

CONSERVATION IN AMERICA: State Government Incentives for Habitat Conservation. A Status Report.

By Susan George, Defenders of Wildlife. March 2002.

STATE PROFILES

Numerous examples abound of landowner incentive programs making a difference on the ground. In Iowa, for example, the Wildlife on Private Lands Promotion program has enabled several landowners to enhance and maintain a century-old farmstead woodlot, an important wildlife oasis in a heavily agricultural landscape. In Ohio, a nature preserves dedication program prompted a landowner to dedicate 95 acres, which subsequently resulted in stopping a new highway from being constructed through the area. A landowner in Oklahoma used a wildlife habitat improvement program to construct two miles of fence to protect a riparian area from livestock. And in Hawaii, the Natural Areas Partnership Program allowed a small pineapple company without an extensive land management budget to manage its watersheds for water quality and native ecosystem protection.

ALABAMA

Cost Share Program for Farm, Pasture or Woodland

A cost share program in the state provides financial and technical assistance for landowners of farm, pasture or woodland. The program offers a 60% cost share for landowners to plant trees or to install other conservation equipment and develop practices which help reduce soil erosion. The program, which is administered by the Soil and Water Conservation Committee and run by local Soil Conservation Districts on a county level, provides approximately \$30,000 per year per district in cost share assistance and has been in existence for approximately 12-15 years. A private landowner with a minimum of 20 acres of land may qualify for the program; one landowner may receive a maximum of \$3,500 per year in assistance.

Direct Financial Payments, Education/Technical Assistance

The Forever Wild Program

The program was established in 1992 to provide for the purchase of public recreation lands. Since 1992, the state has purchased lands for general recreation, nature preserves, additions to Wildlife Management Areas, state parks, and hunting lands. Through this program, the state has acquired five tracts and seven additional tracts have been approved for acquisition. Some tracts are purchased to provide habitat for native or nongame wildlife, while others may provide habitat for game animals or focus on specific natural communities, such as wetlands, rather than species. The program has acquired interests in lands totaling over 100,000 acres.

Direct Financial Payments

The Wildlife and Freshwater Fisheries Technical Guidance Program

The program provides technical assistance to landowners upon request. All lands with the potential to provide wildlife habitat for both game and nongame species qualify. The program has been in existence for approximately 50 years, and is run by the Division of Wildlife and Freshwater Fisheries. Funding comes from the Alabama Division of Wildlife and Freshwater Fisheries Fund and Federal Aid in Wildlife Restoration money.

Education/Technical Assistance

The TREASURE Forest Program

The program was initiated by the state in 1974 “to promote sound and sustainable forest management, allowing landowners to use forests wisely while protecting and enhancing the environment.” The program provides technical assistance and information to landowners, as well as recognition for landowner’s efforts. Private forested land managed for multiple resources is eligible for assistance. The Alabama Forestry Planning Committee, which includes state and federal natural resource agencies, universities and non-governmental natural resource organizations, runs the program. A minimum of ten acres of forest land, suitable active management accomplishments, land inspections, and 5 year re-certification are required in order to receive certification. Currently 1.8 million acres of land have been certified, with over 1,500 landowners participating. Funding comes from state general funds, U.S. Forest Service Forest Stewardship funds and individual cooperating agencies and organizations.

Education/Technical Assistance, Recognition Program

Conservation Easements

Conservation easements are authorized by this statute, but the state provides no associated property tax benefit. ALA. CODE § 35-18-2 (1975).

Property Rights Tools

Property Tax Benefits for Agricultural/Forest Lands

Alabama provides a land valuation tax reduction for landowners of agricultural and forest lands. In effect since 1978, the property tax benefit uses current use valuation of the land for property tax purposes. ALA. CODE § 40-7-25.1.

Property Rights Tools, Tax Relief

Contacts:

Division of Wildlife and Freshwater Fisheries
AL Dept. of Conservation and Natural Resources
64 N. Union St.
Montgomery, AL 36130
(334) 242-3469
www.dcnr.state.al.us

Alabama Forestry Commission
513 Madison Ave.
Montgomery, AL 36130
(334) 240-9300

Soil and Water Conservation Committee
P.O. Box 304800
Montgomery, AL 36130
(334) 242-2667

State Lands Division
North Union Street
Montgomery, AL 36130
(334) 242-3484
www.dcnr.state.al.us/Lands.htm

ALASKA

The Kenai River Habitat Restoration and Enhancement Program

The program provides cost share, education/technical assistance, and the purchase of fee title or other rights to land for landowners who own property on the Kenai River. The program, administered by the Department of Fish and Game, has been in existence since 1995 and provides up to 50% cost share for removal of damaging materials to fish habitat, protection and enhancement of good fish habitat, and provides assistance with construction of walkways to avoid damaging banks. The program also provides for acquisition of lands that are threatened by development. In most cases, properties are purchased and then closed to fishing to reduce impact. Since 1995, the program has engaged in 210 projects, which have removed 1,673 river feet of detrimental structures such as jetties, bulkheads, and riprap; stabilized or revegetated 10,000 river feet; and protected 20,732 feet with spruce trees and walkways. The program has acquired 15 properties with a total of 5,212 acres.

Direct Financial Payments, Education/Technical Assistance

Conservation Easements

Alaska provides for the creation of conservation easements for real property. ALASKA STAT. § 34.17.010.

Property Rights Tools

Property Tax Benefits for Kenai River Fish Habitat Management

Alaska provides for a credit to offset a portion of property taxes for private landowners who help to improve fish habitat on the Kenai River. ALASKA STAT. § 29.45.046. The Kenai Borough offers this incentive as a compliment to the Kenai River Habitat Restoration and Enhancement Program.

Tax Relief

Property Tax Benefits for Scenic Conservation and Public Recreation Easements

Alaska allows municipalities to exempt, or partially exempt from taxation privately owned land, wetland and water areas for which a scenic conservation, or public recreation use easement is granted to a governmental body. ALASKA STAT. § 29.45.050.

Tax Relief, Property Rights Tools

Property Tax Benefits for Conservation Easements

Alaska provides for the transfer of development rights and exemption from taxation if a landowner's rights to subdivide agricultural areas are conveyed to the state. ALASKA STAT. § 29.45. Private land, wetland and water areas for scenic, conservation or public recreation may be exempt if the easement is granted to a governmental body.

Tax Relief, Market Institutions, Property Rights Tools

Property Tax Benefits for Land Donations

Landowners who donate real property to the Alaska Department of Fish and Game are entitled to tax relief. ALASKA STAT. § 16.05.050(2) allows the Department to acquire real property interests by gift when the acquisition is in the interest of furthering an objective or purpose of the Department and state, such as donations of private in-holdings within State Game Refuges.

Tax Relief

Contacts:

Habitat and Restoration Division
AK Dept. of Fish and Game
333 Raspberry Rd.

Anchorage, AK 99518-1599

(907) 267-2207

<http://www.state.ak.us/adfg/adfghome.htm>

Kenai Peninsula Borough Planning Department

144 N. Binkley St

Soldotna, AK 99699

(907) 242-1441

Division of Wildlife Conservation

AK Dept. of Fish and Game

P.O. Box 25526

Juneau, AK 99802

(907) 465-4100

ARIZONA

The Heritage Fund

The program provides for the purchase of fee title or other rights to land such as conservation easements, and offers technical assistance. The Arizona Game and Fish Commission gives grants on a competitive basis to cities, counties, federal or state agency school districts, municipal corporations or any political subdivisions of the state to identify, acquire and manage endangered or sensitive wildlife species and habitats, conduct environmental education, purchase public access, and other activities. ARIZ. REV. STAT. ANN. § 17.296 et. seq. The entities receiving the grant money then provide private landowners with opportunities to sell easements or fee simple title to these entities. The program is funded by lottery dollars. For FY 2002, \$320,000 is available for inventory, acquisition, and management of sensitive species habitat, \$196,000 for urban wildlife and urban wildlife habitat, and \$160,000 for purchase of public access.

Direct Financial Payments, Property Rights Tools, Education/Technical Assistance

Land Access Program

The Arizona Game and Fish Department enters into agreements with private entities in order to gain public access to, or through, private lands. The program does not provide protection per se, but does encourage landowners to preserve land by providing in kind materials in the form of signage, fencing and cattle guards on the private lands. The program has enrolled approximately 410,000 acres of land since its inception in 1990, with a total of 11 participants, and is funded through a public initiative, the Heritage Fund, which provides lottery dollars to Arizona State Parks and Arizona Game and Fish Department.

Direct Financial Payments, Legal/Statutory Mechanisms

The Stewardship Program

The Arizona Game and Fish Department enters into agreements with private landowners to encourage the preservation of game, native and threatened and endangered wildlife. The stewardship agreements allow landowners to gain access to in kind materials which are used for habitat improvement. The Department also may assist landowners with permitting if any is necessary to complete the projects. The program has been in existence for eleven years and operates on all types of land, including cropland and natural areas. The formal agreements with private landowners usually are for a 1-3 year term. Since its inception the program has impacted approximately 7000 acres of land, and has had 75 participants overall, with 54 active for 2001. The program has approximately \$400,000 available for wildlife habitat projects annually, and is funded primarily through the public auction of Big Game Special Hunt Permits. The Heritage Fund also provides funding, which recently included the creation of a full-time position to administer the Stewardship Program.

Direct Financial Payments, Streamlining, Legal/Statutory Mechanisms

The Big Game Habitat Competitive Grants Program

The Arizona Game and Fish Department administers the program, which is designed to benefit big game such as mule deer, pronghorn and antelope on primarily forested and native rangeland. The program has been in existence eleven years and receives annual funding of approximately \$500,000 to \$750,000 from the auction and raffle of Special Big Game License tags (2 per species/yr.), and a voluntary donation fund for Big Game Hunt Draw applicants. Requirements for participation include a formal cooperative agreement between the Department and the participant. There is no minimum acreage requirement for participants.

Direct Financial Payments

Acquisition of Rights or Interests in Real Property

Arizona authorizes the acquisition of rights or interests in real property indicating that this is a public purpose for which public funds may be expended. ARIZ. REV. STAT. ANN. § 9-464.01 and § 11.935.01.

Direct Financial Payments

The Arizona Preserve Initiative Program

The Arizona State Parks Department administers the funding for the program, which provides for the rental or lease of habitat and funding for the purchase of state trust lands for conservation purposes. Although this program is for state and not private land, the program does affect private rights. Private holders of federal or state land leases are able to receive payments for reduction of livestock in order to provide for wildlife species conservation or wildlife habitat. The program also funds the implementation of conservation based management alternatives on public land to provide wildlife habitat or other public benefits that preserve open space.

Direct Financial Payments

Technical Assistance

The Arizona Game and Fish Department offers technical assistance to private landowners through personal contacts made by field and office staff members.

Education/Technical Assistance

Conservation Easements

Arizona authorizes the use of conservation easements to preserve open space, scenic spaces, and natural habitat for fish, wildlife, plants or other values. ARIZ. REV. STAT. ANN. § 33-271.

Property Rights Tools

Agribusiness Recognition Program

The Arizona Game and Fish Department recognizes each year an owner of agribusiness lands who has excelled in the preservation, enhancement, or creation of land management practices that are beneficial to wildlife (game, native, or threatened and endangered species). Participants must be legal residents of Arizona, must have legal ownership of a minimum of 160 acres of land, must have agribusiness on 50% of the land, and must allow access to at least 50% of the land. The Department gives out one award each year, which is presented to the recipient(s) at an annual Arizona Game and Fish Commission Award Ceremony.

Recognition Program

Tax Credits for Donation to Agricultural Preservation Districts

The Department of Agriculture, in cooperation with local agricultural preservation districts, provides landowners with the opportunity to receive tax credits if they convey ownership or development rights to agricultural preservation districts. This program does not benefit wildlife directly, but can provide ancillary benefits in the preservation of open space. The program has existed since 2000, and provides landowners up to \$33,000 for participation.

Tax Relief, Market Institutions

Contacts:

AZ Game and Fish Department
2221 W. Greenway Rd.
Phoenix, AZ 85023-4312
(602) 942-3000
www.azgfd.com

AZ Department of Agriculture
1688 W. Adams
Phoenix, AZ 85007
(602) 542-4373

Arizona State Parks
Land Conservation Program

(602) 542-7126

www.pr.state.az.us

ARKANSAS

The Wildlife Habitat Enhancement Program

The Arkansas Game and Fish Commission administers the program, which offers landowners cost share, technical assistance, and education to improve habitat for wildlife (game, native wildlife, threatened or endangered species, and fisheries). The program has been in existence since 1998 and covers approximately 59,000 acres of wetlands, agricultural lands, early successional habitat and streamside and riparian areas. The annual funding for this program ranges from \$325,000 to \$500,000 annually.

Direct Financial Payments, Education/Technical Assistance

The Acres for Wildlife Program

The program provides in-kind materials, a recognition program, and technical assistance to landowners of all types of land to improve habitat and provide cover for any type of wildlife. Approximately 2,199,300 acres and 4,228 landowners were enrolled in 2000. The annual budget averages \$60,000/yr.

Direct Financial Payments, Recognition Program, Education/Technical Assistance

The Stream Team Mini Grant Program

The program provides cost-share assistance to landowners for the restoration of riparian zones.

Direct Financial Payments

Land Acquisition Program

The Arkansas Natural Heritage Commission acquires easements in land that has rare species, exemplary natural communities or contributes significantly to functioning of ecosystems, both uplands and wetlands. Acquisition is from willing sellers only. Areas to be acquired must have been identified as high priority through agency inventory. Funding is limited to approximately \$400,000 per year.

Direct Financial Payments

Wetland Easement Program

The Arkansas Natural Heritage Commission buys easements on wetlands to protect broad wetland values and the integrity of wetland systems. Easements are perpetual, but place relatively few limitations on landowner use. The basic requirement is to maintain wetland vegetation and hydrology. Announcements of the Commission's willingness to acquire easements are made periodically for response by interested landowners, although statements of interest from landowners may be considered at any time. Most easements are purchased for approximately \$200 per acre.

Direct Financial Payments

The Arkansas Wetland Mitigation Bank Program

The program provides off-site mitigation opportunities to dredge and fill permit recipients who are required to provide compensatory mitigation for impacts of approved wetland projects. The program was authorized by the Arkansas Wetlands Mitigation Bank Act of 1995. The Arkansas Soil and Water Commission administers the program. Individual sites are evaluated according to criteria developed by a committee including current and potential contribution to wildlife, fisheries, economic impact, costs of land acquisition, etc. Sites are then sold or traded in "credits," which represent the accrual or attainment of wetland functions at the bank site resulting from the restoration being done, while debits represent the loss of function at the project site. Participation in the program entails the purchase of credits from a State Mitigation Bank. The Commission is currently in the process of preserving 65.1 acres and restoring 253.4 acres on a 320-acre site. The program is awaiting funding at this time, and credits have not yet been sold.

Market Institutions

Conservation Easements

Conservation easements are authorized. ARK. CODE ANN. §§ 15-2-401 to 15-20-410.

Property Rights Tools

The Arkansas Private Wetland Riparian Zone Creation and Restoration Incentive Act

The act was established in 1995, and allows a credit against the tax for any taxpayer engaged in the development or restoration of wetlands and riparian zones. ARK. CODE ANN § 26-51-1501. The purpose is to encourage private landowners to restore and enhance existing wetlands and riparian zones, and create new wetlands. The program is administered by the Arkansas Soil and Water Conservation Commission and Private Lands Restoration Committee. In order to qualify, the landowner must agree to maintain the practice for ten years. The amount of credit for a taxable year must not exceed \$5,000/taxpayer. Any unused portion of the credit may be carried over for nine years after the credit originated for a total tax credit of \$50,000/project. Costs eligible for credit are professional services required for project development and maintenance and establishment of permanent vegetative cover, construction of enclosures, bank stabilization and construction of berms and water control structures. Under the program, 1,331.99 acres have been preserved/created/restored. Thirty-four applicants have been approved for tax credits since the program's inception. The funding for the program was established by the State of Arkansas at \$500,000, and approved by the Arkansas Legislature. From that time until now, approximately \$280,000 has been used, leaving approximately \$220,000. Once the funding for the program is completely allocated, more funding will be sought.

Tax Relief

Contacts:

Arkansas Soil and Water Conservation Commission
101 East Capital Ave, Suite 350
Little Rock, AR 72201
(501) 682-3985

Arkansas Game and Fish Commission
2 Natural Resources Dr.
Little Rock, AR 72205
(501) 223-6300

Arkansas Natural Heritage Commission
1500 Tower Building
323 Center St.
Little Rock, AR 72201
(501) 324-9619

CALIFORNIA

California's Wildlife Conservation Board Programs

These programs provide habitat enhancements and purchase of fee title or other rights to land. The Wildlife Conservation Board encourages projects that support wildlife habitat preservation while providing multiple recreational opportunities for the public. The program has been in existence since 1947 and has completed 960 projects. During 1999-2000, 62 acquisition projects were completed and provided funding in whole or in part to acquire 19,815 acres of land to benefit wildlife and protect habitat. The Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000 provided \$2.1 billion to invest in neighborhood and state parks as well as to finance programs to acquire, enhance, restore and protect natural resources. The Wildlife Conservation Board received \$265.5 million under the Act.

Direct Financial Payments

The Land Conservation Matching Grants Program

This program is part of the above program. It provides for the acquisition and restoration of habitat or open space. All restoration project proposals must include provisions for long-term maintenance of the restored and/or enhanced project area, management commitments, and public access issues. All acquisitions require in perpetuity protection of the proposed acquisition area. This program was established by the 2000-01 California State Budget. At that time, \$54 million was established for the program.

Direct Financial Payments

The Riparian Habitat Conservation Program

The program provides in kind materials and habitat improvement assistance. The goal of the program is to protect, restore, enhance and preserve riparian habitat throughout California. The program operates on private lands, although private landowner are not eligible for funds directly from the state. Instead, state, local and federal agencies, and non-profit organizations receive funding from the Wildlife Conservation Board. Private landowners then partner with an eligible entity to restore riparian areas on their properties. Landowners are required to monitor and manage project improvements for 25 years under a required management plan. The program has been in existence since 1992. Over 2000 acres are covered by the program overall and the program has had 32 participants overall, with two in the last year. The funding for the program varies, although normally approximately \$2 million is available each year.

Direct Financial Payments

The Fishery Restoration Grants Program

The program provides grants for projects to restore native anadromous fish habitat. The Department of Fish and Game has administered the program for approximately 20 years. Over that time period, \$83 million has been allocated for the program.

Direct Financial Payments

The California Waterfowl Habitat Program

The program provides landowners with payments for adhering to practices in department approved management plans. Activities include increasing food supplies, providing optimal water depth for foraging birds, and offering summer wetlands for breeding birds.

Direct Financial Payments

Incentives for Steelhead, Salmon, and Anadromous Trout Conservation

The Department of Fish and Game provides technical training to private landowners to restore steelhead and salmon habitat; funding for acquisition of conservation easements; education projects, and grants. This program is statutorily authorized. CAL. FISH & GAME CODE § 6217.1. Landowners with coastal waters used by salmon and anadromous trout species or riparian buffer strips along coastal rivers and streams may qualify for

the program. Funding is provided through the Salmon and Steelhead Trout Restoration Account in the Resources Trust Fund.

Direct Financial Payments, Property Rights Tools, Education/Technical Assistance

The California Forest Improvement Program

The program offers cost share and technical assistance to landowners in order to improve the economic value and environmental quality of forest lands. Landowners can be reimbursed up to 75% of their expenses for preparation of management plans, tree planting, tree thinning, erosion control, fish and wildlife improvement, and project supervision by professional foresters. A 90% cost share is provided to landowners who have lands damaged by wildfire or earthquakes in the last ten years. The property must contain 20-5000 acres having or capable of supporting at least 10% tree cover. The 20 acre limit does not apply to the fish and wildlife improvement program. The program has had \$2.2 million available from 1999-2001.

Direct Financial Payments, Education/Technical Assistance

The Private Lands Wildlife Management Program

The program works with cooperative private landowners to encourage the propagation and conservation of fish and wildlife and conduct activities pursuant to an approved wildlife habitat enhancement and management plan. The program is authorized by CAL. FISH & GAME CODE § 3400. In exchange, landowners receive an incidental take authorization for the taking of those species of fish, game birds and game mammals designated in the wildlife habitat enhancement and management plan. The landowner is exempt from paying any further fee and is exempt from any requirement to obtain a license or permit.

