



Conservation Easements

Conserving Land, Water and a Way of Life

Conservation easements are one of the most powerful, effective tools available for the conservation of private lands. Their use has successfully protected millions of acres of wildlife habitat and open space in the United States and in many countries.

A conservation easement is a restriction placed on a piece of property to protect its ecological or open-space values. It is a voluntary, legally binding agreement that limits certain types of uses or prevents development from taking place now and in the future. In a conservation easement, a landowner voluntarily agrees to donate or sell certain rights associated with his or her property, such as the right to subdivide, and a private organization or public agency agrees to hold the landowner's promise not to exercise those rights.

conservation easements benefit the public and the environment

- Conservation easements conserve watersheds and aquifers, helping ensure a clean supply of water for public use.
- Conservation easements buffer treasured national parks, from Yellowstone to Canyonlands, from development and human activity. Easement lands help protect migratory corridors for wide-ranging animals such as elk and bears, which do not confine their movements to the boundaries of a park. They are also used to buffer other public lands such as military bases and national forests.
- From Maine to California, conservation easements protect open space and enhance the quality of life in rapidly growing urban and suburban areas.
- Conservation easements preserve agricultural lands, from family farms to ranches to timberlands. And easement lands on which use is restricted to agriculture often generate more in local revenues than they require in community services.

conservation easements keep land in private hands and preserve traditional land uses

- Private property subject to a conservation easement remains privately owned, and landowners often continue to live on the property.
- The option to place conservation easements on private land is an important private property right that comes with land ownership in the United States.
- Conservation easements are individually tailored to protect targeted conservation values and to meet the landowner's needs.
- Many types of private land use, such as farming, ranching and timber harvesting, can continue under the terms of a conservation easement. The easement may require the landowner to take certain actions to protect land and water resources, such as fencing a stream to keep livestock out.



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Along the shores of Utah Lake near Orem, Utah, the ecologically important wetlands of Cherry Hill Farm are protected through several conservation easements, both donated by and purchased from the Taylor family, who homesteaded the property in the early 1900s. The conservation easements lowered the property's estate taxes when Paul Taylor died, allowing the fourth and fifth generations of Taylors to afford to keep the property in the family, as Paul intended.

- Land subject to a conservation easement can qualify the landowner for certain tax benefits. The market values land based on its “highest and best use,” which often means development. If a property’s development rights are forfeited through a conservation easement, then the land’s development potential no longer exists and the land’s value may be lowered — in turn, lowering taxes for a landowner. Tax savings from conservation easements can help keep land intact and in private hands.

conservation easements protect land for future generations

- Most conservation easements remain with the property, even if it is sold or passed on to heirs. Current and future landowners are bound to the easement’s restrictions in perpetuity.
- Landowners place conservation easements on their property because they want to protect it beyond their lifetimes. Easements help them fulfill their vision for the future of their lands and waters.
- Through conservation easements, landowners can more easily pass on land to their children and grandchildren. By removing the land’s development potential, an easement can result in lowered estate taxes. Such a tax reduction can make a critical difference in the ability of heirs to keep the land intact; the alternative has often been subdividing the land to pay heavy estate taxes.



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Karl and Teri Rappold have sold several conservation easements to The Nature Conservancy on their working ranch on Montana’s Rocky Mountain Front. The easements protect important grizzly bear habitat and helped the Rappolds expand their cattle ranch.

conservation easements are gaining ground

- Conservation easements are one of the most popular conservation tools employed by the more than 1,260 land trusts in the United States.
- As of 2000, local and regional land trusts in the United States had protected nearly 2.6 million acres through conservation easements — almost a fivefold increase since 1990.
- As of January 1997, The Nature Conservancy had protected 645,000 acres through conservation easement acquisitions in the United States. By June 30, 2003, that figure had swelled to more than 2 million acres.
- Over the past decade, the use of conservation easements has been expanding into Latin America, Canada, the Caribbean, Australia and the Pacific.



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“We realize our land has surging economic value, but it has overwhelming ecological value as well. Our goal is to preserve the property for future family generations and for the many native plants and animals which call our farm home.”

