

What are Conservation Easements?

A conservation easement is a voluntary agreement between a landowner and a qualified entity (such as a non-profit land trust or government agency), and establishes the future uses of a property, consistent with the landowner's values. Conservation easements introduce restrictions on the use of privately owned land and are designed to be appropriate to the specific circumstances and concerns of both the landowner and the easement holder. Land trusts and other qualified organizations work with landowners to design easement provisions allowing flexible economic use of their land, while conserving the land's important natural, agricultural, and scenic values. As a result, no two conservation easements are alike.



Conservation easements are based on the idea that when people own land, they own rights that go with the property – such as the right to graze cattle, hunt, erect a home, subdivide, or extract minerals. By voluntarily limiting some of these activities, a conservation easement allows landowners to retain private ownership while also achieving other goals, like protecting a viable ranching operation, preserving open space or conserving habitat for wildlife. Typically, a conservation easement limits subdivision and non-agricultural, commercial uses.

Potential Water Benefit

Conservation easements may be a useful tool for reducing groundwater demand and meeting management goals associated with local SGMA regulations. If landowners choose to implement a land repurposing project to reduce groundwater extraction rates and create beneficial uses on their land, such as by converting irrigated agriculture to open grazing land, habitat-friendly recharge basins, or by introducing agrivoltaic systems, an easement requiring that groundwater pumping is restricted to native yield can help maintain the viability of local groundwater resources.

Benefits to the Grower/Landowner

Retained water rights: A multi-benefit land repurposing conservation easement can be flexible in how landowners use their remaining water rights, such as surface allocations and native yield. An easement on a portion of a farm can provide opportunities to continue irrigated farming on adjacent or nearby parcels, allowing landowners to use or transfer their remaining water in accordance with local SGMA regulations.

Easement value: The cost of a conservation easement is equal to the sum of the rights which are being extinguished or restricted by the terms of the agreement. Landowners willing to limit future uses of their land by preventing intensive development and excessive groundwater pumping can be reimbursed a significant portion of their land value from the sale of a conservation easement. That capital can help to sustain their extended agricultural operations and/or the transition to multi-benefit uses on the property being conserved.

Benefits to Other Stakeholders

Organizations and government agencies that provide landowners with resources for land management activities benefit from the security which conservation easements provide for their investments. In most circumstances, conservation easements are perpetual agreements that run with the land, meaning that assistance provided for transitional cropping, sustainable infrastructure, or habitat restoration, is more likely to create a lasting impact.



A multi-benefit land repurposing conservation easement will help local groundwater sustainability agencies meet goals for reductions in groundwater use, and landowners and their neighbors will have greater flexibility in using groundwater and surface water allocations on the lands that remain in production with intensive irrigation. A conservation easement can help stakeholders ranging from local farmers to state agencies achieve goals for the sustainable future of agriculture in California.