Legal/Statutory Mechanisms

The Enhancement and Management of Fish and Wildlife and their Habitat on Private Lands (PLM Program)

California offers ranchers and farmers the opportunity to increase their profits by improving habitat for wildlife under the program. Through the program, landowners collect access and other fees for hunting or fishing by the public beyond the traditional seasons. The landowner must develop an approved management plan, and implement the agreed upon wildlife habitat improvements. The program has been in existence since 1996 and covers 52 properties with approximately 645,000 acres.

Market Institutions

Conservation Easements and Tax Benefits

Conservation easements are statutorily authorized. CAL. REV. & TAX CODE § 815 et seq. In assessment of the land, the assessor for tax purposes must consider the effect upon the value of any enforceable restrictions to which the use of the land may be subjected.

Property Rights Tools, Tax Relief

The Natural Heritage Preservation Tax Credit Program

The program provides income tax benefits in exchange for the donation of land to state resource departments, local governments, and nonprofit organizations. CAL. FISH & GAME CODE § 37000. The program focuses on open space, agricultural lands, and wildlife habitat and is administered by the Wildlife Conservation Board. The program is designed to encourage the donation of property for conservation purposes, but it is not designed to accept applications directly from private landowners. Instead, landowners must coordinate the preparation of an application package with an eligible donee. The property will provide corridors or reserves for listed species in order to aid that species' recovery. The landowner must provide public access to the extent that public access is consistent with the purpose for which the donation was accepted. Landowners receive a state tax credit in an amount equal to 55 percent of the appraised fair market value of the contribution. \$100 million was allocated to the program, to be used before December 30, 2005, when the program ends.

Tax Relief

Property Tax Benefits for Wildlife Habitat and Native Pasture Conservation

This benefit applies to landowners with more than 150 acres of land put under contract with any agency of the federal or state government limiting the use of lands for a period of 10 or more years by the landowner to habitat for native or migratory wildlife and native pasture. Land subject to a wildlife habitat contract is valued by using the average current per acre value based on recent sales including the sale of an undivided interest therein, of lands subject to a wildlife habitat contract within the same county. This program is statutorily authorized. CAL. REV. & TAX CODE § 421.

Tax Relief

Property Tax Benefits for Wildlife Habitat Contract or Open Space Easement

Landowners may receive a property tax benefit for entering into a wildlife habitat contract or open space easement for at least ten years. Assessed valuation on the property is reduced for tax purposes to reflect the land's restricted use. CAL. REV. & TAX CODE § 421-430.5.

Tax Relief, Property Rights Tools

Property Tax Benefits for Public Parks and Preservation

The state of California enacted in 2001 two bills that make public parks and property used for preservation exempt from property tax. The first (S.B. 882) created a new statute by which property that is used as a public park and is leased by a charitable foundation will qualify for the welfare exemption from property tax. The other (S.B. 198) amends the California Revenue and Taxation Code to extend the welfare exemption to properties used for natural preservation.

Tax Relief

Income Tax Benefits for Open Space Conservation

Landowners may receive an income tax benefit for preservation of open space land made in perpetuity for conservation purposes. The tax deduction is allowed against income taxes. CAL. REV. & TAX CODE § 24357.

Tax Relief

The Land Conservation Act/Open Space Subvention Program

The program lowers property tax assessments for farming and open space uses. CAL. REV. & TAX CODE 421.5. The program is administered by local and county governments and has been in existence since 1965. The minimum term for contracts is ten years. Once a landowner decides to terminate the contract, property taxes gradually increase over the 10 year contract expiration period. To compensate local governments for the loss of income from property tax revenues, the Open Space Subvention Act of 1971 provides an annual subvention of forgone property tax revenues. The program currently covers 16 million acres.

Tax Relief

Clearinghouse Resources

Two publications provides resources to landowners about existing incentive programs and financial assistance. The "Cost Share and Assistance Programs for Individual California Landowners and Indian Tribes" is a joint publication of the Dept. of Forestry and Fire Protection and the U.C. Cooperative Extension. The publication describes assistance programs available to landowners from a variety of sources. Also, the California Resources Agency recently announced a new "California Watershed Foundation Database" which is a web-based database of funding sources for landowners with a watershed emphasis.

Streamlining

Contacts:

Wildlife Conservation Board
CA Dept. of Conservation
1807 13th Street, Suite 103
Sacramento, California 95814

(916) 445-8448

<http://www.dfg.ca.gov/wcb/index.html>

CA Department of Fish and Game

1416 Ninth St., 12th Floor

Sacramento, CA 95814

(916) 653-7664

California Natural Heritage Program

Natural Heritage Preservation Tax Credit Program

CA Dept. of Fish and Game

1807 13th St., Suite 202

Sacramento CA 95814

(916) 445-8448

Fishery Restoration Grants Program

CA Dept. of Fish and Game

Native Anadromous Fish and Watershed Branch

(916) 327-8842

www.dfg.ca.gov/nafwb/fishgrant.html

Waterfowl Habitat Program

www.dfg.ca.gov/habitat/private.html

CA Department of Fish and Game's PLM Program

(916) 653-7203

Land Conservation Matching Grants Program

(916) 445-8448

www.dfg.ca.gov/wcb/land_conservation_matching_grant.htm

Riparian Program

(916) 445-1072

Governor's Office of Planning and Research

1400 10th St.

Sacramento, CA 95814

(916) 322-2318

Property Tax Exemption for Preserved Land

<http://www.leginfo.ca.gov/bilinfo.html>

California Forest Improvement Program

CA Dept. of Forestry

1416 9th St., P.O. Box 944246

Sacramento, CA 94244-2460

(916) 653-9450

<http://ceres.ca.gov/foreststeward/html/programs.html>

Land Conservation Act/Open Space Subvention Program

www.consrv.ca.gov/dlrp/lpp.htm

COLORADO

The Pheasant Habitat Improvement Program

The program is a cooperative program between landowners and the Division of Wildlife and Pheasants Forever to improve pheasant habitat in northeastern Colorado by providing survival cover for pheasants through planting of plum thickets, switchgrass, etc. The program provides cost share, in-kind materials, and technical assistance to landowners. The program has been in existence since 1992. The Division of Wildlife receives its funds from the sale of hunting and fishing licenses. From 1992 through 1999, \$430,000 was spent on the program.

Direct Financial Payments, Education/Technical Assistance

The Wetlands Initiative

The Division of Parks and Outdoor Recreation and the Division of Wildlife, in cooperation with nonprofit organizations such as Ducks Unlimited and the Nature Conservancy, offers grants, technical assistance, and direct purchase of fee title or other rights to land under the program, which was established in 1997. The Initiative is part of the Wetlands Program and attempts to utilize the resources of the different divisions under the Dept. of Natural Resources, in conjunction with nonprofit organizations, to protect wetlands through restoration, enhancement, management and acquisition of fee title or conservation easements. A total of over 80 partnerships have been established on 13,916 wetland acres, 85,339 acres in associated upland areas, with 81 species affected. Funding for the program comes from Wetlands Initiative Funds, and the total spent to date is \$17,395,300, including private landowners' contributions in cost share.

Direct Financial Payments, Education/Technical Assistance

The Cooperative Habitat Improvement Program

The program offers cost share and technical assistance to landowners who wish to improve or develop wildlife habitat. The Division of Wildlife provides funds for the best projects, in particular those that target native fish species and riparian areas. The Division and the landowners create a management plan under which practices must be left in place for ten years, although the program only funds the first year when practices are installed. The maximum amount a landowner may receive is \$4000. Total funding for the program between 1993-99 was \$120,461. Since the program's inception in 1993, 3485 acres have been improved and 112 projects completed.

Direct Financial Payments, Education/Technical Assistance

The Owl Mountain Partnership

The program is designed to bring together eight government agencies as "partners" with local landowners to tackle mutual problems, such as livestock grazing on public lands, elk damage to private property, declining sage grouse populations, degrading waterfowl habitat, water quality, and noxious weeds by developing adaptive long-term landscape management programs, policies and practices that ensure ecosystem sustainability. The partners help to develop a plan with ranchers to provide some materials or labor in exchange for the rancher providing either materials or labor. The program also provides technical assistance. The program operates on federal, state, and private lands. The sage grouse is a particular focus species of the program. The program has been in existence for 8 years.

Direct Financial Payments, Education/Technical Assistance

The Habitat Partnership Program

The program is designed to alleviate conflicts between landowners and big game animals. It includes management hunts to distribute game animals, habitat improvement project such as seeding, fertilization, brush control, salting, fence improvement or repair and direct payments to compensate for game damage. It also includes lease of winter habitat, range management seminars and education programs. The program has been in existence since 1990 and is administered by local Habitat Partnership Committees. Landowners with property within the boundaries of a Habitat Partnership Program area may qualify. The program is impacting around 60,000 acres or more per year, with approximately 400 participants per year. Landowners are active

participants and are involved in the planning and implementation of projects, both on their own lands and elsewhere. The overall benefit aimed at increasing landowners' tolerance to use of their lands by big game. Funding derives from five percent big game hunting license revenues attributed to the Habitat Partnership Area in which the property is located. Between 1989-99, the program spent approximately \$10 million to implement solutions between wildlife and livestock. COLORADO REV. STAT. ANN. § 33-1-110.

Direct Financial Payments, Education/Technical Assistance

The Great Outdoors Colorado Program

The program is funded by lottery money, provides funding for acquisition of lands or easements in unique open space or natural areas of statewide significance, rental of habitat, and to restore critical areas and acquire water rights.

Direct Financial Payments

The Natural Areas Program

The program provides direct grants to landowners. COLORADO REV. STAT. ANN. § 33-33-104.

Direct Financial Payments

The Game Damage Program

The program pays landowners for damage done by big game animals. State law mandates that the state compensate qualifying owners of agricultural products for damages caused by big game wildlife. The program has been in existence since 1931 and is administered by the Division of Wildlife. Landowners are generally paid the market value of the damage at the time the damage occurred, but livestock claims are handled somewhat differently. \$1.5 million is available annually for an average of 400-500 game damage claims per year.

Direct Financial Payments

The Ranching for Wildlife Program

The program provides landowners with 12,000 acres minimum special hunting privileges if they provide public hunting access. In exchange for public access, landowners receive a guaranteed number of male licenses which they may market for fees and other privileges. Cooperative agreements may be written for ten years. There are currently 26 ranches enrolled in the program totaling 1,189,000 acres. The program has been in existence since 1985 and is administered by the Division of Wildlife. The source of funding for the program is revenue to the State of Colorado from hunting and fishing license sales.

Market Institutions, Recognition Programs

The Landowner of the Year Program

The program recognizes outstanding contributions made by private landowners in providing habitat and/or public access to Colorado's wildlife on private lands. Projects include wetlands developments, or installation of grazing systems that are conducive to wildlife habitat. The program has been in existence since 1982 and is administered by the Division of Wildlife.

Recognition Programs

Open Space Easement Credit

This opportunity provides landowners with an income tax benefit for donation of a conservation easement. The maximum credit amount will increase from \$100,000 to \$500,000 in January 2003 for donation of a conservation easement. H.B. 1090 (2001).

Tax Relief, Property Rights Tools

Conservation Easements and Tax Benefits

Conservation easements are statutorily authorized and offer both property and income tax benefits. COLORADO REV. STAT. ANN. §§ 38-30.5-102 to 111.

Tax Relief, Property Rights Tools

Contacts:

Colorado Division of Wildlife
6060 Broadway
Denver, CO 80216
(303) 297-1192
www.dnr.state.co/wildlife

Landowner Recognition Program
Cooperative Habitat Improvement Program
(303) 291-7274

Pheasant Habitat Improvement Program
Division of Wildlife
(970) 472-4381

Wetland Program
www.dnr.state.co.us/wildlife

Habitat Partnership Program
(303) 291-7335
<http://wildlife.state.co.us/HPP/hppintro.asp>

Ranching for Wildlife
<http://wildlife.state.co.us/ranching/ranching.htm>

Game Damage Coordinator
317 West Prospect
Ft. Collins, CO 80526
(970) 472-4362

Owl Mountain Partnership
P.O. Box 737
Walden, CO 80480
(970) 723-0020

Colorado Natural Heritage Program
Colorado State University
254 General Services
Ft. Collins, CO 80523
(970) 491-1309

CO Department of Agriculture
700 Kipling Street, Suite 400
Lakewood, CO 80215
(303) 239-4100

CONNECTICUT

Wetlands Habitat and Mosquito Management Program

The Wildlife Division offers the program which was established in 1985 to provide landowners with technical assistance, erosion devices, labor, and equipment to improve wetland habitats. The program usually focuses on degraded wetlands in order to rid them of invasive species or other damage. Since its inception, the program has improved 2,000 acres, however, that number includes state land. Funding comes from federal (40%), state (40%), and other sources (20%) from July, 2000 to June, 2001, with 7 projects and 20 participants.

Direct Financial Payments, Education/Technical Assistance

Land Acquisition and Open Space Protection Programs

The Department of Environmental Protection acquires open space land and interests in land primarily through two programs: the Recreation and Natural Heritage Trust (RNHT) and the Open Space and Watershed Land Acquisition Grant Program (OSWLAGP). The RNHT acquires land and conservation easements representing the ecological diversity of the state to ensure its conservation for recreational, scientific, educational, cultural and aesthetic purposes. The OSWLAGP provides grants to municipalities and private nonprofit land conservation organizations to acquire open space and watersheds lands and interest in land. Since 1986, the RNHT has acquired over 21,000 acres; the OSWLAGP has provided grants for 166 acquisitions totalling over 10,000 acres since July 1, 1998 and an additional 2,121 acres are pending. Both programs are funded through General Obligation Bonds, with \$20 million in FY02 for RNHT and \$12 million for OSWLAGP.

Direct Financial Payments, Property Rights Tools

The Habitat Conservation and Enhancement Program

The Inland Fisheries Division offers technical assistance for managing aquatic habitats within and along rivers, streams and ponds. The program was established in 1985. Advice is normally given through telephone conversations or through printed information. In a typical year, the Department gives advice to approximately 200 landowners, and conducts around 40 on site consultations.

Education/Technical Assistance

The Private Landowner Assistance Program

The program is offered by the Division of Forestry provides technical assistance and forest management advice to private owners of forest land.

Education/Technical Assistance

Purchase of Development Rights

The purchase of development rights of agricultural lands, pastures, woods, natural drainage, and open space areas is authorized. CONN. GEN. STAT. § 22-26aa-ii.

Market Institutions

Conservation Easements

Conservation easements are statutorily authorized. CONN. GEN. STAT. § 47-42a.

Property Rights Tools

Property Tax Benefits for Farms, Forest and Open Space

Connecticut Public Act 490 allows a use value assessment for farm, forest, and open space land which results in lower property taxes for the landowner. The statute has been in effect since 1963. In order to qualify, landowners apply at their local tax assessor's office. Forest land must total 25 acres or more, in parcels no smaller than 10 acres, and land must be designated as "Forest Land" by the state forester of the Forestry Division of the Department of Environmental Protection. CONN. GEN. STAT. § 12-107d.

Tax Relief

Income Tax Credit for Open Space Land Donation

Corporate landowners may receive an income tax credit for the donation of below market value sale of open space land or an interest in the land. The credit is equal to fifty percent of the value of the land. CONN. GEN. STAT. § 12-217dd.

Tax Relief

Contacts:

Wetlands Habitat and Mosquito Management Program
(860) 642-7239

CT Department of Agriculture
765 Asylum Ave.
Hartford, CT 06105
(860) 713-2503

CT Department of Environmental Protection
79 Elm St.
Hartford, CT 06106-5127
(860) 424-3005

Land Acquisition and Management
CT Dept. of Environmental Protection
79 Elm St.
Hartford, CT 06106-5127
(860) 424-3016

Bureau of Natural Resources
79 Elm St.
Hartford, CT 06106-5127
(860) 424-3010

Forestry Division
CT Dept. of Environmental Protection
79 Elm St.
Hartford, CT 06106-5127
(860) 424-3630

Wildlife Division
CT Dept. of Environmental Protection
79 Elm St.
Hartford, CT 06106-5127
(860) 424-3011

Inland Fisheries Division
CT Dept. of Environmental Protection
79 Elm St.
Hartford, CT 06106-5127
(860) 424-3474

Private Landowner Assistance Program
(860) 424-3630

DELAWARE

The Private Lands Habitat Program/Wildlife Habitat Enhancement Program

The program was established in 1995, and provides technical assistance for ecosystem planning and adaptive management, and rental payments for the lease of agricultural lands which are converted to wildlife habitat. The Division of Fish and Wildlife offers landowners payment for 5 year leases, at a rate of \$70/acre/year and a maximum of \$1750 per 5 year lease. Approximately 400 acres (about 72 acres of new land every year) are covered. Funding for the program comes from general tax funds at \$28,000 per year.

Direct Financial Payments, Education/Technical Assistance

Acquisition of Interests or Rights in Property

Delaware provides for the acquisition of interests or rights in real property for state open space areas. Land is purchased to protect native wildlife and waterfowl habitat. DEL. CODE ANN. 7 § 7501 et seq.

Direct Financial Payments

Technical Assistance for Soil and Water Conservation

The Division of Soil and Water Conservation provides technical assistance to landowners regarding sound conservation practices.

Education/Technical Assistance

The Forest Landowner Assistance Program and The Watershed Protection Program

The Department of Agriculture provides technical assistance and education under both programs.

Education/Technical Assistance

Conservation Easements

Conservation easements are statutorily authorized. DEL. CODE ANN. 7 § 6902.

Property Rights Tools

Conservation Tax Credit

This opportunity offers landowners of natural habitat or open space income tax credit for donations of conservation easements or land. DEL. CODE ANN. 30 § 1801 et seq. The program is meant to benefit habitat for threatened and endangered and native wildlife primarily. Approximately 1000 acres are covered by the program.

Tax Relief, Property Rights Tools

The Agricultural Lands Preservation Program

The Department of Agriculture and Agricultural Preservation Districts offer landowners tax benefits, right to farm protection and the opportunity to sell easements under the program (est. 1991). Landowners may place land in Agricultural Preservation Districts for at least ten years, or may sell easements, in the form of development rights. In return, landowners receive tax benefits, right to farm protection, and sale price of rights to land. Over 122,000 acres have been covered by this program since its inception, and approximately 53,783 acres are now permanently protected through the purchase of preservation easements. The program has spent \$55 million for the purchase of preservation easements.

Note: This program is focused on preserving farming practices, however, it is intended to have some beneficial effect on wildlife in keeping land as open space.

Tax Relief, Market Institutions, Property Rights Tools

Contacts:

Division of Fish and Wildlife

39 Kings Hwy.
Dover, DE 19901
(302) 739-5297

Conservation Tax Credit
Division of Finance (302) 577-8987
State Parks (302) 739-5285

DE Department of Agriculture
2320 S. DuPont Highway
Dover, DE 19901
(302) 698-4500

Division of Soil and Water Conservation
89 Kings Hwy.
Dover, DE 19901
(302) 739-4411

FLORIDA

The Rural and Family Lands Protection Act

The program will provide annual payments to landowners based on active improvements to and management of habitat and water resources. The incentive will cover forest, agricultural (low intensity) and pasture lands and will benefit all native species, habitat and open space. Note: the program has not yet been funded, but is expected to be in the 2002 legislative session.

Direct Financial Payments

Technical Assistance for Wetlands Conservation and Management

The Waterfowl Management Section staff provides technical assistance on wetland conservation and management issues around the state.

Direct Financial Payments

The MARSH (Matching Aid to Restore States' Habitat) Program

Ducks Unlimited and the Florida Fish and Wildlife Conservation Commission administer the program (est. 1985), which provides funding to acquire and enhance habitat for waterfowl. The program has enhanced or restored 6,000 acres.

Direct Financial Payments

The Public Mitigation Parks Program

Florida offers mitigation banking opportunities to landowners under the program. It has existed for 7-8 years and assists with commercial and residential development on private lands. The mitigation parks target listed upland species and provide for the sale of mitigation credits to developers for off-site mitigation associated with development and the destruction of habitat. At present, there are \$17 million in deposits with approximately 70,000 acres purchased and/or under management.

Market Institutions

Liability Exemption for Greenways and Trails

The state exempts landowners from liability if their land is designated as part of the statewide system of greenways and trails (Greenways Program). FLA. STAT. ANN. § 260.0125.

Legal/Statutory Mechanisms

Conservation Easements and Property Tax Benefits

Conservation easements are authorized. FLA. STAT. ANN. § 704.06. If the covenant is for ten years or more, landowners receive a property tax benefit as well under §§ 193.501, 193.501(3)(a).

