contact them with questions at any time.

# Documenting Land Condition

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To ensure the conservation values that inspired an easement are protected, the stewardship staff keeps records on file that document those values. With new conservation easements, this information is formalized in a single Baseline Documentation Report (BDR).

However, not all of our baseline information is formalized in these reports (particularly with older conservation easements). As we conduct monitoring visits, we compile and review baseline information and determine if it is necessary to update your property's BDR with a Current Conditions Report (CCR). If your property is due for a CCR, we will assemble the updated information and send a draft of the report to you for your review and signature.



# Updating Landowner Information

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Open communication is key to creating a lasting relationship between landowners and the Forest Society. Having up-to-date information on file for each landowner helps our stewardship staff easily and quickly reach out to schedule monitoring visits, check on forestry operations, and communicate about ongoing projects. Each year, we work with landowners to update their information, preferred method of contact, and best season to visit. We also record changes to trustee, membership, and lessee assignments. The easiest way to update your contact information is by visiting the Forest Society's website, scanning the QR code provided, or reaching out to your Stewardship Manager directly.



Update Your Contact Information  
([ForestSociety.org/lo-update](https://ForestSociety.org/lo-update))

## Planning to Sell?

If the time comes for you to sell your property or transfer it to a new landowner, the Forest Society asks that you reach out to us before listing. Doing so allows us time to connect with your listing agent and provide them with necessary information regarding the conservation easement that can be used to inform future buyers of the unique conditions of the property. Many deeds also require the landowner to provide notice to the Forest Society before transferring the title.

# Resources

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Our Easement Stewardship Department is here to assist you in developing the best management practices for your property. To provide guidance in these management goals, we have included additional resources below:

## **Forest Society Easement Stewardship Reference Library:**

<https://www.forestsociety.org/landowner-stewardship-reference-library>

## **NH Department of Environmental Services:**

<https://www.des.nh.gov/contact>

## **UNH Cooperative Extension:**

<https://extension.unh.edu>

## **UNH Directory of Licensed Foresters:**

<https://scholars.unh.edu/cgi/viewcontent.cgi?article=3216&context=extension>

## **USDA Natural Resources Conservation Service:**

<https://www.nrcs.usda.gov/>



# Thank You!

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The Forest Society has the distinct honor of being one of the more than 425 Accredited Land Trusts in the nation. The accreditation program was established to recognize land conservation organizations that “meet national standards for excellence, uphold the public trust and ensure that conservation efforts are permanent.”

Thank you for joining us in achieving the many benefits of maintaining open space in New Hampshire. Whether your personal objectives in owning and managing your property include growing superior forest products, maintaining diverse wildlife habitat, having the opportunity for undisturbed outdoor recreation, protecting the quality of an important water resource, reducing climate change impacts, or enjoying the scenic beauty of your land, you are in good company with many other easement landowners. We look forward to meeting you and getting to know you and your property.



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