Land Conservation Step by Step
NHACC Conference ◆ November 7, 2026
Anna Boudreau



Tendercrop Farm (Tuttle's Easement) – Dover, NH

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ANNA M. BOUDREAU CONSULTING

ANNA M. BOUDREAU

Land Conservation Planning, Educational Workshops and Grant Writing Assistance

anna@annaboudreau.com

(603) 557-7561

Annaboudreau.com

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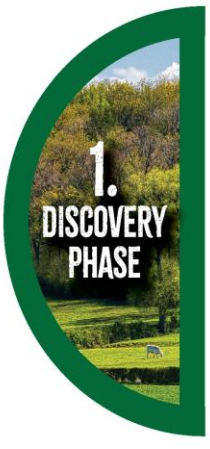
SHOW OF HANDS…

- Conservation Commission/Open Space Committee Members?
  - 1-5 years
  - 5-10 years
  - 10-15 years
  - Over 15 years
- UNH Extension Volunteers (Natural Resources Steward, Coverts Cooperator etc.)
- Landowners
- Other Roles: Land Trust staff or volunteers, municipal staff, government official or agency

PLEASE ASK QUESTIONS THROUGHOUT
THIS IS AN INTERACTIVE CONVERSATION

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1. YOU RECEIVE AN INQUIRY
WHAT ARE YOUR FIRST STEPS?





DO WE HAVE A PROJECT?

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1. Recap of key steps in the Discovery Phase

- Desktop analysis of conservation features (criteria)
- Check with your local land trust –any history there?
- Schedule a site walk
- Review landowners' goals and explain the process & timeline, characteristics of a conservation easement
- LISTEN and TAKE NOTES ('agenda' for first meeting with landowners is available)
- Discuss potential conservation easement boundaries
- Research potential funding sources
- Present to conservation commission during non-public session

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YOUR BEST TOOL….



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2. WHAT'S NEXT?



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2. RESEARCH and DOCUMENTATION recap

- Identify and document natural resource features
- Research existing easements, right of ways (ROWs)
- Mapping: prime wetlands, proximity to drinking water resources, wildlife corridors, agricultural soils, etc
- Engage Appraiser or at least get in their queue
- NH Natural Heritage Bureau request for rare & endangered species (see DES datacheck tool) Note: Landowner permission required

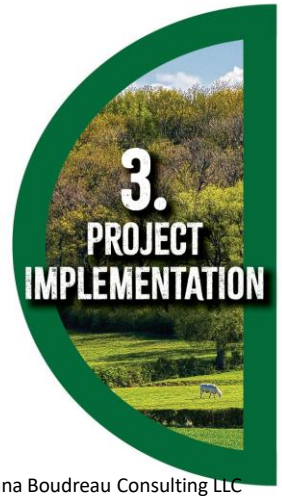
BUILDING PARTNERSHIPS IS IMPORTANT

PUT TOGETHER A TEAM – IDENTIFY ROLES

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3. NOTE: MANY STEPS OVERLAP – THEY ARE NOT ALWAYS LINEAR

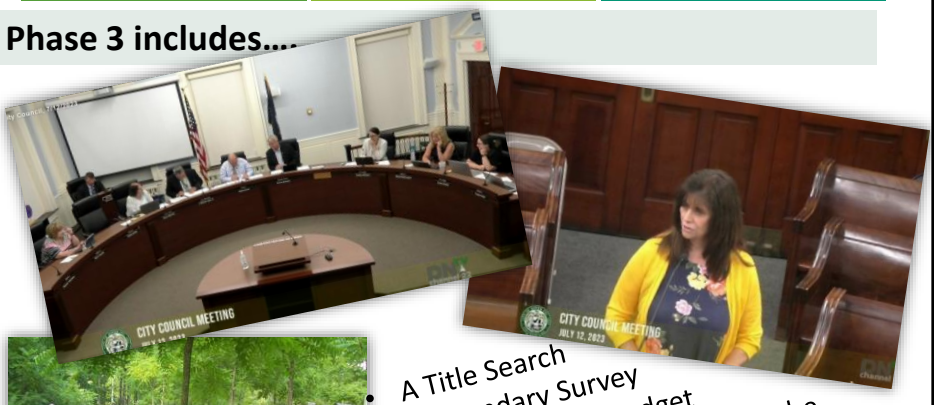




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Phase 3 includes….