Tax Relief, Property Rights Tools

Contacts:

Rural and Family Lands Protection
FL Dept. of Agriculture and Consumer Services, Division of Forestry
3125 Connor Blvd.
Mail Station C-25
Tallahassee, FL 32399-1650

Public Mitigation Parks
Office of Environmental Services
(850) 488-6661

http://floridaconservation.org/viewing/mitigation/mit_intro.html

Florida Fish and Wildlife Conservation Commission
620 S. Meridian St.
Tallahassee, FL 32399
(850) 414-9911

M.A.R.S.H. Program
<http://wld.fwc.state.fl.us/duck>

FL Department of Agriculture
The Capitol, PL10
Tallahassee, FL 32399
(850) 488-3022

GEORGIA

The Bobwhite Quail Initiative

This private lands incentives program is administered by the Georgia Dept. of Natural Resources, Wildlife Resources Division. The program began in 1999 as a pilot project and is being implemented across 17 counties in Georgia's Upper Coastal Plain. The primary focus of the program is the establishment and management of grassland/shrub habitat for bobwhite quail, songbirds and other wildlife species across and around commercial row crop agricultural fields. Landowners with 50 acres or more who meet certain eligibility requirements may receive up to \$10,000 per three year contract period for the implementation of specified practices. At present, 84 landowners are enrolled for financial incentives and have been paid for the establishment of more than 270 miles of field borders and hedgerows. Technical assistance is available to all landowners and management plans have been written for more than 250,000 acres.

Direct Financial Payments

The Greenspace Program

The program was established in 2000, and is offered by the Greenspace Commission. It provides for the purchase of fee title or easements in counties with a minimum of 6000 in the population. The program is funded by state appropriated funds. \$30 million is available.

Direct Financial Payments

The Wildlife Incentives for Non-Game and Game Species (PROJECT WINGS) Program

The program began in 1996 as an 18-county pilot project to enhance wildlife habitat beneath electrical transmission lines. It provides grant payments and professional wildlife management advice to landowners in order to create productive wildlife habitats and prevent unwanted growth of trees and brush which might interfere with powerlines along Georgia Power, Georgia Transmission Company and Municipal Electric Authority of Georgia rights-of-way. Landowners must meet eligibility criteria and may be given funds for labor to maintain vegetation under powerlines. The incentive is available statewide, and payments are performance-based according to wildlife management practices selected. To date, more than 700 wildlife enthusiasts have converted over 7,000 acres of electrical transmission rights of way into productive wildlife habitat. Grant payments may be as high as \$1,350. First year maximum payment is \$100/acre, the second year has flat rate of \$35/acre, and no payments are allowed in the third year.

Direct Financial Payments

Tax Benefits for Sale of Land Below Market Value

Property owners receive capital gain tax reductions and income tax benefits for the sale of property below fair market value. The Department of Natural Resources manages the program.

Direct Financial Payments, Tax Relief

Education/Technical Assistance for Forest Land Management

Georgia Forestry Commission and the Department of Natural Resources' Environmental Protection Division (1981) provide management guidance and education to landowners concerning all aspects of forest management, such as providing recreational opportunities and less-impacted wildlife habitat as well as maintaining important hydrologic functions during timber harvesting. The Forestry Commission provided over 10,000 landowner assists between July 2000 and June 2001.

Education/Technical Assistance

Technical Assistance

The Wildlife Resources Division has been providing technical assistance to private landowners since the inception of the agency. Regional personnel, Private Lands Program personnel and bobwhite quail initiative personnel all provide technical assistance as do all nongame/heritage personnel within the Wildlife Resources Division.

Education/Technical Assistance

Safe Harbor Agreements (SHAs)

Georgia assists with SHAs involving red cockaded woodpeckers. The program has been in existence for 10 months and covers 36,000 acres of forest land. Funding comes from the U.S. Fish and Wildlife Service, although the Wildlife Resources Division monitors landowner compliance. The U.S.F.W.S. funded the program at \$200,000.

Legal/Statutory Mechanisms

The Natural Areas Registry

Georgia honors landowners for conserving important natural areas. However, there is no funding for the program at this time.

Recognition Program

Property Tax Benefits for Maintaining Land Use

Landowners with property in conservation, agricultural or timber use receive lower property taxes in exchange for not changing the current use of the property. GA. CODE ANN. § 48-5-269, § 48-5-7.4.

Tax Relief

Conservation Easements and Tax Benefits

Conservation easements are statutorily authorized. GA. CODE ANN. § 44-10-1 et seq. The statute also provides for a reduction in ad valorem taxes based on the reduction in value of the land due to the easement. Eligible lands must be relatively natural, historically important or hold significant aesthetic or recreational value.

Tax Relief, Property Rights Tools

Contacts:

Wildlife Resources Division
GA Dept. of Natural Resources
2070 U.S. Highway 278, S.E.
Social Circle, GA 30025
(770) 918-6400

Georgia Natural Heritage Program
GA Dept. of Natural Resources
2117 U.S. Hwy. 278, SE
Social Circle, GA 30025
(770) 918-6411

GADNR
Wildlife Resources Division
Bobwhite Quail Initiative Program Office
116 Rum Creek Dr.
Forsyth, GA 31029-6518
(770) 761-1697

Georgia Greenspace Commission
c/o GA Dept. of Natural Resources
7 Martin Luther King Dr., SW Room 146,
Atlanta, GA 30334-4002

(404) 656-5165

www.ganet.org/dnr/greenspace/eligible.html

Georgia Forestry Commission

5645 Riggins Mill Road

Dry Branch, GA 31020

(800) GA-TREES

HAWAII

The Natural Areas Partnership Program

The program (est. 1993) offers landowners cost share, technical assistance, in-kind assistance in the form of materials, services, and labor in order to protect natural ecosystems and non-game and at-risk species (hunting of non-native game is allowed under the program). The Division of Forestry and Wildlife offers the program to landowners who sign a conservation easement or transfer fee title in perpetuity and submit management plans every six years (to cover the proceeding six years). There is a penalty payback provision in the event that the landowner or cooperating entity ceases to implement the approved management plan. The program currently protects hundreds of at-risk species on 25,000 acres of land. Seven areas have enrolled in the program, with three renewals (but no new participants), in the past year. In 2001, \$1.1 million was available for funding direct payments to landowners and program administration which comes from the Natural Areas Reserves Fund.

Direct Financial Payments, Property Rights Tools, Education/Technical Assistance

The Hawaii State Forestry Stewardship Program

The program (est. 1991) is offered by the Department of Forestry and Wildlife, and provides landowners technical assistance and 50% cost share for activities on native forest habitat that will benefit native, or non-game species. Approximately 3,000 acres of native forest habitat are covered under the program. Overall, 35 landowners have participated in the program. Landowners must have a minimum of five acres, participate for ten years under a management plan, submit bi-annual progress reports and provide 1:1 match for cost share dollars. Landowners may receive up to \$75,000 per year. Funding for the program comes from a state conveyance tax deposited into the Forest Stewardship Fund in the amount of \$400,000 per year.

Direct Financial Payments, Education/Technical Assistance

Safe Harbor Agreements and Habitat Conservation Plans

Hawaii provides landowners the opportunity to enter into safe harbor agreements or habitat conservation plans if their lands have the potential for listed or at-risk species to be present or restored under the state Endangered Species Act. HAW. REV. STAT. § 195D-22. The Department of Land and Natural Resources, Division of Forestry and Wildlife and the Endangered Species Recovery Committee have administered the program since 1997. The Endangered Species Recovery Committee considers and recommends appropriate incentives to encourage landowners to voluntarily engage in efforts that restore and conserve endangered, threatened, proposed, and candidate species. By doing so, a landowner may receive incidental take permits, technical assistance, and public recognition. To date, safe harbor agreements have covered agricultural and conservation zoned lands, although any type of land may qualify. In order to be eligible, a landowner must have at least one species on the property. Other requirements include undertaking activities that will benefit focal species, maintaining the baseline population of those species for the term of the agreement, and cooperating in allowing agency access to verify that the agreement is being upheld. In exchange, the landowner may take the species as long as it does not threaten the species' existence. To date, safe harbor agreements have covered an endangered goose and an endangered duck. Habitat conservation plans have covered an endangered stilt and coot (birds). Approximately 3,000 acres have been covered under safe harbor agreements to date and another 300 acres under habitat conservation plans. Approximately 30,000-50,000 acres should be covered under safe harbor agreements by the end of this year and those safe harbor agreements will include plants as well as birds and bats. Funding for the Safe Harbor Agreement program is extremely low. The single program staff member is currently funded by a federal grant. Most of the rest of the money comes from federal Section 6 grants and discretionary funding through the U.S. Fish and Wildlife Service at approximately \$60,000 in grants from the federal government.

Legal/Statutory Mechanisms, Education/Technical Assistance, Recognition Program

Conservation Easements

Conservation easements are statutorily authorized. HAW. REV. STAT. § 198-1. Conservation easements can be granted to preserve land predominantly in its natural, scenic, forested, or open-space condition.

Property Rights Tools

Contacts:

Division of Forestry and Wildlife
HI Dept. of Land and Resources
1151 Punchbowl Street, Room 325
Honolulu, HI 96813
(808) 587-4177

Administrator of Land Division
HI Dept. of Land and Natural Resources
Box 621
Honolulu, HI 96809
(808) 587-0432

IDAHO

The Resource Conservation and Rangeland Development Program

The program (est. 1987) offers cost share for owners of rangeland and riparian areas. The Idaho Soil Conservation Commission offers the program to encourage the use of conservation practices. Landowners must prepare a conservation plan in conjunction with an appropriate technical agency. Grants up to \$10,000 are available to landowners. Funding until 1999 came from a portion of the estate tax. In 1999 it was changed to a self-sustaining revolving fund and no longer depends on taxes. Approximately \$1.1 million per year is available for the program. Since the program's inception, just over 100,000 acres have been enrolled in the program.

Direct Financial Payments

The Habitat Improvement Program (HIP)

The Idaho Department of Fish and Game offers the program which provides cost share, technical assistance, and in kind assistance to owners of agricultural lands used by game birds, including waterfowl. The program has been in existence approximately 14 years and has established 4,100 agreements on more than 70,000 acres of land. Landowners may receive up to 100% of waterfowl nesting structures, and food plots, up to 75% of the cost of fencing and planting, up to 75% of the landowner's portion for projects partially funded by other assistance programs, and up to 50% for the cost of waterfowl ponds. Landowners may receive \$2,000 maximum per project (projects exceeding \$2,000 are considered on a case-by-case basis). The program requires ten year contracts for regular cost share, although landowners entering into 30 year contracts may receive 100% of costs (grants). Funding is approximately \$600,000 per year and comes from hunting license dollars.

Direct Financial Payments, Education/Technical Assistance

Incentives for Conservation of Rare or Declining Species

The Idaho Department of Fish and Game offers incentives to landowners with rare or declining species on their land. IDAHO CODE § 36-2401(10).

Direct Financial Payments, Education/Technical Assistance

Tax Benefits for Wildlife Habitat Conservation

Idaho offers tax benefits to owners of land used to protect wildlife or wildlife habitat. IDAHO CODE § 63-605. If a landowner enters into a conservation agreement or donates a conservation easement to a non-profit organization dedicated to the conservation of wildlife or wildlife habitat, landowners receive in exchange a use assessment as agricultural land.

Tax Relief, Property Rights Tools

Natural Resources Conservation Tax Credit

This opportunity was established in 1998, and provides income tax credits in exchange for habitat improvement or restoration on riparian habitat, and habitat for threatened, endangered or sensitive plants or animals. IDAHO CODE § 63-3024B. The program is administered by local Soil Conservation Districts with assistance from the Idaho Soil Conservation Commission, the Idaho Department of Lands, the Idaho Department of Agriculture, the Idaho Department of Transportation, and the Idaho Division of Environmental Quality. Expenditures which are eligible for income tax credits include removal of barriers to fish passage and installation of devices to prevent fish from entering into areas where their ability to survive is limited. Most of the best management practices have been installed for water quality purposes, but a few have been targeted specifically to a species. The tax credit is equal to half the eligible expenditures made during a taxable year and cannot exceed \$2,000 per landowner in a taxable year. Over 90 landowners have taken advantage of the credit since 1998, 49 in the last year.

Tax Relief

Contacts:

ID Department of Fish and Game
600 S. Walnut St.
P.O. Box 25
Boise, ID 83707
(208) 334-3700

Idaho Soil Conservation Commission
P.O. Box 790
Boise, ID 83701-0790
(208) 334-1033

ID Department of Environmental Quality
1410 North Hilton
Boise, ID 83709
(208) 373-0502

ID Department of Transportation
P.O. Box 7129
Boise, ID 83707-1129

ID Department of Agriculture
2270 Penitentiary Road
Boise, ID 83712
(208) 334-3240

ID Department of Lands
P.O. Box 83720
Boise, ID 83720-0050
(208) 334-0200

ILLINOIS

The Conservation 2000 Ecosystems Program

The Department of Natural Resources offers the program which creates ecosystem partnerships with groups of private landowners and other stakeholders and state and federal agencies who come together to improve an area's watershed, and gives grants to landowners who improve the ecosystem. Funding comes from a combination of general revenue funding and capital funding; the grant program provides \$7 million per year. The program offers grants to landowners, under the Ecosystems Program as one component of the Conservation 2000 Program. Conservation 2000 also funds research work, collection of information, and land cover mapping. The funding source is Conservation 2000, a long-term, state-supported initiative to protect natural resources and enhance outdoor recreational opportunities in Illinois, which became law in 1995.

Direct Financial Payments

The Save Illinois Topsoil Program

The program offers landowners cost share and technical assistance to owners of agricultural land if the owner conveys a conservation easement to the state. 505 ILL. COMP. STAT. 35/2-1. The program focuses on marginal agricultural land which if taken out of production will provide cover for wildlife or otherwise be beneficial to natural resource protection. The landowner must enroll at least 5 acres, have an approved management plan, and be subject to a conservation easement that is permanent or not less than ten years or permanent. The program is offered by the Illinois Departments of Agriculture and Natural Resources. Owners receive technical assistance, and a different percentage of the cost for establishment of perennial cover, the cost of planting trees or other activities required by the agreement. Landowners may not receive more than \$50,000 annually for the conservation easement or other agreements; cost share payments are in addition to this \$50,000 limit. This program receives 60% of the Reinvest in Illinois Natural Resources Fund, which is a special fund in the State Treasury.

Direct Financial Payments, Education/Technical Assistance

The Private Land Wildlife Habitat Program

The Department of Natural Resources offers the program to landowners. The program provides in-kind assistance in the form of plant materials, equipment, labor, and technical assistance to develop and maintain wildlife habitat management practices. Land must be a minimum of one acre in rural areas and one-quarter acre in urban areas.

Direct Financial Payments, Education/Technical Assistance

The Rural Forest Landowner Assistance Program

The Illinois Department of Natural Resources Division of Forestry offers the program which provides landowners with cost share, in kind assistance in the form of equipment for installing practices, and technical assistance on non-industrial private forest lands.

Direct Financial Payments, Education/Technical Assistance

Free Shrubs and Seedlings Program

The Illinois Dept. of Natural Resources, Division of Forest Resources, Division of Wildlife, and Division of Natural Heritage provide shrubs and seedlings at no cost to encourage landowners to reforest land, increase wildlife habitat and control erosion. The landowner must have a IDNR approved management plan.

Direct Financial Payments

The Forest Management Assistance Program

The Department of Natural Resources, Division of Forest Resources offers landowners cost share, in kind materials and technical assistance through the program. It provides professional technical assistance for forest management in the development of stewardship plans, and reforestation plans. The program works with landowners to insure environmental stability within the state's forest ecosystems, while attempting to increase

the economic and social benefits derived from these lands. The program also provides plant materials provided from IDNR nurseries.

Direct Financial Payments, Education/Technical Assistance

The Streambank Stabilization and Restoration Program

The program is part of the "Conservation 2000" Program, and offers cost share, technical assistance, and education. It has been operating since 1995 in order to improve streambanks and fish and wildlife habitat in the state. The program is offered by the Illinois Department of Agriculture, and Illinois Soil and Water Conservation Districts. Landowners may use program funds for labor, equipment and materials. Recipients of funding must agree to maintain streambank stabilization practices for at least 10 years. In FY 2002, \$800,000 has been included in the Dept. of Agriculture budget to implement the program.

Direct Financial Payments, Education/Technical Assistance

The Illinois Natural Resources Enhancement Program

The program offers landowners cost share to encourage them to take land out of crop production or pasture. The State's policy is to encourage the retirement of marginal, highly erodible agricultural land, particularly land adjacent to public waters and drainage systems, from crop production and encourage the restoration of wildlife habitat. This program is offered by the Department of Natural Resources, but is not geared toward specific species. This program receives 40% of the Reinvest in Illinois Natural Resources Fund, which is a special fund in the State Treasury.

Direct Financial Payments

The Private Waters Program

The program provides technical assistance and discounted fish for sale to improve waters on private lands. Landowners may also receive advice on habitat development and bank stabilization. The program is offered by the Department of Natural Resources, Division of Fisheries.

Education/Technical Assistance

The Natural Heritage Landmark Program

The program (est. 1981) recognizes landowners who voluntarily preserve land with a non-binding agreement, which is often a first step toward dedication of land as a nature preserve. Land or water may qualify for the program if it is an outstanding natural area or endangered species site that is included on the state's Natural Areas Inventory. The program provides a sign and certificate recognizing the Landmark designation. The Nature Preserves Commission may recommend the type of management needed for the site. There are currently 127 Natural Heritage Landmarks, totaling over 5,700 acres, with approximately 5-10 new properties enrolling each year. Funding for the program comes from the Natural Areas Acquisition Fund.

Education/Technical Assistance, Recognition Program

Incidental Take Permits and Conservation

Illinois offers incidental take permits to landowners under the state's Endangered Species Act. 520 ILL. COMP. STAT. § 10/55. The legislation requires landowners to enter into conservation plans which minimize and mitigate the impacts to species in exchange for incidental take permission.

Legal/Statutory Mechanisms

Conservation Easements

Conservation easements are authorized by statute and can be used to preserve land or water areas predominantly in their natural, scenic, open or wooded condition, or as a suitable habitat for fish, plants, or wildlife (among others), open space that is undeveloped, or minimally developed lands that conserve and protect valuable natural features or processes. 765 ILL. COMP. STAT. 120/1.

Property Rights Tools

The Natural Areas Preservation Act

This legislation offers property tax benefits and management guidance to landowners in exchange for agreeing to non-consumptive, non-destructive use of their property. 35 ILL. COMP. STAT. 200/9-145. Benefits include access to small grants for land management, assistance from biologists with land management, and property taxes on dedicated Nature Preserves reduced to the assessed value of \$1.00 per acre per year. The property becomes part of the Nature Preserves system and is dedicated in perpetuity. All public and private lands of high natural quality may qualify for the program. There are 305 Nature Preserves in 78 of Illinois 102 counties covering a total of about 41,000 acres. About 175 different landowners own the 300 Nature Preserves. Funding comes from the Natural Areas Acquisition Fund.

Tax Relief, Property Rights Tools, Education/Technical Assistance

The Register of Land and Water Reserves

The program reduces valuation of property for tax purposes if registered in perpetuity. This incentive provides for protection of areas that are not conducive for dedication as a nature preserve and provides some protection to lands that would be appropriate for a nature preserve where the landowner is not ready to make that level of commitment. Land or water which has natural heritage resources or archaeological resources of statewide significance may qualify for the incentive.

Tax Relief

Contacts:

IL Department of Natural Resources
524 S. Second St.
Springfield, IL 62701-1787
(217) 782-7940
<http://dnr.state.il.us>

IL Department of Natural Resources
Private Land Wildlife Habitat Program
(217) 782-6384

Division of Natural Heritage
IL Dept. of Natural Resources
524 S. Second St.
Springfield, IL 62701-1787
(217) 785-8774

Illinois Nature Preserves Commission
524 S. Second Street
Lincoln Tower Plaza
Springfield, IL 62701
(217) 785-8686

Forest Management Assistance Program
IL Dept. of Natural Resources
600 N. Grand Avenue West
P.O. Box 19225
Springfield, IL 62794-9225
(217) 782-2361

IL Department of Agriculture
Bureau of Land and Water Resources

P.O.Box 19281
Springfield, IL 62794
(217) 782-6297
www.agr.state.il.us

INDIANA

The Game Bird Habitat Program

The program (est. 1979) offers cost share to landowners of bobwhite quail, wild turkey, ruffed grouse, and ring-necked pheasant habitat. It reimburses landowners up to \$100/acre, not to exceed the actual cost of the development, for projects that develop habitat for game birds. The Department of Natural Resources, Division of Fish and Wildlife, offers the program to landowners who own 10 or more acres of land. Landowners agree to protect the habitat project for a minimum of 5 years. Each year, the Division funds approximately 80 to 90 projects, impacting about 800 to 900 acres/year. Assuming past participants are maintaining their habitats for a minimum of 5 years, there are a minimum of 4,000 to 4,500 acres currently being maintained under this program. Since the program's beginning, approximately 17,000 acres that have been impacted. Funding comes from the sale of game bird stamps.

