

# LCIA Flow Chart

## Land Conservation Eligibility for Tax Credit Application

Landowners who receive an approval letter from the EMNRD Secretary may apply for a Land Conservation Certificate of Eligibility in order to receive a tax credit of up to \$250k. This form can be found on the Forestry Division Website (<http://www.emnrd.state.nm.us/fd/index.htm>) for Land Conservation Tax Credits.

Applicant completes Land Conservation Certification of Eligibility Application and submits one original and three copies of all required documents (see below) on the application for review by the Forestry Division's LCPS.

Original signed application

Recorded deed

If fee simple, letter from donee

Qualified appraisal

Minerals report from a professional geologist or title opinion of mineral ownership

IRS Form 8283 signed by public or private conservancy agency

Legal description of any properties owned by applicant within a 10 mi. radius of the donated land or interest in the land.

If private non-profit, proof of 501(3)(c) certification

If application is complete and contains all pertinent information required in the Deed of Conservation Easement, send to the Tax and Revenue Department (TRD), Property Tax Division, Appraisal Bureau for review.

If application is not complete, contact applicant and request missing or incorrect documentation be corrected.

TRD receives application for appraisal review and verify that it must meet requirements of 3.13.20 NMAC including whether the appraisal complies with the uniform standards of professional appraisal practice (USPAP) and whether the appraiser used proper methodology and reached a reasonable conclusion concerning value. (See TRD Appraisal Check List)

If appraisal is rejected by TRD, a letter is sent to the LCPS stating why it was rejected and what needs to be done in order for applicant to re-apply.

EMNRD Secretary rejects the certification of eligibility application because it was incomplete or incorrect; does not meet the requirements of 3.13.20.8 NMAC or 3.13.20.10 NMAC; the filed conservation easement or deed does not accurately reflect the donation the applicant described in its assessment application; or the taxation and revenue department, property tax division, appraisal bureau provides an unfavorable recommendation of the appraisal, the applicant may resubmit the application package for the rejected certification of eligibility application with the complete or correct information or additional information that addresses the requirements the donation does not meet. The EMNRD Secretary shall place the resubmitted certification of eligibility application in the review schedule as if it were a new certification of eligibility application.

If appraisal is approved by TRD, a letter is sent to the LCPS stating the it met all the requirements set forth by TRD

EMNRD Secretary sends a letter that informs the applicant of the amount of tax credit they may be eligible for, along with a State of New Mexico - Taxation and Revenue Department form #41335 which allows the applicant to apply for the land conservation incentives tax credit. Completed forms are sent to:

Ronnie R. Jaramillo  
Tax Compliance Specialist Supervisor  
NM Taxation & Revenue Department  
Revenue Processing Division  
(505) 827-6811

Once approved by TRD, the form will be returned to the applicant and they can begin to claim the credit.

Eligibility application process begins again.