— the late Paul Taylor (right), who chose conservation easements for his Cherry Hill Farm, in Utah, to give his descendants the means to keep the land in the family

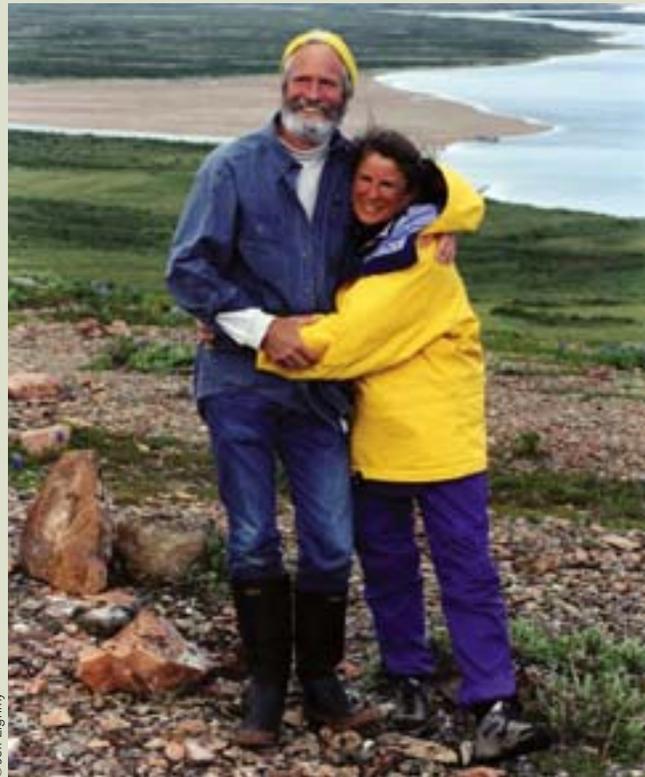
conservation easements protect landscapes efficiently and effectively

- Conservation easements extend conservation dollars by helping protect ecologically important private lands, freeing limited funds for other conservation projects.
- Conservation easements selectively target only those rights (e.g., subdivision) necessary to protect specific conservation values (e.g., migration routes).
- For more than four decades, The Nature Conservancy has been using conservation easements to protect more of a landscape from development than could be accomplished through outright purchase.
- In the Blackfoot Valley of Montana, for instance, the Conservancy accepted the state's first conservation easement on 1,800 acres in the mid-1970s. Today some 30,254 acres in the Blackfoot are covered by easements, and it is one of the most intact landscapes in all of Montana.

Since 1961, The Nature Conservancy has been engaged in the use of conservation easements that directly or indirectly protect the value of land and water as habitat for native plant and animal species.

For information on how you can place an easement on your land, or to learn how you can help support the use of conservation easements around the country and the world, contact your local office of The Nature Conservancy. A complete list of state chapter and country program offices can be found on the Conservancy's Website at nature.org/wherewework.

Cover photo: Rappold Ranch on the Rocky Mountain Front, near Choteau, Montana. ©Jim Steinberg



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Along the rapidly developing Front Range in Colorado, Jim and Audrey Benedict donated a conservation easement on their 484-acre Sawtooth Springs Ranch to The Nature Conservancy. Together with neighboring easements, some 1,180 acres of contiguous private land and important wildlife habitat have been protected in this part of Boulder County.

Bois Brule River, Wisconsin

In northwestern Wisconsin, the Bois Brule River flows north and drains into Lake Superior, its watershed blanketed by northern hardwoods and remnant stands of old-growth white and red pine. In the upper river region, habitat preservation and protection of the Brule's forests have been hallmarks of private property ownership for generations. Fifty years ago, private landowners banded together to form a corporation to purchase and hold a large parcel that was up for sale, to protect it from any future residential or commercial development

In the early 1980s, searching for a stronger means of protecting the river from development and increased recreational pressures, local landowners launched a conservation easement program with The Nature Conservancy. Today, conservation easements protect more than 90 percent of the privately owned riparian habitat along the upper stretch of the Brule. The Conservancy has negotiated 23 easements covering nearly 5,000 acres of the 8,320-acre Cedar Bog/Brule Spillway Conservation Area.