Direct Financial Payments

The Wildlife Habitat Cost Share Program

The program reimburses landowners for up to 90% of the cost of developing wildlife habitat, not to exceed \$1,000 per landowner. The landowner agrees to protect the habitat for a minimum of 5 years. Any type of land can qualify. The program is available to any landowner who owns 10 or more acres of land. The Department of Natural Resource Division of Fish and Wildlife offers the program to encourage the development of wildlife habitat for any type of native wildlife. Each year, the Division funds approximately 80 to 90 projects, impacting about 500 to 600 acres/year. Assuming past participants are maintaining their habitats for a minimum of 5 years, there are a minimum of 2,500 to 3,000 acres currently being maintained under this program. Since the program's beginning, approximately 11,000 acres that have been impacted. Funding comes from the sale of hunting licenses.

Direct Financial Payments

Conservation Easements

Conservation easements are statutorily authorized. IND. CODE § 32-5-2.6-1. These easements can be used for land that is natural, scenic, open-space, agricultural, forest, or recreational.

Property Rights Tools

The Indiana Forest Classification Act

Generally known as the Indiana Classified Forest Act, IND. CODE § 6-1.1-6 was enacted on March 10, 1921. It is the oldest forest property tax incentive program in the United States. The intent of the program is "to encourage timber production and to protect watersheds by classifying certain lands..". This program was developed to encourage people to keep areas in forestland or create forestlands (by planting trees) for the purpose of assuring a forest base for now and future generations. By entering forestland into the program, the landowner receives a property tax reduction. Currently, there are over 412,000 acres in the program on over 8600 tracts with 7500 landowners enrolled. Land classified as native forest land or forest plantation is assessed at \$1 per acre for general property taxation purposes; periodic woodland inspections by professional foresters are required.

Tax Relief

The Classified Wildlife Habitat Program

The program (est. 1979) offers property tax benefits to owners of land that is classified as wildlife habitat or riparian areas. IND. CODE § 6-1.1-6.5-1. The Department of Natural Resources classifies land as wildlife habitat if it contains a good stand of vegetation that is capable of supporting wildlife species, and the landowner enters into an agreement with the Department establishing standards of wildlife management. The parcel must contain at least 15 acres. A parcel of land may be classified as riparian land if the land is stream bed or vegetated land adjacent to stream bed and the land is conducive to riparian management for the purposes of fish and wildlife restoration or enhancement, erosion control, increased bank stability, improved water quality, or

increased stream storage capacity. Land is assessed at \$1 per acre for taxation purposes. There are 1,832 tracts of land enrolled in the program, with a total of 76,280 acres. Last year 38 landowners enrolled 2,172.67 acres into the program.

Tax Relief

Contacts:

IN Department of Natural Resources
www.state.in.us/dnr

Division of Fish and Wildlife
IN Dept. of Natural Resources
402 W. Washington St., Room W225B
Indianapolis, IN 46204-2748
(317) 232-4080

Division of Land Acquisition
IN Dept. of Natural Resources
402 W. Washington Street, Room W273
Indianapolis, IN 46204-2748
(317) 232-4050

Division of Forestry
IN Dept. of Natural Resources
402 W. Washington St., Rm. W296
Indianapolis, IN 46204
(317) 232-4105
www.state.in.us/dnr/forestry

IOWA

The Native Prairie Seed Harvest Program

The program (est. 1996) provides in kind assistance in the form of native seeds and equipment. It encourages the restoration of agricultural land to prairie-type communities for species existing on prairie grass, such as non-game birds. The landowner must provide land and often complete the work. There are an estimated 10,000 acres of prairie type restoration with donated seed alone. Funding comes from the Dept. of Natural Resources Fish and Wildlife Trust Fund (primarily hunting/fishing license sales), Pheasants Forever, and the Partners for Wildlife Program of the USFWS.

Direct Financial Payments

The Iowa Private Land Partnership (PLP) Program

The Department of Natural Resources, Wildlife Bureau offers the program, which provides technical assistance to landowners. Assistance is available and offered to all types of private lands. This program is intended to benefit all types of wildlife. In 2000, 31,000 acres were enrolled for new program sign-up. The Bureau assisted with 44,000 acres of conservation buffers. 3,000 landowners were assisted in 2000. Funding for the program was \$449,000 in 2000 which consisted of direct conservation payments to landowners or provided technical assistance and support. In 2001, 52,000 acres were benefitted and more than 3,200 landowners were provided assistance.

Education/Technical Assistance

The Wildlife Habitat on Private Lands Promotion Program

The program is offered by the Department of Natural Resources, and offers cost share and technical assistance for ecosystem planning. It has been available for approximately 15 years and operates mainly to create shelterbelts on agricultural lands. The practice introduces or maintains the woody component of a savannah-type habitat originally typical of much of Iowa and is intended to benefit all types of Iowa wildlife. The program offers a maximum of 75% cost-share of shelterbelt establishment, not to exceed \$1,600 from the program. Approximately 700 participants have enrolled in the program total. In 2000, 40 agreements were approved at a cost-share of \$72,170. Since the program's inception, approximately 700 shelterbelts have been completed. Funding derives from the Chickadee Checkoff, a voluntary contribution for wildlife from Iowa individual income taxpayers, and from the sale of wildlife habitat stamps which are purchased by hunters and trappers at approximately \$75,000 annually.

Direct Financial Payments, Education/Technical Assistance

Incentives for Erosion Control and Water Quality Protection on Agricultural Lands

The Iowa Division of Soil Conservation has offered cost share, no interest loans and technical assistance to landowners since 1973. The program operates on agricultural lands and is set up to encourage the prevention of erosion and the protection of water quality. The program provides incidental benefits for wildlife. 2,400 landowners participated in the cost share and technical assistance in the last year. The amount appropriated from the state legislature for cost share for FY 2002 is \$7.5 million. Landowners may receive up to \$10,000 on a no interest loan. The amount appropriated for FY 2002 for loans is \$300,000. The Department gives out 35-40 loans/year. Also, the Division of Soil Conservation offers cost share and technical assistance to owners of forest, agricultural and natural areas in order to protect water quality. The Division has offered the incentives since 1990. Appropriations from the legislature for FY 2002 is \$921,313. 1,065 landowners participated in the program last year.

Direct Financial Payments, Education/Technical Assistance

Technical Assistance for Grasslands Creation or Restoration

The Department of Natural Resources offers technical assistance to encourage the restoration or establishment of grasslands. The program is offered on a strictly voluntary basis and has covered wetlands and other types of land. The program is not specifically designed to protect wildlife, but all species that live in grassland habitat

benefit. Last year the program worked with landowners to establish habitat on 31,000 acres in the state. The program is funded through general revenue funds.

Education/Technical Assistance

Technical Assistance for Wetlands Restoration

The Department of Natural Resources Wildlife Bureau offers technical assistance to landowners who are interested in restoring wetlands on their property.

Education/Technical Assistance

Conservation Easements

Conservation easements are authorized by statute. IOWA CODE ANN. § 457A.1. Easements can be utilized to preserve scenic beauty, wildlife habitat, riparian lands, wetlands, or forests.

Property Rights Tools

Property Tax Benefits for Native Prairie and Wildlife Habitat

Iowa provides landowners with property tax benefits if their land is certified as native prairie or wildlife habitat. The Department of Natural Resources has offered the incentive since 1983. The incentive is intended to encourage the retention of wetlands, prairie, woodlands, or successional areas if the land is devoted exclusively for use as habitat for wildlife and protected from economic uses. The incentive is limited to two acres. The native prairie must have never been cultivated and grassland must be restored, with a minimum of 50 % native species.

Tax Relief

Property Tax Benefits for Forest or Woodland

The Department of Natural Resources, Forestry Bureau offers landowners property tax benefits to owners of forest or woodland. Landowners must enroll a minimum of two acres with 200 trees per acre. Acres exempted in 2000 were 559,843 acres. There are currently 36,145 exemptions.

Tax Relief

Property Tax Benefits for Conservation Easements

The Department of Natural Resources offers property tax benefits when landowner dedicate conservation easements on land that contains scenic beauty, wildlife habitat, riparian lands, native prairies, wetlands, and forests in order to preserve the resource and promote outdoor recreation. IOWA CODE ANN. § 427.1. The land must be certified by the Department to qualify. The Department currently maintains 185 acres under its jurisdiction. There were no new enrollments last year.

Tax Relief, Property Rights Tools

The Protected Waters Area Program

The program is strictly voluntary for landowners along a designated waterway. IOWA CODE ANN. § 462B. Landowners may receive lower assessments for taxation purposes if they enter into conservation easements under the program. It is also a recognition system that recognizes the best rivers in the state in terms of natural conditions, water quality and importance for recreation (fishing, canoeing, scenic qualities). All landowners who reside in the protected water areas may qualify. The program is offered by the Department of Natural Resources Natural Resource Commission. The state reimburses from the general fund of the state any political subdivision the amount of tax moneys lost due to any lower assessments of property resulting from conservation easements stemming from designation of a protected water area.

Tax Relief, Property Rights Tools, Recognition Program

Contacts:

IA Department of Natural Resources

E. 9th and Grand Ave., Wallace Bldg.
Des Moines, IA 50319-0034
(515) 281-5529
www.state.ia.us/government/dnr

Fish and Wildlife Division
IA Dept. of Natural Resources
E. 9th and Grand Ave., Wallace Bldg.
Des Moines, IA 50319-0034
(515) 281-5145
www.state.ia.us/wildlife

Division of Soil Conservation
IA Dept. of Agriculture and Land Stewardship
Wallace State Office Building
Des Moines, IA 50319
(515) 281-5851
www.agriculture.state.ia.us

Iowa Natural Areas Inventory
IA Dept. of Natural Resources
E. 9th and Grand Ave., Wallace Bldg.
Des Moines, IA 50319
(515) 281-8524

KANSAS

The Governor's Water Quality Buffer Initiative

The program provides funds to supplement federal CRP rental payments by offering cost share assistance for the protection of riparian buffers and grass filter strips. It has been available for two years on agricultural lands through the Kansas Conservation Commission. The program is intended to increase habitat for game and non-game pheasant, quail, deer, etc. The contract period maximum is 15 years. Landowners receive property tax reduction for riparian areas enrolled in CRP. There are a total of 3,100 acres enrolled - a total of 6,500 acres will be enrolled in FY 2002. Currently there are 450 contracts with landowners. Cost share is available at a 50% rate as a supplement for riparian forest buffers, 30% supplement for grass filter strips. The maximum state/federal payment is \$150/acre. The program is funded by the Special Revenue Fund of the Kansas Water Plan; in FY 2002, \$265,134 was available.

Direct Financial Payments, Property Rights Tools

Land Rental for Hunting Access Program

The Kansas Department of Wildlife and Parks pays landowners for the rental of their property for the purpose of obtaining walk-in hunting access. The program has been offered for six years and is available to landowners with 80 acres minimum. There are currently 4,000 participants in the program with 680,000 acres enrolled. Funding comes from the Wildlife Fee Fund at \$850,000 total per year.

Direct Financial Payments

The Wildlife Habitat Incentive Program

The program is offered through the Department of Wildlife and Parks, and provides landowners with direct financial payments of up to \$500 per year for engaging in practices on their land that will benefit game and non-game species. The program has been available for 27 years. There are no acreage minimums and no reporting requirements. Funding comes from the Wildlife Fee Fund at \$80,000 per year.

Direct Financial Payments

Conservation Districts Law

The law offers cost-share for the preservation of riparian buffers. Financial assistance is provided to landowners as authorized by statute to implement practices such as revegetated riparian areas, tree plantings, wetlands enhancement and innovative streambank stabilization and soil bioengineering practices. KAN. STAT. ANN. § 2-1915. The law is administered by local conservation districts. Grants may be made out of funds in the treasury of the state.

Direct Financial Payments

The Kansas Wildlife Habitat Improvement Program

The Kansas Department of Wildlife and Parks offers technical assistance through the program. This program is designed to improve and develop wildlife habitat on private lands with little or no landowner expense or loss of agricultural production.

Education/Technical Assistance

The Nongame and Endangered Species Conservation Act

The act offers pre-listing agreements, safe harbor agreements, and "no take" cooperative agreements. KAN. STAT. ANN. § 32-957-963. Under a prelisting conservation agreement the landowner is allowed to carry out activities specified in the agreement without penalties of law enforcement action or permitting requirements if a species covered under the agreement is later listed. Under a safe harbor agreement, the landowner is protected from any restrictions on land use that might otherwise occur if a listed species immigrates into the habitat. Under a no take agreement, the landowner is assured that activities specified in the agreement will not lead to penalties of law enforcement action or permitting requirements if future changes in land use are needed.

Legal/Statutory Mechanisms

Conservation Easements

Conservation easements are statutorily authorized. KAN. STAT. ANN. § 58-3810.

Property Rights Tools

The Non-game and Endangered Species Conservation Act

The legislation offers income tax credits to landowners in exchange for the preservation of critical habitat for threatened or endangered species on land known to support populations of species in need of conservation. KAN. STAT. ANN. § 79-32.203. Landowners receive an annual credit against the tax liability equal to the total amount paid by the taxpayer during the taxable year for ad valorem taxes and assessments that are imposed by the state.

Tax Relief

Contacts:

KS Department of Wildlife and Parks
900 SW Jackson St., Suite 502
Topeka, KS 66612
(785) 296-2281

Governor's Water Quality Buffer Initiative
Conservation Commission
109 SW 9th St.
Topeka, KS 66612
(785) 296-3600

KENTUCKY

The Habitat Improvement Program

The program (est. 1989) is offered by the Department of Fish and Wildlife Resources, and provides owners of agricultural lands, wooded areas and other lands cost share, in-kind assistance in the form of equipment, fencing, etc, and technical assistance. Cost share is available for various practices included in the wildlife management plan, as well as maintenance of these practices. Biologists assist landowners with a wildlife management plan. Landowners may decide which wildlife species to benefit. Since 1989, 1.5 million acres have been enrolled in the program. During that same period staff conducted over 7,000 site visits. Funding for cost share practices is a maximum of \$499.99/year per landowner and is offered on a first come first served basis. Funding comes from purely state funds for cost share; funding for technical guidance is from federal sources.

Direct Financial Payments, Education/Technical Assistance

Natural Quality Assessment Program

Landowners may receive an assessment of the quality of their land. In order to qualify, there must be some indication of potential ecological significance of the land. Under this program, biologists assess the natural quality or biological significance of habitats to protect rare species or unique natural communities. Afterwards, the Nature Preserves Commission can assist landowners in determining protection or management needs, and assist with providing equipment or other in-kind materials to landowners.

Direct Financial Payments, Education/Technical Assistance

Backyard Wildlife Program

The Department of Fish and Wildlife Resources offers this habitat improvement program designed to encourage and recognize the efforts of suburban homeowners and schools who create habitat for wildlife in their backyards. The kit contains, among other information, how to develop landscape plans for wildlife, water sources for wildlife and sources of native seeds and plants. Participants can also apply to have their backyard certified.

Education/Technical Assistance

The Wild Rivers Program

The program is offered by the Division of Water, and offers technical assistance to develop management plans for land within a Wild River corridor. These plans recommend specific strategies for protection and recreational development. All interested citizens and landowners qualify if they have property along a Wild River corridor.

Education/Technical Assistance

The Farm Pond Management Program

The program is offered by the Department of Fish and Wildlife. It provides fisheries biologists to assist landowners with techniques a pond owner can use to improve native fish populations. The fisheries biologist can also make recommendations on stocking newly built or renovated ponds. This guidance has been available since the 1950's. An estimated 300 ponds are checked a year, with approximately 1,000 phone contacts yearly.

Education/Technical Assistance

The Modified Model Conservation Easements Act

The legislation authorizes the dedication of any lands with natural, scenic, or open space values. KY. REV. STAT ANN. § 382.800 et. seq. It can include agricultural lands under some circumstances. This has been authorized since 1988.

Property Rights Tools

The Kentucky Natural Areas Registry

The registry was established in 1976, and offers recognition and heritage designation for landowners who protect ecologically important or other “natural” areas (agricultural lands do not qualify). KY. REV. STAT ANN. § 146.460. Currently there are 49 sites encompassing 4,706 acres enrolled in the program. Five new participants enrolled in 2001. Funding for the program comes from the general fund. Expenses in running the program are minimal and mainly limited to staff time.

Recognition Program

Clearinghouse Resources

The Kentucky Private Lands Council offers landowners one stop shopping for determining what assistance programs exist for private lands.

Streamlining

The Farmland Preservation Act

The legislation offers income and estate tax benefits for those dedicating conservation easements for the purpose of preserving farmland or open space for agricultural use. Thus far, the program has preserved 30,000 + acres and has had 146 participants; the program has 126 applications pending this year with another 26,000 acres.

Tax Relief, Property Rights Tools

The Private Dedication Program

The program (est. 1976) provides landowners with tax breaks in exchange for the dedication of lands or certain rights to land that contain rare or endangered species or unique natural communities. KY. REV. STAT. ANN. § 146.500. The land then receives legal protection and becomes part of the state Nature Preserves System. All landowners may qualify for the program, however, the land must have biological significance and be worthy of protection. Funding for the program comes from the Heritage Land Conservation Fund, which receives revenue from the sale of nature license plates, a portion of the unmined minerals tax and civil fines.

Tax Relief, Property Rights Tools, Recognition Program

Contacts:

Division of Wildlife
KY Dept. of Fish and Wildlife Resources
#1 Game Farm Road
Frankfort, KY 40601
(800) 858-1549
www.kdfwr.state.ky.us/special.htm

Kentucky Natural Heritage Program
Kentucky Nature Preserves Commission
801 Schenkel Lane
Frankfort, KY 40601
(502) 573-2886

Private Dedication Program
(502) 573-2886

Division of Conservation
KY Dept. of Natural Resources
663 Teton Trail
Frankfort, KY 40601
(502) 564-3080

Wild Rivers Program
(502) 564-3410

Division of Farmland Preservation
500 Mero Street, 7th Floor
Frankfort, KY 40601
(502) 564-4696
www.kyagr.com

LOUISIANA

Technical Assistance for Urban Tree Growth

Technical assistance is available to assist urban landowners with advice on improving growing conditions for trees in urban areas. LA. REV. STAT. ANN. § 3:4381.

Education/Technical Assistance

Conservation Easements

Conservation easements are statutorily authorized under the Louisiana Conservation Servitude Act. LA. REV. STAT. ANN. § 9:1272.

Property Rights Tools

Property Tax Benefits for Wildlife Management

The Wildlife and Fisheries Commission offers property tax benefits to landowners who sign contracts with the state to use the land as a wildlife management area. LA. REV. STAT. ANN. § 56:24. The commission may contract with any private landowner for the use of his lands for a term of not less than 25 years for the purpose of establishing wildlife management areas. Lands may be relieved of all state, parish, and district taxes so long as the lands are used for the purpose stated.

Tax Relief

Contacts:

LA Department of Wildlife and Fisheries
P.O. Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2623

LA Department of Agriculture and Forestry
P.O. Box 631
Baton Rouge, LA 70821-0631
(504) 922-1234

MAINE

The Land for Maine's Future Program

The State Planning Office offers to purchase from landowners fee title or other rights to land through the program. The purpose of the program is to acquire lands which "make a substantial and lasting contribution towards assuring all of Maine citizens, present and future, the traditional Maine heritage of public access to Maine's land and water resources or continued quality and availability of natural resources important to the interests and continued heritage of Maine people." This program has been available since the early 1990's and is set up to cover all types of land and all types of wildlife.

Direct Financial Payments

Incidental Take Permits and Conservation

The state Endangered Species Act allows for the take of species if an incidental take plan (conservation plan) is implemented by the landowner. ME. REV. STAT. ANN. 12 § 7751 - 7759.

Legal/Statutory Mechanisms

Conservation Easements

Conservation easements are authorized by statute. ME. REV. STAT. ANN. 33 § 476.