Things to Know

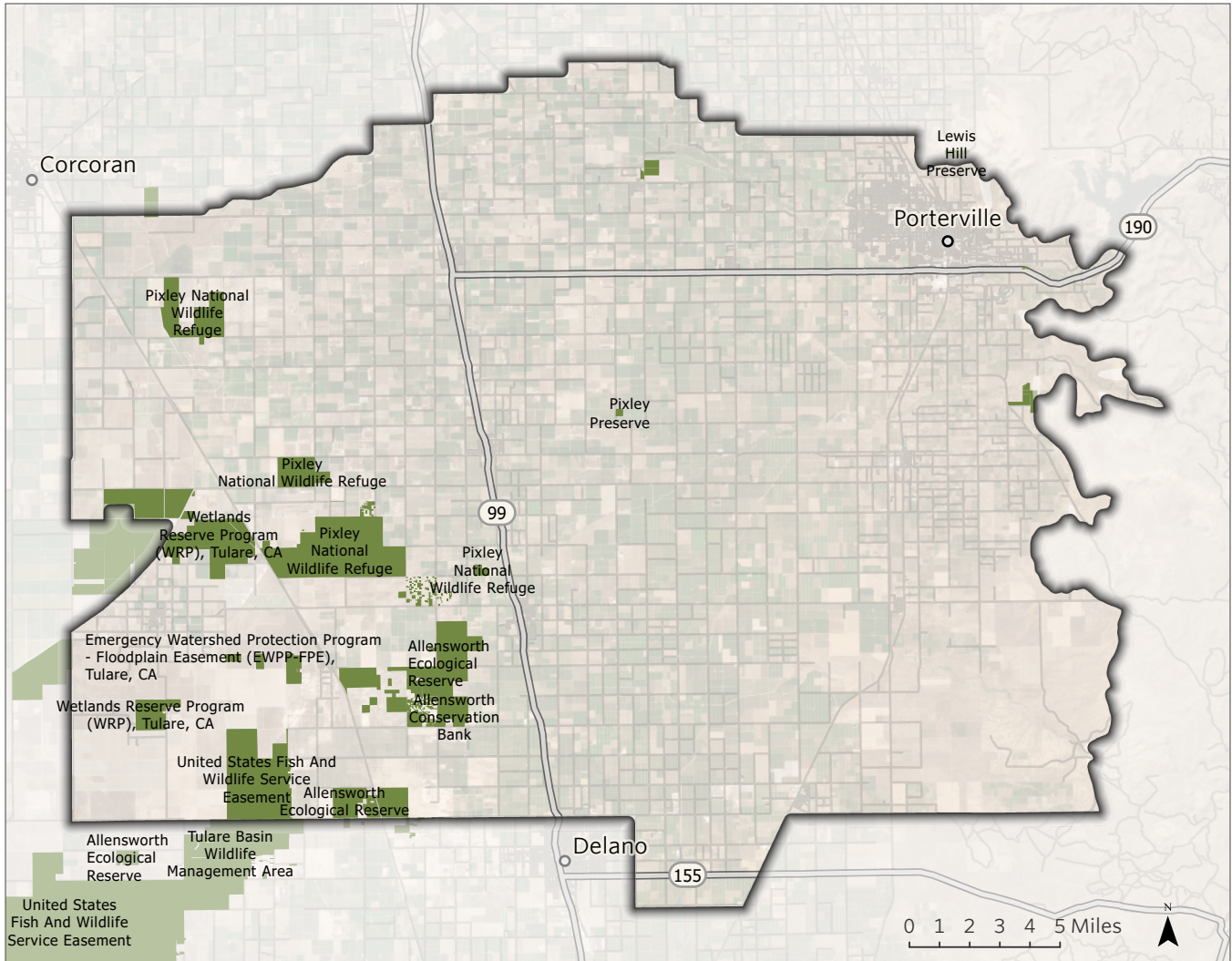
The value of a conservation easement funded by State and Federal programs (such as MLRP) must be established by a qualified appraiser to be eligible for funding. The terms of the MLRP require at least ten years of benefits from eligible projects, meaning that any land management activities funded by the program – including the limitations associated with a conservation easement – may be monitored for at least ten years. Importantly, the difference in value between a temporary easement and a permanent easement can be significant. Entities qualified by the State of California to hold conservation easements, such as 501c3 land trusts, may be unwilling or unable to hold a temporary easement due to restrictions related to the accreditation requirements of the national Land Trust Alliance.

The Multi-Benefit Land Repurposing Program is funded by the California Department of Conservation, which also provides opportunities for landowners to put conservation easements on productive farmland via the Sustainable Agricultural Land Conservation Program and the California Farmland Conservancy Program. The California Department of Agriculture (CDFA) and Natural Resources Conservation Service (NRCS) offers land management grants in programs such as Healthy Soils, Water Efficiency Technical Assistance, Pollinator Habitat, Conservation Agriculture Planning, State Water Efficiency Enhancement Program, and the Environmental Quality Incentive Program. All of these options provide additional financial and technical support for landowners transitioning to sustainable and multi-beneficial uses of agricultural land in the Tule Subbasin and are complementary to conservation easements.

Resources

- Land conservation basics from the Land Trust Alliance:
<https://landtrustalliance.org/take-action/conserves-your-land/how-to-conserves-your-land>
- Conservation easement basics from the California Council of Land Trusts:
<https://calandtrusts.org/conservation-basics/conservation-tools/conservation-easement/>

Conservation



The California Protected Areas Database (CPAD) and Easements (CCED) inventories lands that have been protected for open space uses through fee ownerships or conservation easement.

Land Managed for Conservation