- A Title Search
- A Boundary Survey
- Developing the Budget
- Continued negotiations with the landowners
- Public Hearings – *be prepared*
- Starting work on the Baseline Documentation Report (BDR)

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3. RECAP OF PROJECT IMPLEMENTATION

- Identify Primary vs. Executory Easement Holders
- Outline your project budget *(sample project budget available)*
- **★Draft/Sign Purchase & Sale agreement★**
- Retain legal counsel to perform the title search and draft the legal description
- Go through formal approval process at municipal and land trust levels
- Order Boundary Survey
- Start Baseline Documentation Report (BDR)
- Manage all contractors for survey, appraisal, Phase 1 environmental assessment
- Continue to keep landowners and project partners up to date on progress

Note: The timeline to progress from Phase 1 to Phase 3 can range anywhere from 6 months to well over a year.

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4. WHERE DOES THE MONEY COME FROM? WHO DRAFTS THE DOCUMENTS?

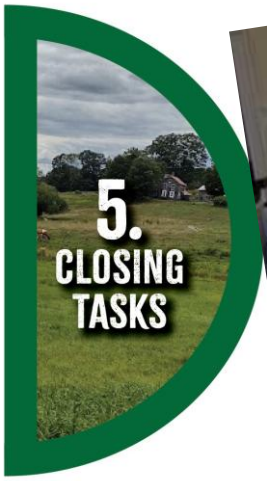


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4. RECAP OF FUNDING & EASEMENT PREPARATION TASKS

- Grant applications submitted and tracked throughout the process
- Fundraising campaign materials drafted, lead donors identified/contacted
- Drafting and review of the Conservation Easement Deed
- Secure copy of all meeting minutes for approval
- Baseline Documentation Report to all parties for review & approval
- Conservation Easement Deed & Survey to all parties for review & approval
- Coordinate final approval and release of municipal and grant funds
- Secure mortgage subordination or paydown
- Continue to manage all contractors for appraisal, survey, environmental assessment, etc.

PHASE 5. THE GOAL: GET TO THE CLOSING!





Russ & Frannie Browne
closing - 2006





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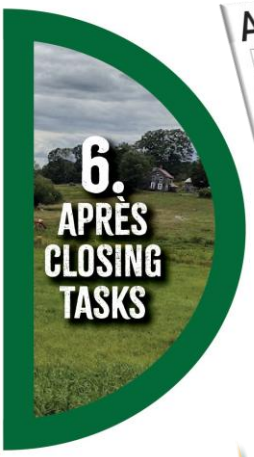
5. RECAP OF KEY CLOSING TASKS

- Review settlement statement before the closing
- Record partial release of mortgage
- Sign and notarize CE – If in person, remind all to remember their ID
- Grantor signs forms: CD-57, PA-34, SS declaration of consideration
- Original CE deed recorded at Registry
- Plan celebratory event, if appropriate, *with landowner's permission*
- Also with LO's permission, draft and send press release and photos
- Send *Thank you* notes: project partners, volunteers, the landowners

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6. After the closing, there are remaining tasks to complete









GRANITView

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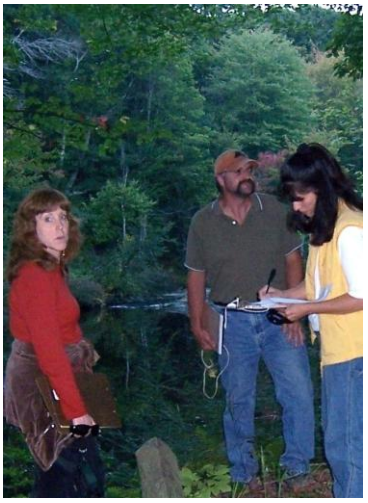
6. RECAP OF KEY TASKS AFTER THE CLOSING