Property Rights Tools

Maine Farm & Open Space Tax Program

This program offers landowners property tax benefits (current use taxation) in exchange for keeping their land as open space (ME. REV. STAT. ANN. 36 §§ 1101-1102, 1106-A). The program has been available since 1975 and is available for any type of land, including state wildlife and management areas and sanctuaries and preserves, the preservation or restriction of the use of which provides a public benefit in any of the following areas: conserving scenic resources, enhancing public recreation opportunities, promoting game management, or preserving wildlife or wildlife habitat. The Maine Bureau of Revenue Services administers the program. Landowners must have at least 5 contiguous acres for agricultural lands. For open space, there is no minimum acreage requirement, however, the tract must be preserved or restricted to conserve scenic resources, wildlife habitat or game management.

Tax Relief

Property Tax Benefits for Conservation of Agricultural Land or Open Space

Landowners of agricultural or open space land may receive lower property tax assessments in exchange for placement of easements on their property for the preservation of scenic views. ME. REV. STAT. ANN. 36 § 1111. The easement may be perpetual but must be at least ten years. Owners of agricultural farmland, open space land or game management or wildlife sanctuaries may qualify. Municipalities may reduce taxes on real property if the property owner agrees to maintain the property in accordance with criteria adopted by the governing legislative body of the municipality to provide scenic view easements of significant vistas.

Tax Relief, Property Rights Tools

Contacts:

Wildlife Research and Management Division
ME Dept. of Inland Fisheries and Wildlife
284 State St., Station #41
Augusta, ME 04333
(207) 287-5252

Land for Maine's Future
State Planning Office
38 State House Station

Augusta, ME 04333
(207) 287-3261
www.state.me.us/spo/lmf/index1.htm

ME Bureau of Revenue Services
P.O. Box 9106
Augusta, ME 04332
(207) 287-2011

Forest Service
ME Dept. of Conservation
22 State House Station
Augusta, ME 04333
(207) 287-1073

Forest Legacy Program
ME Dept. of Conservation
Bureau of Park and Lands
22 State House Station
Augusta, ME 04333
(207) 287-3821

MARYLAND

Purchase of Development Rights in Rural Areas

The state purchases development rights in rural areas. MD. CODE ANN. § 5-9A-05.

Direct Financial Payments

Technical Assistance for Forest Management

The District Forestry Boards offer technical forest management assistance to landowners with 5 acres or more. MD. CODE ANN. § 5-606. They will work with smaller landowners if riparian buffer establishment is involved. The technical assistance offered covers a broad range of topics including wildlife habitat improvement, riparian buffer establishment and urban forestry, among others. The assistance offered is intended to encourage landowners to manage and conserve their land and keep it in forest cover. This program does not result in permanent protection of land. In a typical year, employees will prepare 400 management plans on 20,000 acres. They are also involved in approximately 4,000 acres of reforestation, 1,500 acres of afforestation (planting trees where trees have not been for some time), 4,000-5,000 acres of Timber Stand Improvement, 300-400 acres of specific wildlife habitat improvement (some of the TSI is also wildlife habitat driven) and recently, over 100 miles of riparian buffer establishment. Funding for the program comes from state general funds, although special funds and federal funds are also included in the budget.

Education/Technical Assistance

The Wild Acres Program

The program (est. 1989) offers technical assistance, information, and public recognition for landowners who establish backyard wildlife habitat for birds, butterflies and hummingbirds. The program is run by the Maryland Department of Natural Resources Wildlife and Heritage Division. Backyard wildlife information packets include facts sheets on building bird boxes, what to feed birds, how to attract butterflies and hummingbirds and building a backyard wildlife pond; Maryland Wild Acres certificate; and a colorful sign that lets the public know that the backyard is a part of Maryland's Wild Acres. As of September 2001, the total acreage certified as part of the Wild Acres network in Maryland was 12,754 on 3,679 properties. During the past year, 100 properties were certified. Funding for the program comes entirely from donations. Most funds come directly from the Wild Acres program participants; some funding comes from the tax check off on the MD Income Tax Return for the Chesapeake Bay and Endangered Species Fund.

Education/Technical Assistance, Recognition Program

The Maryland Waterfowl Restoration Program

The program (est. 1981) offers landowners income tax benefits and technical assistance in exchange for entering into ten year license agreements that create, develop, rehabilitate and/or preserve waterfowl habitat. MD. CODE ANN. § 10-308.1(E)(3). The Department of Natural Resources, Wildlife and Heritage Division offers the program to those who enroll a minimum of 10 contiguous acres of habitat that will provide food and/or cover for ducks. Normal agricultural practices are permitted within the project area. An approved Waterfowl Habitat Management Plan must be carried out by the landowner. Acreage enrolled in the program totals about 50,000, with approximately 150 participants. Participants receive a state tax credit for a contribution to the state of Maryland.

Tax Relief, Education/Technical Assistance

Income Tax Benefits for Donations of Open Space

A new Maryland law gives owners of farms and other open spaces a state income tax credit for the donation of land for preservation easements. The credits are capped at \$5,000 per year and are available for the next 15 years, with a total limit of \$75,000 and are available to owners of agricultural land and other open spaces. This tax credit is not specifically designed to protect wildlife habitat. The tax credits were first recommended last year by the state Agricultural Land Preservation Task Force. The new law is intended to curb sprawl, protect the environment, and maintain open space.

Tax Relief, Property Rights Tools

Conservation Easements and Property Tax Benefits

Conservation easements are authorized by statute. MD. CODE ANN. § 2-118. Easements may be used for fish or wildlife habitat preservation. Maryland gives property tax benefits to landowners who donate perpetual conservation easements to the Maryland Environmental Trust or other land trust. MD. CODE ANN. § 9-107. Maryland also provides property tax credits for conservation land subject to perpetual easements, MD. CODE ANN. § 9-220. The state also provides property tax credits for open space land subject to perpetual easements. MD. CODE ANN. § 9-208.

Tax Relief, Property Rights Tools

Property Tax Benefits for Open Space Conservation

Maryland provides property tax credits for landowners who preserve the natural open character of their property to preserve open space, natural conditions, or present use of the property preserved for a fixed period or in perpetuity. MD. CODE ANN. § 8-219.

Tax Relief

Contacts:

MD Department of Agriculture
50 Harry Truman Pkway.
Annapolis, MD 21401
(410) 841-5863

MD Department of Natural Resources
580 Taylor Ave.
Annapolis MD 21401
(410) 260-8101
www.dnr.state.md.us

Wildlife and Heritage Division
Tawes State Office Building, E-1
Annapolis, MD 21401
(410) 260-8540

Forest Service
580 Taylor Ave.
Annapolis, MD 21401
(410) 260-8531

Resource Planning
Tawes State Office Building
Annapolis, MD 21401
(410) 260-8405

New Maryland Conservation Easement
<http://www.gov.state.md.us/gov/press/2001/may/html/smartgrowth.html>

MASSACHUSETTS

Acquisition of Open Space Easements

The Department of Fisheries, Wildlife, and Environmental Law Enforcement, along with other state agencies, offers landowners the fair market value for rights to undeveloped land. Under the state's open space bond, there are \$5-10 million available annually for the acquisition of open space. Most of the open space purchased under this bond is in fee, although some are easement purchases. The bond has been in effect since 1990 and has resulted in the preservation of 10,000 acres and is growing rapidly. All native species and natural communities benefit under this incentive. Note: the Guide to State Land Acquisition Programs of the Executive Office of Environmental Affairs provides a detailed summary of these programs.

Direct Financial Payments, Property Rights Tools

Cost Share Assistance for Abandoned Farmland Maintenance

The Division of Fish and Wildlife offers landowners cost share assistance with the reclamation and maintenance of abandoned farmland. This program is intended to provide habitat for wildlife because abandoned farmland offers valuable and unique habitat during the first several years after abandonment. Certain wildlife species benefit directly from the program, such as: state-listed species, species that are in long term decline and many birds, mammals and invertebrates. Landowners must agree to public access (exclusive of motor vehicles), including hunting and fishing.

Direct Financial Payments

The COVERTS Program

The program is offered by the Division of Fish and Wildlife, and has provided landowners with education and technical assistance since 1985. All native species benefit from this program. The program covers approximately 780,000 acres. Funding comes from the Biodiversity Initiative at \$10,000 per year.

Education/Technical Assistance

The Upland Program/Upland Habitat Management Program

The Division of Fish and Wildlife operates the program, which offers technical assistance to owners of early successional habitats, e.g., abandoned fields, grasslands, and shrublands. Approximately 100 acres of habitat have been affected by the program in the last year.

Education/Technical Assistance

The Natural Heritage and Endangered Species Program

The program is run by the Division of Fish and Wildlife, and provides landowners with incidental take permits under the state's Endangered Species Act since 1990. Potentially all lands with documented state-listed species may qualify for the program.

Legal/Statutory Mechanisms

Conservation Easements

Conservation easements are statutorily authorized to retain land or water areas predominantly in their natural, scenic or open condition or in agricultural, farming or forest use. MASS. GEN. LAWS ch. 184, §§ 31-33.

Property Rights Tools

Property Tax Benefits for Forest Conservation

The Massachusetts Division of Fish and Wildlife (ch. 61B) offers landowners lower property taxes if their property is in a natural, wild or open condition so as to preserve wildlife and other natural resources. MASS. GEN. LAWS ch. 61A. Landowners must have a minimum of 5 contiguous acres of land. Land which does not "materially interfere" with the environmental benefits of the land and which is open to the public or a non-profit organization also qualifies. Property enrolled in this program is valued at current use value for property tax assessment, at no more than 25% of its fair market value.

Tax Relief

Contacts:

Natural Heritage and Endangered Species Program
Division of Fish and Wildlife
Route 135
Westborough, MA 01581
(508) 792-7270 (x.200)
www.state.ma.us/dfwele/dfw/nhesp

Division of Fish and Wildlife
Executive Office of Environmental Affairs
251 Causeway St., Rm. 600-700
Boston, MA 02114-2138
(617) 727-3155

COVERTS Program
Holdsworth Natural Resources Center
University of MA
Amherst, MA 01007

MICHIGAN

The Native Grass, No Till Drill Program

The Department of Natural Resources rents specialized planting equipment for planting prairie grass and forbs at a nominal cost to landowners. The program has been available for three years and operates to restore grassland habitats of one acre plantings or larger. Last year 300 landowners participated, and 5,000 acres were impacted. Funding comes from Game and Fish funds, Pheasants Forever, and Ducks Unlimited.

Direct Financial Payments

The Michigan Habitat Improvement Fund

The program offers grants to landowners for fisheries projects on the Manistee, Muskegon and AuSable rivers. The Michigan Department of Natural Resources, Fisheries Division offers the grants for projects within the vicinity of the 11 Consumers Energy Company hydropower projects. There is no minimum or maximum amount for grants. The funding source for the program is the Game and Fish Settlement Fund. For fiscal year 2001 the appropriation was \$575,000.

Direct Financial Payments

The Inland Fisheries Grant Program

The program is offered by the Department of Natural Resources Fisheries Division, and provides cost share to owners of inland fish communities. The maximum available is \$30,000 per project. Applicants must demonstrate they can contribute at least 50% of the project's cost as a match of the state grant. Funding comes from the legislature with annual appropriations of \$200,000.

Direct Financial Payments

Zoning for Sustainable Land Uses and Land/Development Rights Acquisition

Michigan authorizes cities, villages, townships and counties to establish zoning districts to encourage the proper use of land and natural resources, and provides for the acquisition of land or development rights. MICH. COMP. LAWS §§ 125.310; 125.240; 125.282; 125.600. In addition, developers who agree not to develop a portion of their property are allowed to increase the density on the remaining portion. The undeveloped land must remain perpetually in an undeveloped state by means of a conservation easement, plat dedication, restrictive covenant or other legal means running with the land.

Direct Financial Payments, Property Rights Tools

Conservation Easements and Property Tax Benefits

Conservation easements are statutorily authorized. MICH. COMP. LAWS § 324.2140. Owners of open space who place an easement on their property may receive property tax benefits. MICH. COMP. LAWS § 324.36106. The Farmland and Open Space Preservation Program also offers property tax benefits for conservation easements. Easements may be used for fish or wildlife habitat preservation. Easements granted for open space development rights to local government are exempt from taxation.

Tax Relief, Property Rights Tools

Property Tax Benefits for Forest Lands Management

The Department of Natural Resources, Forest, Mineral and Fire Management Division, offers property tax incentives to owners of forested lands if they agree to properly manage their commercial forest lands for recreation or wildlife. Forest species benefit from this program, such as deer, turkey, grouse, nongame forest birds, amphibians, reptiles, etc. Owners receive a reduced property tax of \$1.10/acre on forest lands greater than 40 acres, if a management plan is developed. Cutting of trees is approved by permit only. Presently 2.2 million acres are impacted by the incentive.

Tax Relief

Contacts:

MI Department of Agriculture
P.O. Box 3001
Lansing, MI 48909
(517) 373-9799
www.mda.state.mi.us

Cooperative Resource Management Initiative
www.msue.msu.edu/CRMI/

Wildlife Division
MI Dept. of Natural Resources
P.O. Box 30028
Lansing, MI 48909-7528
(517) 373-2457
www.michigandnr.com

Native Grass, No Till Drill
MI Dept. of Natural Resources
(517) 241-0666

Habitat Improvement Fund Project Grants
MI Dept. of Natural Resources
Fisheries Division
(517) 826-3211

Inland Fisheries Program
Fisheries Division
(517) 373-6762

Nongame Wildlife Fund Grants
Wildlife Division
(517) 373-9418

MINNESOTA

Pheasant and Wild Turkey Habitat Improvement Programs

The Department of Natural Resources offers cost share assistance to owners of pheasant and turkey habitat under the programs. MINN. STAT. § 97A.075. The Pheasant Program has existed since 1983, the Turkey Program since the late 1960's, and both operate on agricultural lands. Landowners under the programs establish and maintain nesting, winter, and woody cover, shelterbelts, grass habitat, and wetlands for the two species and may receive up to 75% of total eligible costs. For the fiscal year between 7/1/99 - 6/30/00, the food plot program covered 889 sites with 3,122.7 acres; the woody cover program covered 133 sites at 394 acres; the grassland program covered 166 sites with 2348.5 acres. Funding for the programs originates from pheasant stamps and turkey stamps. The programs are funded at approximately \$500,000 per year.

Direct Financial Payments

The Reinvest in Minnesota Program

The program offers cost share for the enhancement or restoration of fish and wildlife habitat on lakes, streams, wetlands, and forest lands. MINN. STAT. § 84.95. The funding source for the program is the Reinvest in Minnesota Resources Fund. Appropriations must be matched by private funds.

Direct Financial Payments

The Deer Habitat Improvement Program

The Department of Natural Resources has offered green payments to owners of northern forested areas and agricultural areas since the mid-1970's. The program pays up to 100% of total eligible costs. Funding comes from a surcharge on each deer license sold.

Direct Financial Payments

Project CORE (Cooperative Opportunities for Resource Enhancement)

The Department of Natural Resources Fish and Wildlife Division offers green payments, technical assistance, and the initial costs for fish habitat enhancement through the program (est. 1983). Priorities for the program are established locally. The project sponsor is responsible for the operation, maintenance and insurance costs. The program pays for the initial costs of project installation. In addition, the department will assist the project sponsor with the necessary permits.

Direct Financial Payments, Education/Technical Assistance, Streamlining

The Roadsides for Wildlife Program

The Department of Natural Resources Fish and Wildlife Division offers cost share to landowners of roadsides under its (1984). The program benefits roadside wildlife, including nesting birds. The cost share portion of this program is funded by pheasant stamp hunting fees and the Legislative Commission on Minnesota Resources. The administrative costs of the program are partially funded from duck stamp and hunting license sales.

Direct Financial Payments

Cost-Sharing for Soil and Water Conservation

The state provides cost share assistance for the conservation of soil and water. MINN. STAT. § 103C.005. The policy of the state is to conserve soil and water resources in order to prevent erosion and pollution, to preserve wildlife and protect public land, among other values.

Direct Financial Payments

The Minnesota Sustainable Forest Resource Management Incentive Program

Enacted in 2001, the program provides financial incentives for owners of forested land who enter into sustainable forest management plans. MINN. STAT. § 290C.01. Owners of at least 20 contiguous acres of forested land with a forest management plan designed to create or maintain "site specific, healthy, productive and sustainable forest resources" are eligible. Participants are paid yearly by the state based on the estimated

average tax per acre of timberland, with a minimum payment of \$1.50 per acre. The program is administered by the state Department of Revenue.

Direct Financial Payments

Conservation Reserve Program

The program is designed to protect fish and wildlife production, reduce erosion and protect water quality. Landowners enrolling in the program agree to an easement, among other conditions, in exchange for a payment from the local Soil and Water Conservation board. Other conditions may include seeding enrolled land to establish perennial cover of native grasses or to plant trees. Payments, averaging several hundred dollars, involve a formula taking into account the type of easement and the types of conservation efforts undertaken by the landowner. The program is administered on a county-by-county basis with oversight provided by the state Department of Natural Resources and Department of Agriculture.

Direct Financial Payments, Property Rights Tools

Purchase of Conservation Easements

The Department of Natural Resources provides payment for conservation of native prairie through conservation easements. MINN. STAT. § 84.96. The Department pays varying rates for easements of limited duration or permanent easements.

Direct Financial Payments, Property Rights Tools

The Heritage Forests Incentive

The program provides recognition to landowners of forest land. MINN. STAT. § 89-018. Landowners may receive heritage designation if they agree to dedicate an easement on their forest property; implement a heritage forest stewardship plan for the period of the easement; and not to alter the heritage forest by developing the land, or to otherwise destroy the heritage forest character of the easement area.

Property Rights Tools, Recognition Program

Conservation Easements

Conservation easements are authorized by statute and may be used for fish or wildlife habitat preservation. MINN. STAT. § 84C.01.

Property Rights Tools

Covenants for Wetlands Preservation

Minnesota authorizes covenants for the preservation of wetlands within the state. MINN. STAT. § 103A.202.

Property Rights Tools

The Native Prairie Tax Exemption Program

The Minnesota Department of Natural Resources Fish and Wildlife Division offers landowners property tax exemptions under the program (est. 1980). MINN. STAT. 272.02. In addition, the owner may receive cash payments from the state for the preservation of native prairie (through temporary or permanent easements) under MINN. STAT. § 84.96. Under the program, 500 landowners are preserving 12,000 acres of native prairie for species existing in that habitat.

Tax Relief

The Wetland Tax Exemption Program

The Department of Natural Resources has offered property tax exemptions since 1979 to owners of wetlands inventoried as Public Waters Wetlands as defined in state statute (MINN. STAT. § 103G), or lands mostly under water that produce little if any income under the program. MINN. STAT. § 272.02.

Tax Relief

Contacts:

MN Department of Natural Resources
DNR Information Center
500 Lafayette Road
St. Paul, MN 55155-4040
(651) 296-6157
www.dnr.state.mn.us

Division of Forestry
MN Dept. of Natural Resources
500 Lafayette Road
St. Paul, MN 55155-4040
(651) 296-5970

Natural Heritage and Nongame Research
MN Dept. of Natural Resources
500 Lafayette Rd., Box 7-25
St. Paul, MN 55155
(651) 296-2835

MN Department of Agriculture
90 W. Plato Blvd.
St. Paul, MN 55107
(651) 297-2200
Land Donation Program
Bureau of Real Estate Management
MN Dept. of Natural Resources
500 Lafayette Rd., Box 7-25
(651) 296-4097

MISSISSIPPI

Conservation Easements

Conservation easements are authorized by statute and may be used for fish or wildlife habitat preservation. MISS. CODE ANN. § 89-19-3 (1972).

Property Rights Tools

Property Tax Benefits for Coastal Wetlands

The state provides owners of coastal wetlands a property tax exemption. MISS. CODE ANN. § 49-27-3 (1972).

Tax Relief

Contacts:

MS Department of Wildlife, Fisheries & Parks
P.O. Box 451
Jackson, MS 39205
(601) 362-9212

MS Museum of Natural Science
MS Dept. of Wildlife, Fisheries & Parks
2148 Riverside Drive
Jackson, MS 39202-1353
(601) 354-7303

MISSOURI

The Landowners Assisting Wildlife Survival Program

The Department of Conservation offers rental payments for habitat, green payments, cost share and in kind assistance to landowners under the program (est. 1996). The program targets winter food and/or brood rearing habitat adjacent to hard cover for upland wildlife on private agricultural land, and provides payment per acre per year to landowners who plant grain leave it in the fields for wildlife. It benefits primarily upland wildlife species, and early successional species. Participants are required to sign an agreement for two years and must leave a minimum of 10 ft. of crop adjacent to hard cover or other suitable cover for wildlife food. Livestock must be excluded and the crop must be left unharvested throughout the contract period. There are currently 720 acres enrolled in the program. The program pays a flat rate of \$150/acre/yr. for corn, mil, cane sorghum, soybeans, sunflowers and a payment of \$75/acre for standing small grains. Funding comes from general revenue, the hunting and fishing license fee, dedicated sales tax for conservation purposes, and some federal money. \$215,000 was spent in the last fiscal year.

