Conservation

Easements in Oregon

Coalition of Oregon Land Trusts
Mike Running – Communications Manager
October 15, 2014
Today’s (short) presentation

• Introduction to COLT and Oregon’s land trusts
• Conservation easements 101
• Easements in nationally, and in Oregon
• Challenges and opportunities
  • Agriculture and forest producers

Sprague River Valley near Klamath Lake
Coalition of Oregon Land Trusts

• Serve and strengthen the land trust community.
• State association
• 19 member land trusts
  • Non-profit organizations
  • Work with willing landowners to conserve Oregon’s unique and natural character
• Conservation easements
  • Fee title acquisition
• Collective impact
  • 300,000 acres conserved
  • 5,000 volunteers
  • 36,000 supporters

Tour on a property protected by Greenbelt Land Trust
Oregon Land Trusts

COLT Members with Statewide Service Areas
- Oregon Rangeland Trust
- The Conservation Fund
- The Nature Conservancy
- The Wetlands Conservancy
- Trust for Public Land

April 2014
Conservation Easements 101

• A conservation easement is a voluntary agreement between a landowner and a qualified “holder” that allows a landowner to limit the type of uses on their property while retaining private ownership of the land.
  • The landowner retires some of the bundle of rights with an easement

• Granted in perpetuity
  • Seriously a long time...

• State statute, and in common law

• Most holders are a government agency or land trust

• Donated or purchased
  • Federal and state tax benefits

The Hagen family on their land, conserved with an easement held by the McKenzie River Trust
Conservation Easements 101

- Perpetuity is a very long time
- Long-term stewardship and monitoring
  - An easement is only as good as it is enforceable
- Considerations
  - Organizational capacity
  - Conservation goals
  - Landowner’s goals
  - Funding and feasibility
  - Stewardship capacity
- Very effective tools available to landowners and organizations
  - Variety of uses: open space, habitat, agriculture, forestry, recreation, wetlands, etc.
Easements Nationally

http://www.conservationeasement.us/
Easements Nationally

Growth in Acres of Land Protected Under Easement by Land Trusts

2014:
- 105,000 easements
- 22,000,000 acres
Easements in Oregon

- 460 conservation easements in Oregon (rough number)
- Protecting 156,500 acres
- Non-profit orgs (land trusts) hold 189 easements
- Federal government holds 252 easements
  - Mostly through NRCS's WRE program
- Some organizations / agencies not included in data
  - E.g. TNC (7,315a) and ORT (11,800a) not included on right

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<tr>
<th>Easement Holder</th>
<th>Count</th>
<th>Acres</th>
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<tbody>
<tr>
<td>Bonneville Power Administration</td>
<td>3</td>
<td>208</td>
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<td>Central Coast Land Conservancy</td>
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<td>220</td>
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<td>City of Eugene</td>
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<td>McKenzie River Trust</td>
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<td>The Wetlands Conservancy</td>
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<td>Waliowa Land Trust</td>
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Easements in Oregon

Number of easements:
- 0
- 1 - 14
- 15 - 28
- 29 - 42
- 43 - 56
- 57 - 71
Easements in Oregon compared with other states

- 460 conservation easements
- Protecting 156,500 acres
- Washington State
  - 3,500 easements
  - Protecting 322,800 acres
- California
  - 2,661 easements
  - 1.3 million acres
- Maryland
  - 4,402 easements
  - 400,000 acres
    - 5% of the state

160 acres of farmland protected by the Maryland Environmental Trust along the Chesapeake Country National Scenic Byway
Why the limited use of easements in Oregon?

- **SB 100** Comprehensive land use program
  - 16.3 million acres in zoned for farm use – 55% of private land
  - 10.5 million acres in forest or farm/forest zone
  - 27 million acres “protected” from subdivision, development, etc.

- Easement valuation is limited here in Oregon
  - Before and after appraisals
- Tax benefits limited
- Challenges for agriculture and forest producers

1,600 C-2 Cattle Ranch in Southern Oregon protected with an easement with the Southern Oregon Land Conservancy
Opportunities and the future of easements

- **Oregon Conservation Easement Assessment Project**
  - Looking at ways to incentivize easements
- **Conservation Districts**
  - Developing easement programs
  - Strong relationship with the ag community
- **Farm Bill programs**
  - Agriculture and Conservation Easement Program
  - ALE, WRE, etc.
- **OWEB and other funding sources**
- **More attention on protecting working landscapes**
  - 3 million more people in next 50 years; 850,000 acres developed
  - The Trust for Public Land’s Working Lands Databank project

197-acre Woody Wolfe Ranch in Wallowa County, protected with an easement by Wallowa Land Trust