- Send Forms
  - Property Transfer (PA-34) to Dept of Rev.
  - PA-34 to Town assessor, tax collector, Planning dept.
  - File CD-57 with State Dept of Revenue if tax stamps
- Scan/store original CE deed in fireproof safe when returned from registry
- Send 8283 Form, if appropriate (if a bargain sale or donation)
- Prepare recognition for landowner (ask permission)
- Submit to GRANIT
- Delete old drafts, close the pending project list, add to annual monitoring list
- **CELEBRATE!**

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EASEMENT HOLDER'S RESPONSIBILITIES AFTER THE CLOSING

- Regular Landowner Communication
- Perpetual Annual Easement Monitoring
- Diligent Record Keeping
- Enforcement (if a confirmed violation exists)
- New Landowner Contact
- Ethical and Legal transactions
- Document - Document - Document



Municipal volunteers monitoring an easement on the Cochecho River, Dover, NH

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Time for a few more QUESTIONS before I wrap up.



tonehouse Pond - Barrington, NH

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Remember at least three things…

- ✓ Granting/accepting a conservation easement is a real estate transaction.
- ✓ We only work with willing landowners.
- ✓ It takes patience – strong partnerships are essential**.**



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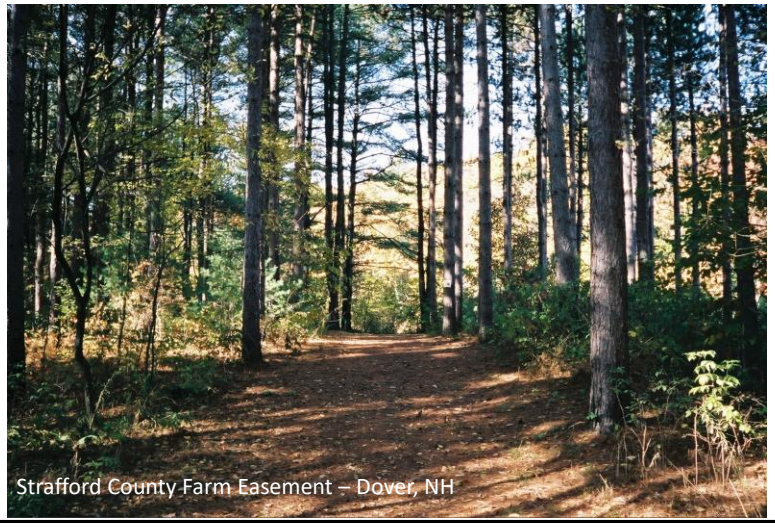
RESOURCES

- NH Association of Conservation Commissions: **nhacc.org**
- NH Land Trust Coalition: **nhltc.org**
- UNH Extension: **extension.unh.edu/natural-resources/conservation-climate**
- USDA Natural Resources Conservation Service: **nrcs.usda.gov/NewHampshire/State Office**
- NHDES DataCheck Tool (rare and endangered species) **https://ww4.des.state.nh.us/NHB-DataCheck/**

NOTE: *Numerous environmental consultants & advisors are listed on the NHACC website. Additionally, your own commission may have professionals or UNH Extension volunteers (such as Natural Resources Stewards or NH Coverts Cooperators) to assist you.*

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KEEP UP THE GOOD WORK OUT THERE!



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Please note that each phase of the land conservation process could easily warrant its own one-hour workshop. Trying to cover all six phases during this session was challenging, but I hope it gave you a sense of what is involved and underscored why building a strong team of municipal staff, professionals, and volunteers is essential to your success.

Anna

Anna M. Boudreau Consulting LLC
Land Conservation Planning & Grant Writing Support
859 Central Ave., #115
Dover, NH 03820
E: anna@annaboudreau.com
P: (603) 557-7561
W. annaboudreau.com