Direct Financial Payments

The Landowner Cost Share Program

The Private Land Services Division of the Department of Conservation is responsible for this program, which provides financial assistance to landowners as an incentive to implement practices beneficial to the state's forest, fish and wildlife resources. Private landowners are eligible to receive technical and financial assistance to implement fish, forest, natural community and wildlife resource improvement activities. Program funds are distributed through regional conservation teams based on regional resource priorities. In FY2001, over \$880,000 was distributed to landowners; technical assistance was provided to 6,330 private landowners. Over 300,000 acres of property were impacted by these services. The program includes cooperative agreements and partnerships with non-governmental organizations such as Ducks Unlimited.

Direct Financial Payments, Education/Technical Assistance

The Economic Diversification and Afforestation Act

The legislation was established in 1990, and provides payments to landowners to improve soil conservation, improve air and water quality, and enhance wildlife habitat. MO. REV. STAT. § 252.300.

Direct Financial Payments

The Landowner Assistance Program

The Department of Conservation offers in kind assistance, cost share, technical assistance, education and recognition through the program. All divisions within the Department share a collective \$1 million a year for landowners on a cost share basis for different practices such as riparian fencing, alternative watering systems, equipment and labor for other wildlife friendly practices such as streambank stabilization practices, cave protection (gates), planting of grasses, levee removal, and prescribed burning. Different divisions utilize the cost share dollars depending on the goals of the agency, such as forestry assistance, wildlife, fisheries, or threatened and endangered species. In its present form the program has existed for two years; in an earlier form since the early '80's and is available on private lands. Cost share payments must not exceed \$15,000 per landowner per year (50% for all approved practices, can increase to 75% for critical practices). Currently there are 13,500 contacts with landowners overall. Funding comes from a statewide sales tax at \$800,000-\$1 million annually.

Direct Financial Payments, Education/Technical Assistance, Recognition Program

Incentives for Forest Land Management

The Department of Conservation, Division of Forestry, offers technical assistance and cost share for timber stand improvement, advice on tree planting, pest identification and guidance in wildlife habitat improvement. The program benefits all fish and wildlife in forest lands. All landowners, including urban residents are eligible.

Direct Financial Payments, Education/Technical Assistance

Conservation Easements

Conservation easements are statutorily authorized. MO. REV. STAT. § 67.880.

Property Rights Tools

Contacts:

Department of Conservation
Private Land Services Division
PO Box 180
Jefferson City, MO 65102
(573) 751-4115
www.conservation.state.mo.us

Wildlife Division
Dept. of Conservation
PO Box 180
Jefferson City, MO 65102
(573) 751-4115

Planning and Development
Dept. of Natural Resources
PO Box 180
Jefferson City, MO 65102
(573) 751-5374

Natural Heritage Database
Dept. of Conservation
2901 W. Truman Blvd.
Jefferson City, MO 65102-0180
(573) 751-4115

Forestry Management Assistance
State Forester
Department of Conservation
2901 W. Truman Blvd.
Jefferson City, MO 65102-0180
www.conservation.state.mo.us/landown/forest/forstmng

MONTANA

The Upland Game Bird Habitat Enhancement Program

The program is offered by the Department of Fish, Wildlife and Parks. It provides cost share and recognition to landowners who establish suitable nesting cover, winter cover and feeding areas for upland game birds (other species also benefit). MONT. CODE ANN. § 87-1-246 thru 250. The program has been available for 11 years and operates mainly on agricultural lands but also on forested habitats and wetlands. The contract requires management plans, public access for public hunting, and signage as upland bird habitat. Over 600 contracts are currently active under the program, which covers over 466,000 acres. The program has had a total of 900 contracts, and expects to add 30-50 new contracts each year. Funding for the program comes from hunting license dollars. Each resident license contributes \$2 and nonresidents \$23. The program receives approximately \$700,000 annually.

Direct Financial Payments, Property Rights Tools, Recognition Program

The Game Damage Assistance Program

The program is offered by the Department of Fish, Wildlife and Parks. It provides in kind assistance in the form of fencing materials and other measures to offset damage done by game, such as bears or ungulates. MONT. CODE ANN. § 87-1-225. The program has been available for approximately 15 years. Owners of all types of land may qualify if they verify the game damage, and they must allow public hunting during established seasons. The program averages approximately 800 landowners per year. Funding comes from Fish and Wildlife licenses at approximately \$400,000 per year.

Direct Financial Payments

The Water Leasing Program

The program (est. 1987) offers landowners payments for the lease of water for instream flows for fish. MONT. CODE ANN. § 85-2-436. The Fisheries Division of the Department of Fish, Wildlife and Parks offers the program. Approximately 100 cfs of water for Yellowstone and westslope cutthroats and rainbow trout are leased under twelve separate leases. Funding for the program is approximately \$30,000 per year.

Direct Financial Payments

The Future Fisheries Restoration Program

The Fish, Wildlife and Parks Department offers grants to landowners for habitat improvement work under the program (est. 1995). MONT. CODE ANN. § 87-1-272-273. This incentive operates on all Montana rivers, streams, and riparian habitat and benefits fish, with a special priority for native species. The program has resulted in the completion of 260 projects. The program is funded through license money at \$1.5 million/year.

Direct Financial Payments

Conservation Easements and Tax Benefits

Conservation easements are authorized by statute and allow for tax benefits (federal income tax and potentially estate tax benefits). MONT. CODE ANN. §§ 76-6-104, 76-6-208.

Tax Relief, Property Rights Tools

The Habitat Montana Program

The Department of Fish, Wildlife and Parks offers the program. It has been available since 1987 and provides property tax benefits in exchange for the dedication of a conservation easement on habitat for wildlife. The program benefits many species of wildlife. 350,000 acres are in perpetual conservation easements. There are approximately five new easements dedicated each year. Funding comes from state, federal, and private matching funds at \$2.5 million per year.

Tax Relief, Property Rights Tools

Contacts:

MT Department of Fish, Wildlife and Parks
P.O. Box 200701
Helena, MT 59620-0701
(406) 444-3196

Natural Heritage Program
The Nature Conservancy of Montana
32 South Ewing
Helena, MT 59601
(406) 443-0303

MT Department of Natural Resources and Conservation
1520 E. 6th Avenue
Helena, MT 59620
(406) 444-6667

NEBRASKA

The Wildlife Habitat Program/WILD Nebraska

The Nebraska Game and Parks Commission, in partnership with the Rainwater Basin Joint Venture, offers cost share, in kind assistance, purchase of fee title or other rights to land, transition payments on cropland conversion, and technical assistance under the program. It provides cost share for some or all of the costs associated with restoration and management of habitat, wetlands, grasslands, and woodlands. If restoring very “rare” habitats, the program may cover all of a landowner’s cost to restore them. The program has been available since 1976. 25,000 acres annually are involved in contracted improvement, plus 30,000 acres purchased in fee title. Funding comes from the sale of habitat stamps at \$2-3 million per year.

Direct Financial Payments, Education/Technical Assistance

The Wetland Initiative Program

The Game and Parks Commission pays for the restoration, creation, enhancement, and management of wetlands and their associated uplands and is available to private landowners throughout the state under the program (est. 1993). These wetland projects are not focused solely on waterfowl, but instead are designed to provide habitat for a variety of wetland wildlife including shorebirds, wading birds, and song birds. Since inception of the program, approximately 10,000 acres of wetland and approximately 8,500 acres of associated upland have been enrolled in the program. In FY 2000, a total of approximately 7,400 acres of wetland and approximately 1,400 acres of associated upland were enrolled in the program. Since the inception of the program, a total of 183 contracts with private landowners have been signed; in FY 2000, a total of 33 contracts with private landowners were signed. Funding for the program comes from the sale of habitat stamps that are required to be purchased by most hunters in Nebraska. The annual funding amount for this program has varied from \$50,000 to \$200,000 per year.

Direct Financial Payments

The Wildlife Shelterbelt Program

The state offers landowners cost share payments under the program. It provides cost share assistance to landowners who enter into a 20-year contract to improve habitat by creating shelterbelts.

Direct Financial Payments

Establishment of Game or Wild Fowl Sanctuaries

The state offers landowners the option of petitioning the state for establishment of game or wild fowl sanctuaries along waterways. NEB. REV. STAT. § 37-702. After the area is designated, there is protection of wildlife and fowl from hunting and molestation, and the state provides money for feed.

Direct Financial Payments, Legal/Statutory Mechanisms

The Nebraska Buffer Strip Program

The Department of Agriculture offers rental payments to owners of agricultural lands under the program (est. 1999). The purpose of the program is to lease cropland adjacent to perennial and seasonal streams, ponds, and wetlands for buffers and to filter pesticides in streams and rivers. This program may be used in conjunction with the USDA's Conservation Reserve Program, but may also be used alone. 10,233 acres are currently enrolled with 1200 participants. Landowners receive rental rates of \$150 per acre minus payments from other programs for irrigated cropland. Funding for the program comes from fees assessed on registered pesticides.

Direct Financial Payments

The Natural Areas Program

The Division of Wildlife offers public recognition under the program (est. 1989). NEB. REV. STAT. § 37-719. This program benefits threatened or endangered species, exemplary or rare ecological communities, and habitat for seasonal concentrations of migratory birds or other animals. The Division staff provide technical assistance regarding land management techniques appropriate to the specific natural features of the site and recognition for participation by appropriate publicity and the presentation of certificates or plaques. Expenses of staff time to

maintain the program come from the state general fund. Currently there are eight landowners in the program and there have been no new additions in the last year. The program has been moribund for the last five years.

Education/Technical Assistance, Recognition Program

Rural Forestry Assistance

The Nebraska Forest Service offers technical assistance and recognition for owners of forest and associated lands. This program has been available since 1943 (under various names). In order to qualify, landowners must be a good steward of the land. For 2000 the Forest Service assisted 706 landowners with technical assistance on approximately 32,000 acres. Funding is by general appropriation through state government.

Education/Technical Assistance, Recognition Program

Property Tax Benefit for Conservation Easements

Conservation easements are authorized by statute and may provide for a property tax benefit. NEB. REV. STAT. § 76-2,111; 77-1344. Land may receive special valuation if it is subject to a conservation or preservation easement and is within the boundaries of a city or village which allows easements, or if the property is outside the boundaries of a city, is used for agricultural purposes, is zoned for agricultural use and is not subdivided.

Tax Relief, Property Rights Tools

Contacts:

Division of Wildlife
Game and Parks Commission
2200 N. 33rd St.
Lincoln, NE 68503
(402) 471-5411

WILD Nebraska
http://www.wildnebraska.org/WILD_Nebraska/wildnebraska.htm
Natural Heritage Program
Game and Parks Commission
2200 N. 33rd St.
Lincoln, NE 68503
(402) 471-5569

Planning and Development
Game and Parks Commission
P.O. Box 30370
Lincoln, NE 68503-0370
(402) 471-5551

Forest Service
101 Plant Industry, UNL
P.O. Box 830815
Lincoln, NE 68583-0815
(402) 472-2944
www.nfs.unl.edu/rfp.htm

Department of Agriculture
P.O. Box 94947
Lincoln, NE 68509
www.agr.state.ne.us

NEVADA

Conservation Easements

Conservation easements are authorized by statute and may provide a property tax benefit. NEV. REV. STAT. § 111.410.

Property Rights Tools, Tax Relief

Property Tax Benefits for Open Space

The state reduces property taxes for owners of open space by determining assessment based on open space use. NEV. REV. STAT. § 36-1A.180. If property is found to be open space real property, the county assessor must determine its value for open space use and assess it for taxes at 35% of that value.

Tax Relief

Contacts:

Nevada Division of Wildlife
1100 Valley Road
Reno, NV 89512-2817
(702) 688-1500

Nevada Natural Heritage Program
1550 E. College Parkway, Suite 145
Carson City, NV 89706-7921
(775) 687-4245

NEW HAMPSHIRE

The Private Lands Habitat Improvement Program

The Fish and Game Department offers small grants to owners of woodland or agricultural lands under the program. To be eligible, landowners must enroll a minimum of 25 acres of land that has value to wildlife. Owners must also allow non-motorized public recreation, including hunting, for at least five years. Landowners must agree to implement and maintain Department practices. The maximum grant is \$2,000/year and no more than \$6,000 over a ten year period. The program has funded 87 participants with a total of 20,000 acres. The source of funding for the program is the sale of a habitat stamp which can be purchased as part of the hunting license. At present the annual budget for this program is \$50,000 per year. (Note: this is a new program, and funding is anticipated to increase over time.)

Direct Financial Payments

Conservation Easements and Property Tax Benefits

Conservation easements are authorized by statute. N.H. REV. STAT. ANN. § 227-E:2. Land subject to conservation restrictions receive reduced property tax assessments. N.H. REV. STAT. ANN. § 79-B:3.

Tax Relief, Property Rights Tools

The Current Use Program

New Hampshire allows a property tax benefit for open space lands under the program, which has been available since 1972. N.H. REV. STAT. ANN. § 79-A:1. The Department of Revenue administers this program. The landowner must apply with a minimum of ten acres. Management plans are optional but confer additional benefits to landowners. There are three million acres enrolled in the program.

Tax Relief

Contacts:

NH Fish and Game Department
2 Hazen Dr.
Concord, NH 03301
(603) 271-2462

NH Department of Agriculture, Markets and Food
P.O. Box 2042
Concord, NH 03302-2042
(603) 271-3551

NH Natural Heritage Inventory
Dept. of Resources and Economic Development
P.O. Box 1856
Concord, NH 03302-1856
(603) 271-3623

Council on Resources and Development
Office of State Planning
2 ½ Beacon Street
Concord, NH 03301
(603) 271-2155

Current Use Program
www.state.nh.us/revenue

NEW JERSEY

The Green Acres Program

The program offers to purchase from landowners fee title or other rights to land, education, and technical assistance for green acres acquisitions and historic preservation. Part of the program's focus is the preservation of nongame, threatened, endangered and other species' habitat. It has been available for four years and covers over 50,000 acres. The funding source for the program is the Garden State Preservation Trust, which administers \$98 million over the next 30 years for green space and farmland preservation, approved by the voters in 1998.

Direct Financial Payments, Education/Technical Assistance

Transfer of Development Rights

Landowners in areas where land use is restricted may transfer development rights on agricultural, environmentally sensitive, or open space lands. The Department of Agriculture administers this incentive.

Market Institutions

Conservation Easements

Conservation easements are authorized by statute. N.J. STAT. ANN. § 13:B-2.

Property Rights Tools

Contacts:

NJ Department of Agriculture
John Fitch Plaza
P.O. Box 330
Trenton, NJ 08625-0330
(609) 292-3976
www.state.nj.us/agriculture

Endangered Species Program
Division of Fish, Game and Wildlife
NJ Dept. of Environmental Protection
CN 400
Trenton, NJ 08625-0400
(609) 292-9101

NJ Natural Heritage Program
Office of Natural Lands Management
22 S. Clinton Ave., P.O. Box 404
Trenton, NJ 08625-0404
(609) 984-1339

NEW MEXICO

The Habitat Protection Act

This legislation provides for protection of wildlife and habitat from motor vehicles in areas on National Forest and BLM lands. N.M. STAT. ANN. § 17-6. The Act provides public education on wildlife habitat preservation and restoration. The Act also provides an exemption from liability to landowners who grant easements or rights of way to the Game and Wildlife Commission for use under the Habitat Protection Act.

Note: This program has not been applied to private land yet, although the law potentially allows the application to private land.

Education/Technical Assistance, Legal/Statutory Mechanisms

Conservation Easements

Conservation easements are authorized by statute. N.M. STAT. ANN. § 47-12-2.

Property Rights Tools

Contacts:

NM Department of Game and Fish
P.O. Box 25112
Santa Fe, NM 87504
(505) 827-7975

NM Natural Heritage Program
Biology Dept., University of NM
167 Castetter Hall
Albuquerque, NM 87131
(505) 277-7975
www.nmnhp.unm.edu

NM Department of Agriculture
P.O. Box 30005
Las Cruces, NM 88003-8005
(505) 646-3007

NEW YORK

Technical Assistance for Wildlife Management

The Bureau of Wildlife offers technical assistance on all types of land for all wildlife species. Requesting landowners are provided advice and literature on ways to manage their land to benefit wildlife.

Education/Technical Assistance

Education/Technical Assistance for Forest and Wildlife Habitat Management

The Department of Environmental Conservation offers forest management and wildlife habitat improvement activities tailored to meet individual ownership goals. The DEC provides advice on management activities tailored to meet individual ownership goals such as wildlife habitat improvement. Professional foresters visit upon request and outline existing forest management opportunities on site. Foresters then develop written management recommendations for the landowner, based on good forest practices and the objectives of the landowner.

Education/Technical Assistance

The Quality Communities Act of 2001

S.B. 5560 provides a property tax benefit to landowners who keep their land as open space. All types of land are covered under the program, however the land must be located within a designated Open Space District. Landowners are eligible for a maximum 50% reduction in taxes.

Tax Relief

The Conservation Donor Tax Credit of 2001

A.B. 2800 provides an income tax credit to landowners if they donate land to a governmental entity or not for profit. N.Y. Laws § . The value of the tax credit is 25% of the value of the land or easement donation up to \$250,000. All land types qualify for this program. The funding source for the program is the Governor's budget. Overall the Governor's budget contains \$70 million for preservation of open space.

Tax Relief

Conservation Easements and Real Estate Tax Benefits

Conservation easements and purchase of development rights agreements are authorized by statute and receive exemptions from real estate transfer taxes. N.Y. Laws § 49-0303, § 1449-ee.

Tax Relief, Market Institutions, Property Rights Tools

The Forest Tax Law

Established in 1987, the legislation provides a property tax benefit to owners of forest land who commit to a ten year forest management plan which keeps forest lands in production and provides active forest management. N.Y. Laws § 480A. The maximum tax exemption is 80% of assessed value. The law requires that plans include provision accommodating endangered and threatened animals and plants. In 1984, there were 318 participants; in 1993, there were 963. The Department of Environmental Conservation, Division of Lands and Forests administers the program. Funding comes from state general funds.

Tax Relief

Contacts:

Dept. of Environmental Conservation
Division of Fish, Wildlife and Marine Resources
625 Broadway
Albany, NY 12233
(518) 402-8961
www.dec.state.ny.us

New York Natural Heritage Program
Dept. of Environmental Conservation
700 Troy-Schenectady Rd.
Latham, NY 12110-2400
(518) 783-3932

Natural Resources Planning
Dept. of Environmental Conservation
50 Wolf Road
Albany, NY 12233
(518) 457-4208

Division of Forest Protection
Dept. of Environmental Conservation
50 Wolf Road
Albany, NY 12233

NORTH CAROLINA

The Renewed Emphasis Now on an Environment for Wildlife Program

The program is run by the Wildlife Resources Commission. It offers technical assistance, in-kind assistance in the form of wildlife planting seed mixtures, and hunting enforcement officers for forest land owners interested in protecting wildlife.

Direct Financial Payments, Education/Technical Assistance

The Natural Heritage Program

The program (est. 1985) is run by the Division of Parks and Recreation. It offers landowners property tax benefits, heritage designation, technical assistance, and direct payment for rights to land if they agree to enter into conservation agreements or donate conservation easements to the state. N.C. GEN. STAT. § 9A, 113A-164.1-11 (1985). This program focuses on natural areas, habitat for threatened and endangered species, and other high quality communities. Areas to be preserved must be nominated based on quality of features, diversity of flora and fauna, and absence of damaging land uses. 593,555 acres in 345 natural areas are currently registered in the program. 132 of these containing 47,945 acres are privately owned.

Direct Financial Payments, Tax Relief, Property Rights Tools, Education/Technical Assistance, Recognition Program

The Habitat Conservation Program

The program is offered by the Wildlife Resources Commission, Fish Division. It attempts to restore degraded aquatic, wetland and upland habitats by offering technical guidance to landowners and other governmental and private agencies. Landowners are required to place a restoration site with an appropriate buffer under a permanent conservation easement in order to participate. There are currently 8-10 landowners participating. The funding for the program comes from fishing and hunting licenses, the Fish Restoration Fund, and grants from various sponsors.

