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| Issue: | Ag Land and Habitat Conservation | |
| Action Tool Title | Conservation Easements | |
| Description of the tool: | Conservation easement is an encumbrance — sometimes including a transfer of usage rights (easement) — which creates a legally enforceable land preservation agreement between a landowner and a government agency (municipality, county, state, federal) or a qualified land protection organization (often called a "land trust"), for the purposes of conservation. | |
| How Well Does It Work? | | |
| How valuable is this tool? How important is its contribution to achieving North Texas' vision for the future? | | |
| The conversion of our region's agricultural land to nonagricultural uses is a serious issue for all citizens of the region and the State. In addition to its direct impacts on farmers and ranchers as well as the agricultural land itself, this conversion affects the cost and quality of food, economic stability, wildlife habitat, air quality and the cost of government. This tool therefore provides an avenue to roll back some of these adverse consequences in our region. | | |
| How does it actually work? | | |
| The primary purpose of a conservation easement is to protect land from certain forms of development or use. Conservation easements enable landowners to retain title to an undivided tract and use it for resource purposes. The advantage for the landowner is the reduction of the value of land to its inherent value for resource activities. For many landowners, this enables them to continue living on their land without facing higher property taxes. Federal tax incentives, for instance, reduce the tax burden by up to 40%. It also gives them the altruistic opportunity to preserve resource lands as open space in perpetuity. Local government can play a role in facilitating conservation easements by putting third parties active in acquiring them in contact with potentially receptive resource landowners. | | |
| What are the costs and who will they affect? | What are the benefits and who will they help? |  |
| <ul style="list-style-type: none"> Finances for appraisal requirements | <ul style="list-style-type: none"> Benefit 1 discussion: Easements are flexible and can be written to meet a particular landowner's needs while protecting the property's natural resources. Benefit 2 discussion: Easements are permanent, remaining in force when the land changes hands. | |
| What are the biggest stumbling blocks? | How can they be addressed? | |
| <ul style="list-style-type: none"> Stumbling block 1 discussion: Unrelenting population growth Stumbling block 2 discussion: A general lack of understanding about the regional benefits of preserving our ag lands and natural habitat, and how conservation easements can benefit the property owners as well as the region as a whole. | <ul style="list-style-type: none"> Action to address: Encouragement of vertical growth with denser human settlements. Action to address: Public outreach to educate private property owners as well as local government policy makers and staff about how to set up conservation easements and the benefits of conservation easements. | |
| Who Would be Responsible? | | |
| Primary (lead) responsibility | Primary responsibility lies with local government and local land trusts or conservancies. | |
| Secondary responsibility | land owners | |
| Need for coordination | Yes. A conservancy will provide an important platform for coordination between government and property owners. | |
| How Should it be Funded? | | |
| Primary (lead) responsibility | Tax incentives from local governments | |
| Secondary responsibility | Tax incentives from federal government | |
| How Does It Connect? | | |
| What other VNT issues are helped by this tool? | This tool lends itself to multiple application as a possible solution to some of the challenges of pollution and water quality that the region faces. | |
| What other VNT issues could be hurt by this tool? | None applicable. | |

| How Should It Be Implemented? | |
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| What will be done? | When will it happen? |
| <ul style="list-style-type: none"> • First step for action: Educating property owners of the importance of conservation easements. This can be done in collaboration with a land trust and a conservancy agency. | Onus lies with the respective local governments |
| What Examples Can We Follow? | |
| North Texas Case Studies | <p>For a profile of some Texas easements please visit http://www.llt.org/easements.pdf</p> <p>The Centennial Land Trust, Morgan and Weld Counties, Colorado. The Trust works cooperatively with landowners, local government, and conservation agencies to develop management plans for land protected by conservation easements.</p> <p>For more on conservation easements in the State of Texas visit www.llt.org/easements.pdf</p> <p>http://www.texasep.org/index.html</p> |
| Other Texas Case Studies | |
| Other U.S. Case Studies | |
| Supporting Research | |
| Related Information | |
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