Education/Technical Assistance

Conservation Easements

Conservation easements are authorized by statute. N.C. GEN. STAT. § 121-35.

Property Rights Tools

The Conservation Tax Credit Program

The program (est. 1983) provides an income tax credit for the donation of an easement or fee simple title on land useful for fish or wildlife conservation or other similar land by private landowners and corporations. N.C. GEN. STAT. § 105-151.12, § 105-130.34. The amount of the tax credit is limited to \$250,000 for individuals, and \$500,000 for corporations. As of 1998, 33,000 acres of land were covered by the program. Current figures are unknown.

Tax Relief, Property Rights Tools

Contacts:

NC Heritage Program
NC Dept. of Environment and Natural Resources
Division of Parks and Recreation
1615 MSC
Raleigh, NC 27699-1615
(919) 859-6297

Division of Land Resources
NC Dept. of Environment and Natural Resources

1612 Mail Service Center
Raleigh, NC 27699-1612
(919) 733-3833

NC Wildlife Resources Commission
Archdale Bldg.
512 Salisbury St.
Raleigh, NC 27604-1188
(919) 733-3391

Division of Forest Resources
NC Dept. of Environment and Natural Resources
1616 Mail Service Center
Raleigh, NC 27699-1616

NORTH DAKOTA

Incentives for Wetlands Conservation and Management

The state offers landowners annual payments and advice on conservation and development practices on wetlands and adjacent areas in exchange for agreeing not to drain, burn, fill, or otherwise destroy the wetland character of those wetland areas covered by the agreement, or to use those areas for agricultural purposes. N.D. Laws 61.31.04. The landowners also create wetland conservation and development plans for the land. If the landowner agrees to permit access to the acreage by the general public, he or she receives an increased rate of annual payments.

Direct Financial Payments, Education/Technical Assistance

The Watchable Wildlife Small Grants Program

The Game and Fish Department offers small grants to landowners under the program. It has been available for approximately 10 years. Any types of private land can qualify for the program. Projects that can be funded through the Watchable Wildlife small grant program are projects that enhance the public's watchable wildlife opportunities such as bluebird trails, wood duck boxes and goose tubs. Projects are usually less than \$300 in cost. The program has approximately 30 participants/year. State tax dollars fund this program with the Watchable Wildlife State Tax checkoff. \$10,000 is available each biennium for this program.

Direct Financial Payments

The Private Land Initiative 2000

The Initiative offers rental payments, technical assistance, and cost share assistance to landowners. It has several different components which provide the following: new habitat establishment, habitat plot rental, food plots, tree planting, forest conservation, and wildlife water development among others. The Game and Fish Department offers the program under contracts for 1 year, multi-years or 3-6 years (each is a different subprogram). The program receives funding from the sale of Habitat Stamps and the interest accrued from the Department's general fund balance.

Direct Financial Payments, Education/Technical Assistance

Property Tax Benefits for Wetlands Conservation

Owners of wetland areas receive property tax exemptions for wetland areas if they agree not to drain, fill or alter the physical nature of the wetland in any manner that reduces the wetland's ability to function as a natural system for the year for which the exemption is claimed. The incentive is administered by the County Directors of Tax Equalization. N.D. Laws 57-02.08.4.

Tax Relief

Property Tax Benefits for Permanent Conservation Easements

Permanent conservation easements for the purpose of wildlife conservation projects that have been granted to the United States on inundated lands are exempt from property tax for as long as the wildlife conservation projects exist. N.D. Laws 57-02-10.

Tax Relief

Contacts:

Game and Fish Department
100 N. Bismarck Expressway
Bismarck, ND 58501
(701) 328-6300
www.state.nd.us/gnf

Watchable Wildlife Small Grants Program

(701) 328-6612

www.state.nd.us/gnf/wild/smallgrants.html

Private Land Initiative

www.state.nd.us/gnf/info/pli-program.html

Coordinator of Planning and Natural Resources

Parks and Recreation Department

1835 Bismarck Expressway

Bismarck, ND 58504

(701) 328-5370

OHIO

The Wetland Restoration Program

The Department of Natural Resources, Division of Wildlife, provides cost share funding to landowners under the program. It pays for wetland restoration projects under ten or twenty year agreements with landowners. Landowners may receive a 50% cost share for restoration or a maximum of \$500 for each acre of wetland restored if they have agreed to a 10-year maintenance agreement. Landowners may receive a 100% reimbursement, not to exceed \$1,000 for each wetland acre restored, for 20 year agreements.

Direct Financial Payments

The Wildlife Habitat Incentives Program

The DNR Division of Wildlife provides technical assistance to rural landowners in order to improve wildlife habitat in rural Ohio under the program.

Education/Technical Assistance

Incentives for Conservation Easement Donations

The Division of Natural Areas and Preserves offers landowners technical assistance for ecosystem planning, property tax benefits, recognition and special land designations for the dedication of a conservation easement to the state's Nature Preserves system. OHIO REV. CODE ANN. § 1517. This program has been available since the mid-1970's. The Nature Preserves system is set up to preserve habitat for rare, threatened, potentially threatened and/or endangered species, unique geological features, and remnants of Ohio's original landscape. The land must include the features that the Preserves system is designed to protect. The program currently includes 123 nature preserves and natural areas protecting over 27,000 acres. An additional 125 acres were protected in 2001 at six preserves.

Tax Relief, Property Rights Tools, Education/Technical Assistance, Recognition Program

Property Tax Benefits for Conservation Easements

Conservation easements are authorized by statute and provide property tax relief as well. OHIO REV. CODE ANN. § 5301.67. County auditors are required to revalue and assess land where the taxable values change, such as when a conservation easement is created. OHIO REV. CODE ANN. § 5713.01.

Tax Relief, Property Rights Tools

Contacts:

Division of Wildlife
OH Dept. of Natural Resources
1889 Fountain Square Court
Columbus, OH 43224-1388
(614) 644-3925
www.dnr.state.oh.us/programdirectory/wildlife.htm

Division of Natural Areas and Preserves
OH Dept. of Natural Resources
1889 Fountain Square Court
Columbus, OH 43224-1388
(614) 265-6466
www.dnr.state.oh.us/programdirectory/dnap.htm

OKLAHOMA

The Deer Management Assistance Program

The Department of Wildlife Conservation Game Division offers landowners direct payments and bonus tags to hunt antlerless deer in exchange for providing habitat for the species under the program. Landowners must enroll a minimum of 1,000 acres, but applicants with fewer acres may combine their acreage with adjoining landowners to meet the minimum requirement. Payments are \$200 for 1,000- 4,000 acres and \$400 for 5,000 acres. Landowners may also hunt antlerless deer an additional seven days following the regular gun season. Wildlife Department biologists analyze deer harvest data and make recommendations to landowners on management decisions.

Direct Financial Payments, Education/Technical Assistance

The Natural Areas Registry

The Oklahoma Biological Survey offers recognition, heritage designation, technical and management assistance, and information to landowners. The program (est. 1984) protects outstanding natural communities, geological features, aquatic elements, and habitat for endangered, threatened, and rare species, or lands that are otherwise representative of the diversity of Oklahoma. The program currently protects 33 plant and animal species and 12 natural community types. The current acreage covered is 32,367 acres. The program has 102 participants overall; there were 9 participants in 2001.

Education/Technical Assistance, Recognition Program

The Quail Enhancement Program

The Department of Wildlife Conservation offers landowners technical assistance on preserving habitat for quail under the program.

Education/Technical Assistance

The Oklahoma Wildscapes Program

The Department of Wildlife Conservation offers public recognition and technical assistance for those who have landscaped their property with the needs of wildlife in mind under the program.

Education/Technical Assistance, Recognition Program

Landowner Creation of Rules for Wildlife Protection

Owners of private parks, preserves, clubs and resorts are authorized by statute to make and enforce additional rules and regulations not inconsistent with the wildlife conservation laws for the protection of wildlife. OKLA. STAT. 29, § 7-303.

Legal/Statutory Mechanisms

Conservation Easements

Conservation easements are authorized by statute. OKLA. STAT. 60, § 49.2.

Property Rights Tools

Contacts:

OK Department of Wildlife Conservation
P.O. Box 53465
Oklahoma City, OK 73152
(405) 880-0994
www.wildlifedepartment.com

OK Wildscapes Program
OK Department of Wildlife Conservation

(405) 521-4616

Quail Enhancement Program
OK Department of Wildlife Conservation
(405) 521-4920

OK Natural Areas Registry
OK Biological Survey
111 E. Chesapeake St.
Norman, OK 73019-0575
(405) 325-7658

OK State Conservation Commission
2800 N. Lincoln Blvd., Suite 160
Oklahoma City, OK 73105
(405) 521-6686

OREGON

Watershed Enhancement Programs

The Oregon Watershed Enhancement Board offers grants and technical assistance to landowners who seek funding or advice and assistance in developing a project that contributes to either the improved health of a stream, lake or reservoir and toward the achievement of standards that satisfy the requirements of the Federal Water Pollution Control Act; or the restoration of wildlife, habitat or native fish. These programs help to improve habitat for wildlife and native fish.

Direct Financial Payments, Education/Technical Assistance

The Restoration and Enhancement Program

Landowners may receive funds to implement fish restoration or enhancement projects through the program (est. 1989), which is run by the Department of Fish and Wildlife. The funding source for the program is a surcharge on all sport fishing licenses and commercial salmon fishing licenses and poundage fees. Recreational fees account for 90% of the revenue, generated and commercial fees generate 10%.

Note: Grant recipients under this program are public or private non-profit organizations, however the program operates on private land.

Direct Financial Payments

The Access and Habitat Program

The program is designed to improve both wildlife habitat and public hunting access on private lands. Landowners submit project proposals to the Access and Habitat Board for projects such as improving vegetation on wild lands and reclaiming habitat by restricting vehicle access. The two most important criteria for approval are potential benefit to wildlife habitat and improvement of public hunting opportunities. Funding is provided by a surcharge on hunting licenses and hunting license auctions and raffle proceeds.

Direct Financial Payments

The Oregon Forest Resource Trust

The Department of Forestry offers direct cost payments and technical assistance under the program. To qualify lands must be at least ten acres of under-producing forestlands - lands capable of growing forests but currently in brush, cropland, pasture or very poorly stocked and not subject to a reforestation requirement of the Oregon Forest Practices Act. Land must also be zoned forest or farm use land, and must be part of a private forestland ownership of no more than 5,000 acres. The landowner commits to establishing a healthy "free-to-grow" forest stand and takes responsibility for seeing that the reforestation gets done. If timber is harvested from the forests created with trust monies, participating landowners must repay the trust (up to set amounts) with a portion of the profits. Owners may receive up to 100% of the reforestation cost up to a cap of \$100,000 every two years.

Direct Financial Payments, Education/Technical Assistance

Cost Share Assistance for Soil and Water Conservation

The Oregon Watershed Enhancement Board, together with Soil and Water Conservation Districts and the Department of Forestry, offers cost share of up to 100% funding for soil and water conservation as part an adopted resource management plan. OR. REV. STAT. § 541.375.

Direct Financial Payments

Financial Incentives for Conservation

A new law, H.B. 3564 (2001) creates a "Flexible Incentives Account" and directs the Oregon Watershed Enhancement Board to use the account to assist landowners in implementing conservation strategies.

Direct Financial Payments

The Woodland Fish and Wildlife Projects

Several state agencies offer technical assistance to landowners who wish to improve fish and wildlife habitat on woodlands. The projects are assisted by agencies in both Oregon and Washington, and federal agencies.

Education/Technical Assistance

Property Tax Benefits for Conservation Easements and Wildlife Habitat Conservation

Conservation easements are statutorily authorized and offer property tax benefits. Landowners with a conservation easement approved by the Department of Fish and Wildlife can apply to the county assessor for open space use assessment of the property. OR. REV. STAT. § 271.715; H.B. 3564 (2001). In addition, H.B. 3564 gives tax relief to landowners who enter into approved wildlife habitat conservation management plans.

Property Rights Tools, Tax Relief

Coordination of Incentives

A new law, H.B. 3564 (2001), establishes a statewide strategy for the implementation and coordination of incentives, regulatory disincentives, expedited permit processes and related taxes.

Streamlining

The Riparian Land Tax Incentive Program

The Department of Fish and Wildlife offers landowners property tax benefits under the program (est. 1981), if they agree to follow a riparian management plan which will preserve, enhance or restore a riparian area. OR. REV. STAT. § 308A.350-308A.383. Landowners receive a complete property tax exemption for their riparian property and can include up to 100 feet from a stream. Owners of agricultural, forest and lands within urban growth boundaries, if individual cities choose to participate, may qualify. The landowner must sign an agreement with the Department of Fish and Wildlife which details measures that the landowner will implement. The program has had 113 overall participants with 1 last year. There are a total of 1,061 acres, and 77 miles of riparian stream covered. Many riparian dependent species are benefitting including all types of fish and many species of wildlife.

Tax Relief

The Wildlife Habitat Conservation and Management Program

The Department of Fish and Wildlife (ODFW) offers property tax benefits to owners of forest, farm-forest and exclusive farm use. OR. REV. STAT. § 215.808. The program began as a pilot program in two counties in 1993 and was available statewide in 1997, and benefits all types of species of fish and wildlife. In order to qualify, the land must be either entered into a wildlife habitat conservation and management plan or be under an executed conservation easement; the county in which the land is located must be willing to allow establishment of wildlife habitat conservation and management plans; and the land must be zoned exclusive farm use or mixed farm and forest use. After the wildlife habitat conservation and management plan has been approved by ODFW, the landowner may apply to the county assessor for open space use assessment. There are currently 30,000 acres enrolled in the program, with 155 participants.

Tax Relief, Property Rights Tools

Property Tax Benefits for Forest and Woodland

Landowners may receive property tax benefits for keeping land in forest or woodland use. OR. REV. STAT. § 321.262.

Tax Relief

The Oregon Under-Productive Forestland Conversion Tax Credit

Owners of brushland, grassland or very poorly stocked forestland may qualify for the credit through the Department of Forestry. The credit pays 50% of the cost of establishing a stand of trees on under-productive forestland which may be applied as a credit against Oregon state taxes for projects started in or after 2001. Projects started before 2001 may be eligible for 30% credit.

Tax Relief

Property Tax Benefits for Open Space Conservation

Owners of open space lands may qualify for property tax benefits for the land's conservation. OR. REV. STAT. § 308A.300, et seq.

Tax Relief

Contacts:

OR Department of Fish and Wildlife
2501 SW 1st Ave.
Portland, OR 97207
(503) 872-5255
www.dfw.state.or.us

OR Natural Heritage Program
821 SE 14th Ave.
Portland, OR 97214
(503) 731-3070

OR Parks and Recreation Department
1115 Commercial Street NE
Salem, OR 97310
(503) 378-5019

OR Department of Forestry
2600 State St.
Salem, OR 97310-1336

The Access and Habitat Board
OR Dept. of Fish and Wildlife
2501 SW 1st Ave.
Portland, OR 97207

PENNSYLVANIA

Incentives to Manage Vegetative Riparian Buffers

The Department of Environmental Protection's Bureau of Land and Water Conservation, through local conservation districts, has offered cost share and in-kind assistance in the form of stream bank fencing materials in order to improve vegetative buffers along streams. The program has been available since 1985. Landowners in all or parts of the 41 Pennsylvania counties within the Potomac and Susquehanna river basins are eligible. The number of miles of stream protected under the program are: 13.8 last year (7/1/00-6/30/01), 84.8 cumulative since 1994; acres of riparian habitat protected: 169.3 last year, 867.82 overall; number of cattle managed: 2,824 last year, 13,276 overall; number of farms participating: 46 last year, 212 overall. Funding for the program was approved at \$367,754 in 1995.

Direct Financial Payments

The Land Trust Grants Program

The Department of Conservation and Natural Resources offers cost share to encourage the preservation of open space and natural areas which face imminent loss (priority is given to habitat for threatened species) under the program. Lands must be open to public use and eligible applicants are nonprofit land trusts and conservancies. Some projects may be completed on private lands. The program also provides funding for acquisition and planning of open space and natural areas. Funding for the program is from the Keystone Recreation, Park and Conservation Fund and from Growing Greener funds.

Direct Financial Payments

Property Tax Benefits for Land Under a Restrictive Covenant

Farm, forest and open space lands subject to a restrictive covenant may receive property tax benefits. 72 PA. CONS. STAT. § 5344. The program is administered county by county. Land must be under a restrictive covenant for the purpose of preserving the land in the designated use (farm, forest or open space). The real property tax assessment, for a period of 5 years commencing with the date of the covenant, reflects the fair market value of the land as restricted by the covenant. Restrictive covenants have been authorized since 1966.

Tax Relief, Property Rights Tools

Contacts:

Bureau of Wildlife Management
PA Game Commission
2001 Elmerton Ave.
Harrisburg, PA 17110-9797
(717) 787-5529

PA Department of Conservation and Natural Resources
P.O. Box 8767
Harrisburg, PA 17105-8767
(717) 787-2869
www.dcnr.state.pa.us

Land Trust Grants Program
Bureau of Recreation and Conservation
PA Dept. of Conservation and Natural Resources
6th Floor, Rachel Carson State Office Building
P.O. Box 8475
Harrisburg, PA 17105-8475
(717) 783-2656

Streambank Fencing
Bureau of Land and Water Conservation
(717) 787-5259

Bureau of Forestry
P.O. Box 8552
Harrisburg, PA 17105-8552
(717) 783-3444

RHODE ISLAND

The Open Space Grants Program

The Department of Environmental Management and Natural Heritage Preservation Commission provide grants to municipalities, land trusts, non-profit organizations or charitable trusts to purchase rights to land from private landowners in order to keep land as open space. Costs associated with the acquisition of the property or interests in land are eligible for reimbursement. The amount of funding is 50% of the approved costs with a maximum grant award of \$300,000 (this amount may be increased in July 2002). The applicant must certify that the property will be kept in its natural, scenic, and open condition in perpetuity. A conservation restriction running in favor of the State of Rhode Island dedicating the project area permanently to open space preservation will be executed. Funding for the program comes from the 1987 and 1989 Open Space and Recreational Area Bonds.

Direct Financial Payments, Property Rights Tools

Conservation Easements

Conservation easements are authorized by statute. R.I. GEN. LAWS § 34-39-2.

Property Rights Tools

Property Tax Benefits for Farm, Forest and Open Space Land

Owners of farm, forest and open space land may qualify for current use valuation for property tax assessment purposes. There is a land use change tax imposed on land withdrawn before 15 years. The incentive is administered by county assessors. R.I. GEN. LAWS § 44-5-12.

Tax Relief, Property Rights Tools

Tax Benefits for Tree Plantations

Tree plantations with one or more acres of land worth not more than \$25.00 per acre planted in chestnut, hickory, oak, maple, larch, pine, ash, catalpa, locust, basswood, beech, hemlock, spruce, tulip tree, cedar, sycamore, and walnut in numbers not less than 500 to the acre and a maximum of 300 acres are exempt from all taxation whatsoever for a period of 15 years. Town tax assessors administer this incentive. R.I. GEN. LAWS § 44-3-8.

Tax Relief

Contacts:

Division of Fish and Wildlife
RI Dept. of Environmental Management
Stedman Government Center
Wakefield, RI 02879
(401) 789-3094

Division of Forest Environment
1037 Hartford Pike
North Scituate, RI 02857
(401) 647-4389

Office of Water Resources
RI Dept. of Environmental Management
235 Promenade Street
Providence, RI 02908
(401) 222-4700

www.state.ri.us/dem

Natural Heritage Program
Division of Planning and Development
RI Dept. of Environmental Management
235 Promenade St., 3rd Floor
Providence, RI 02908
(401) 222-2776

SOUTH CAROLINA

The Forest Renewal Program

The Forestry Commission offers cost share and technical assistance to forest landowners under the program, which has been available since 1981. Many types of species of wildlife benefit from this program because funds are used to plant trees on lands all across the state. To qualify, the land must be capable of growing at least 50 cubic feet of wood per acre per year, but there is no acreage limitation. The amount of cost share received is based on approximately 40% of the statewide average cost of a particular practice. Since 1981, 117,594 acres have been enrolled in the program, with a total of 3,332 landowners participating, 644 of those in the last year. Funding for the program comes mostly from a tax on roundwood processed by the forest industry in the state.

Direct Financial Payments, Education/Technical Assistance

Education/Technical Assistance for Reforestation

The Forestry Commission offers reforestation assistance on cutover, poorly stocked and open lands since the 1920s. This program is available to any landowner in South Carolina. The state forester will visit the site and recommend the most cost effective method to control competing vegetation, the best species of trees to plant and spacing recommendations. They will also help the landowner find a contractor to do the work, order seedlings, and apply for funds under federal and state cost-share programs. Since 1928, an average of 76,000 acres has been planted in the state each year. Approximately 3,000 participants received technical assistance last year. Many species of animals and other species have been protected from the thousands of acres of trees planted under this program. Funding for reforestation technical assistance comes from the general appropriation that the Forestry Commission receives each year from state revenues. Due to the variety of services Forestry personnel provide, it is difficult to estimate how much funding is dedicated to this program.

Education/Technical Assistance

The Natural Resources Stewardship Program

The Department of Natural Resources offers recognition and technical assistance to landowners under the program (est. 1996). This program awards landowners for environmentally sensitive developments. Landowners are recognized through an awards selection process. In the last three years, 6 awards have been given. Funding for the program comes from state appropriated money. Total participants, including technical assistance, are 30+ throughout the life of the program.

Education/Technical Assistance, Recognition Program

The Conservation Incentives Act

Property owners may qualify for income tax credits of up to \$250 per acre in exchange for the donation or sale of easements or fee title at a discount rate to a nonprofit group under the legislation (S.C. CODE ANN. § 12-6-3515). The state incentive can be used together with an existing federal tax credit but may not exceed 25 percent of the federal deduction of \$52,000 in any one year. This incentive has been available since June 1, 2001.

Tax Relief

Conservation Easements and Tax Benefits

Conservation easements are authorized by statute and land subject to easements must be assessed and taxed on a basis that reflects the existence of the easement. S.C. CODE ANN. § 27-8-20.

Tax Relief, Property Rights Tools

The Scenic Rivers Program

The Department of Natural Resources offers public recognition, technical assistance, income, property or estate tax benefits under the program. S.C. CODE ANN. § 49-29-10. Landowners along state designated scenic rivers who enter into a land management agreement under the Scenic Rivers Program may participate. The landowner may choose among four land management options: land registration, a memorandum of agreement, a

conservation easement, or donation of land. Under the land registration option, the landowner is publicly recognized. Under the memorandum of agreement option, the landowner receives technical assistance and is public recognized with a certificate. Under the conservation easement option the landowner receives technical assistance and may realize income, property and/or estate tax benefits and is publicly recognized with a certificate. Under the donation of land option the landowner may realize income, property, and/or estate tax benefits and is publicly recognized. The original Act was passed in 1974, but the program was not heavily utilized until 1989. Funding for the program comes from state appropriated money with annual funding at \$20,000-30,000 excluding staff costs. The total budget including staff is \$120,000 -125,000.

Tax Relief, Property Rights Tools, Education/Technical Assistance, Recognition Program

Contacts:

SC Department of Natural Resources
P.O. Box 167
Columbia, SC 29405
(803) 734-3888

Riparian Land Management
Scenic Rivers Stewardship Program
<http://water.dnr.state.sc.us/water/envaff/river/stewardship.html>

Wildlife Diversity Programs
SC Dept. of Natural Resources
P.O. Box 167
Columbia, SC 29202
(803) 734-3889

South Carolina Heritage Trust
SC Dept. of Natural Resources
P.O. Box 167
Columbia, SC 29202
(803) 734-3893
Land, Water and Conservation Division
SC Dept. of Natural Resources
2221 Devine St., Suite 222
Columbia, SC 29205
(803) 734-9100

SC Forestry Commission
Box 21707
Columbia, SC 29221-1707
www.state.sc.us/forest

SOUTH DAKOTA

The Wetland Restoration Program

The Department of Game, Fish and Parks, Division of Wildlife, has offered cost share, purchase of rights to land, and technical assistance to landowners under the program since the 1970's for natural wetlands and surrounding uplands. The program provides habitat for migratory birds, and resident wildlife species, such as pheasant, deer and nonmigratory birds. The minimum contract size is 10 acres. In order to be considered for this practice, wetlands must be partially or completely drained. Reasonable public access must be provided when habitat management funds are expended on private lands. The Division will pay construction costs and plug the drains that drain the wetlands. The Division works with private landowners to restore, create and enhance nearly 500 acres of wetland on private lands every year, however, a full accounting of the wetland acres restored, created or enhanced through these efforts is not available. Additionally, the Division of Wildlife perpetually protects hundreds of wetland acres every year through fee title acquisition. The acquired wetland acres are managed as Game Production Areas. A conservative estimate of 50,000 wetland acres are protected through ownership by the Division of Wildlife. The funding source for the program is through resident waterfowl hunting license revenues. Additional funding through other hunting license dollars, grants and cooperative efforts provide for an annual wetlands program budget of \$750,000. Total participants over the last 15 years is estimated at 500 individuals. Last year, over 60 individuals cooperated with the program.

Direct Financial Payments, Education/Technical Assistance

The Native Warm Season Grass Establishment/Dense Nesting Cover Establishment Programs

The Department of Game, Fish and Parks offers cost share to encourage the preservation of grassland, roosting and escape cover for birds, and cover for ground nesting birds under these programs. Landowners must own a minimum of 10 acres with a maximum of 40 acres, and sign a contract for a three year commitment. Seeded areas under the federal CRP may not enroll. The programs pay 25% of material and planting costs made upon project completion, with a \$1,000 per year limit for general habitat practices. Reasonable public access shall be provided when habitat management funds are expended on private lands. FY 2001 budget is \$10,000 for both programs.

Direct Financial Payments

The Shelterbelt Renovation Program

The Department of Game, Fish and Parks offers cost share to landowners to encourage the maintenance of shelterbelts in eastern red cedar, rocky mountain juniper, wild plum, chokecherry, silver buffaloberry, burr oak, and other native habitats as approved by the program administrator. This program may not be used in conjunction with the USDA tree planting programs, and it can not be used to plant new shelterbelts. All plantings must be protected from livestock use and their effects. If noxious weed control is needed, the cooperator must follow mechanical means and chemicals that are specifically allowed by the department. The program pays 25% of materials and planting, with payments not to exceed \$1,500 per year to any one cooperator. Funding for the program in 2001 was \$10,000.

Direct Financial Payments

The New Tree Maintenance Program

The Department of Game, Fish and Parks offers cost share assistance under the program. It helps landowners develop a tree-planting plan for a 10 year period (the life of the contract). Minimum plot size is 330 feet long, 8 rows wide, and at least 1 acre; maximum size is 15 acres per section per landowner. Sites must be fallowed one growing season before planting. Trees must be cultivated for 4 years, and trees must be protected from fire and livestock damage. Reasonable public hunting access must be provided when habitat management funds are expended on private lands. The Department's goal for the program is to plant 1,000 new acres. Landowners receive \$75 to \$125 per acre per year for three years (or a lump sum in the case of fabric use). A \$25 per acre bonus is provided for belts that have no tall deciduous trees (like cottonwood, green ash and honey locust). The total contract payment may reach \$4,500. Payments will not exceed \$1,500 per year to any one operator. The budget for FY 2001 was \$230,000.

Direct Financial Payments, Education/Technical Assistance

Cost Share Assistance for Installation of Habitat Fencing

The Department of Game, Fish and Parks offers cost share to landowners to install habitat fencing, a high quality and normally expensive habitat practice. The landowner must maintain the fence for 20 years minimum. Reasonable public hunting must be provided when habitat management funds are expended on private lands. The program pays for 50% cost share of materials, with a maximum of \$1,000 in any calendar year. For FY 2001, the budget was \$10,000.

Direct Financial Payments

Financial Assistance for Establishment of Food Habitat Plots

The Department of Game, Fish and Parks offers green payments to landowners to establish food habitat plots. Landowners may receive \$30 per acre if located on a hunting access area, \$20 per acre for all other contracts. Payments to any one cooperator may not exceed \$1,000 per year. All food plots must be located within 200 yards of or adjacent to adequate winter tree and shrub cover. A total of 128,057 acres are covered by the program. For FY 2001, the budget was \$170,000.

Direct Financial Payments

Conservation Easements

Conservation easements are authorized by statute. S.D. CODIFIED LAWS § I-19B-56.

Property Rights Tools

Contacts:

Wildlife Division
SD Dept. of Game, Fish and Parks
523 E. Capitol, Foss Bldg.
Pierre, SD 57501-3182
(605) 773-3658
www.state.sd.us/gfp
South Dakota Natural Heritage Database
Wildlife Division
SD Dept. of Game, Fish and Parks
523 E. Capitol Ave.
Pierre, SD 57501-3182
(605) 773-4227

SD Department of Environment and Natural Resources
523 E. Capitol, Foss Bldg.
Pierre, SD 57501
(605) 773-3151

Division of Resource Conservation and Forestry
SD Dept. of Agriculture
523 E. Capitol, Foss Bldg.
Pierre, SD 57501-3182

TENNESSEE

The Reforestation Incentive Program

The Department of Agriculture, Forestry Division, offers cost share and technical assistance to landowners under the program (est. 1997). TENN. CODE ANN. § 11-4-603. Eligible lands include privately owned marginal and highly erodible fields in which a majority of soils present are classified and certified by NRCS as Land Classes VI, VII, or VIII, crop and pasture lands classified as "highly erodible", or cutover or understocked forests. The program offers cost share for tree planting and rotary mowing to eliminate thick weed growth, blackberry bushes, etc. Costs of installing trees will be shared at a 50% level - the maximum state payment to participants is \$5,000 per fiscal year (July 1-June 30). Landowners are obligated to maintain and protect the planted trees for a minimum of 10 years. Local foresters also prepare a Tree Planting Guide, which contains technical assistance to the landowner.

Direct Financial Payments, Education/Technical Assistance

Wildlife Buffers Projects

The goal of this program is to pay landowners up to \$100 an acre to set aside wildlife-friendly field borders to complement and expand the impact of USDA conservation program buffers in the targeted watershed areas. The Wildlife Resources Agency oversees this program, which has enrolled 200 acres of native grass and natural vegetation field borders in each of two project areas.

Direct Financial Payments

The Environmental and Conservation Stewardship Awards Program

The Department of Environment and Conservation recognizes landowners for agricultural, forest and natural heritage conservation under the program. The Department has two different awards: the Agricultural/ Forestry Stewardship Award and the Natural Heritage Conservation Award. Landowners must be nominated for awards. The award may, but does not always, recognize projects focusing on habitat improvement.

Recognition Program

Property Tax Benefits for Conservation Easements

Conservation easements are authorized by statute and provide property tax benefits. TENN. CODE ANN. §§ 66-9-303, 308. Conservation easements are assessed on the basis of the true value of the property or as otherwise provided by law, less such reduction in value as may result from the granting of the conservation easement.

Tax Relief, Property Rights Tools

Property Tax Benefits for Agricultural, Forest and Open Space Land

Tennessee provides a property tax benefit to landowners when their property is classified by the tax assessor as agricultural, forest or open space (current use assessment). TENN. CODE ANN. § 67-5-1008.

Tax Relief

Contacts:

Department of Environment and Conservation
401 Church St., 14th Floor
Nashville, TN 37243-0447
(888) 891-TDEC

Division of Natural Heritage
Department of Environment and Conservation
401 Church St., 14th Floor
Nashville, TN 37243-0447
(615) 532-0431

Environmental and Conservation Stewardship Awards
www.state.tn.us/environment/awards/01awds

Wildlife Management Division
Wildlife Resources Agency
P.O. Box 40747
Nashville, TN 37204
(615) 781-6610

Forest Stewardship Program
Dept. of Agriculture
P.O. Box 40627
Melrose Station, Ellington Ag. Center
Nashville, TN 37204
(615) 837-5520

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Department of Environment and Conservation
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P.O. Box 40747
Nashville, TN 37204
(615) 781-6610

Forest Stewardship Program
Dept. of Agriculture
P.O. Box 40627
Melrose Station, Ellington Ag. Center
Nashville, TN 37204
(615) 837-5520

TEXAS

The Landowner Incentive Program

The Parks and Wildlife Department offers cost share assistance to encourage landowners to conserve rare, threatened or endangered species or their habitat on their property under the program. Landowners receive appropriate funding for restoring native vegetation, fencing sensitive areas, and other qualified management practices. Landowners who are willing to undertake actions on their land to benefit at least one rare species or its habitat are eligible. The landowner must sign a project agreement and management plan. Land must be within the historic range of the targeted species and results must be measurable (landowner must agree to allow biologists onto their property for a pre-agreement survey and periodic progress checks).

Direct Financial Payments

The Private Lands and Habitat Program

The Parks and Wildlife Department offers free technical assistance on wildlife issues to landowners under the program. This service is available to land managers and landowners, with 14.5 million acres currently managed under a state wildlife management plan.

Education/Technical Assistance

Conservation Easements

Conservation easements are authorized by statute. TEX. NAT. RES. CODE ANN. § 183.001.

Property Rights Tools

The Certified Forest Steward Program

Landowners receive recognition through the program. It is offered in combination with the Forest Stewardship Program. Landowners must have a management plan that identifies resources such as timber and wildlife. Owner receive a sign and certification for engaging in stewardship practices such as voluntary best management practices, critical area repair and tree planting.

Recognition Program

The Lone Star Land Steward Award Program

The Parks and Wildlife Department offers the award to landowners who have helped to manage and preserve wildlife and habitat. All land types qualify for the program which has been available for approximately six years. Landowners may either apply or be nominated for an award. If chosen, they qualify for a plaque, certificate and a personalized work of art portraying the recipient's favorite location. They also receive an engraving of their names on a plaque at TPWD headquarters in Austin. There are approximately 300,000 acres owned by recipients of the awards.

Recognition Program

Property Tax Benefits for Wildlife Management on Open Space Land

The Parks and Wildlife Department offers assistance to landowners who maintain open space land used for wildlife management. TEX. TAX CODE ANN. § 23.51. The open space land used for wildlife management can qualify for a tax assessment in the same manner as open space agricultural land. This benefit has been available since 1995. In 2001, the statute was amended to allow the Parks and Wildlife Department to develop standards for determining whether land qualifies for appraisal under § 23.51. TEX. TAX CODE ANN. § 23.521. The amendment also allows the Department to require management plans.

Tax Relief

The Timberland Property Tax Incentive Program

The program operates under the Texas Reforestation and Conservation Act of 1999 (passed by Senate Bill 977). It allows for a reduction of appraised value for property tax purposes for timberland that is used for certain purposes along with best management practices guidance for landowners. The program encourages reforestation after harvest by providing a 50% reduction of property taxes if reforestation is done. Landowners

can also qualify for other tax breaks for aesthetic timberland management, critical wildlife habitat protection, or streamside management. For aesthetic management, owners must have a strip of trees at least ten years old or 35 feet tall, width must be 100 -200 feet from the edge of right-of-way, and management must preserve the aesthetic zone. For wildlife management, endangered and threatened species must be present on the property, and a management plan addressing harvesting restrictions must be developed. The Texas Forest Service and local county appraisal districts administer this incentive.

Tax Relief, Education/Technical Assistance

Contacts:

Parks and Wildlife Department
4200 Smith School Rd.
Austin, TX 78744-3292
(512) 389-4799
(800) 792-1112 ext. 4799
www.tpwd.state.tx.us

Lone Star Steward Awards
www.tpwd.state.tx.us/conserve/wetlands/lndstew.htm

General Land Office
Stephen F. Austin State Office Building
1700 N. Congress Avenue
Austin, TX 78701-1495
(512) 463-5310

Safe Harbor Program
Forest Service
P.O. Box 310
Luftin, TX 75902
(936) 639-8180
http://txforestsserve.tamu.edu/forestry_education/red_cockaded_woodpecker/html#safe_harbor_program

UTAH

The Critical Resource Lands Conservation for Agriculture Program

The Utah Department of Agriculture and Food offers owners of agricultural lands long term lease of their property under the program. It also pays to purchase the development rights and/or conservation easements on private property. The program is intended to protect agricultural lands in order to sustain Utah's food supply, improve water quality, and support wildlife habitat. There is a total of \$100,000 available under the program.

Direct Financial Payments, Market Institutions, Property Rights Tools

Financial Incentives for Open Space and Agricultural Lands Conservation

The Utah Quality Growth Commission provides grants and loans to counties, towns and other entities to preserve or restore critical open space or agricultural land in Utah. The program does not provide funds directly to landowners, but landowners may receive direct payment for sale of property rights, and/or assistance with restoration projects through other entities. Purchases of fee title may not exceed 20 acres, however, the 20 acre limitation does not apply to purchases of conservation easements or restoration projects. Since establishment in 1999, the Commission has funded \$7,489,782 toward conservation easements with matching funds of \$36,423,014 to protect 31,631 acres. Funding for the program is provided by the Critical Land Conservation Fund.

Direct Financial Payments

Conservation Easements

Conservation easements are authorized by statute. UTAH CODE ANN. § 57-18-2.

Property Rights Tools

Contacts:

Division of Wildlife Resources
UT Dept. of Natural Resources
1594 W. Temple, Suite 2110
Salt Lake City, UT 84114
(801) 538-4700
www.nr.utah.gov

Division of Forestry
UT Dept. of Natural Resources
P.O. Box 145703
Salt Lake City, UT 84114-5703

Quality Growth Commission
116 State Capitol
Salt Lake City, UT 84114
(801) 538-1027
www.governor.state.ut.us/quality

Governor's Office of Planning and Budget
116 State Capitol
Salt Lake City, UT 84114
(801) 538-1571

Center for Policy and Planning
UT Dept. of Natural Resources

P.O. Box 146480
Salt Lake City, UT 84114
(801) 538-5428

UT Department of Agriculture and Food
P.O. Box 146500
Salt Lake City, UT 84114-6500
(801) 538-7100
www.ag.utah.gov

VERMONT

The County Forester Program

The program is offered through the Department of Forests, Parks and Recreation, and has provided woodland owner education and technical assistance since 1941. The county foresters administer the program. The objective of the program is to assist forest landowners to manage their forestland to improve or maintain sustainable timber crops, enhance wildlife habitat, and protect rare and endangered species. In Vermont, the program works to assure quality habitat for white-tailed deer, upland game, edge and interior song birds and turkeys. At present, the program has 11.5 million acres under some form of management. The Department provides assistance to between 400-500 landowners per year. Funding for the program comes from state and federal dollars. In the last fiscal year, the state spent approximately \$850,000 on private woodlands assistance (less than 20% was federal). This amount is divided between the above program, a stewardship program and the forest land tax incentive program (below).

Education/Technical Assistance

Conservation Easements

Conservation easements are authorized by statute. VT. STAT. ANN. 10 § 821.

Property Rights Tools

The Current Use Tax Program

The state Tax Department offers forest and agricultural landowners the opportunity to have their land taxed at current use values. To qualify in the forest land portion of the program, owners must enroll a minimum of 25 acres, provide a forest management plan approved by the Department of Forests, Parks and Recreation, file an annual conformance report and allow monitoring of their conformance with the management plan. In exchange, landowners receive current use assessments on their property for tax purposes. This results in between \$200 and \$2,000 per year savings. At present there are more than 1.2 million acres in approximately 9,000 parcels enrolled. The program costs between \$11 and \$13 million per year. These disbursements are paid through Act 60, the state's educational funding law.

Tax Relief

Contacts:

Planning Division
Agency of Natural Resources
103 S. Main, 10 South
Waterbury, VT 05671-0501
(802) 241-3620

VT Department of Fish and Wildlife
Agency of Natural Resources
103 S. Main, 10 South
Waterbury, VT 05671-0501
(802) 241-3700
www.anr.state.vt.us/fw

VT Department of Forests, Parks, and Recreation
Agency of Natural Resources
103 S. Main, 10 South
Waterbury, VT 05671-0501
www.state.vt.us/anr/fpr/forestry

VIRGINIA

The Reforestation of Timberlands Program

The Department of Forestry provides cost share assistance to owners of timberlands under the program (est. 1971). To enroll, landowners must have a minimum of five acres and a maximum of 500 acres, except for planting without site preparation, where the minimum is one acre. This program results in a significant wildlife benefit because habitat for many species is protected. Over 29,000 projects have been enrolled in the program to date, covering 1 million acres. The program pays 40% of costs, not to exceed \$65 per acre, for site preparation, pine seedling planting, and brush control in pine stands. Funding for the program comes from two sources: the timber severance tax and a general fund match. Total funding is \$2.5 million yearly.

Direct Financial Payments

The Land Management Program

The Department of Conservation and Recreation, through its Divisions of Planning and Recreation Resources, Soil and Water and Natural Heritage, offers technical assistance to landowners under the program. The Department provides direction to the public and private sectors on land management related to the conservation and utilization of natural, outdoor recreation, and open space resources.

Education/Technical Assistance

The Open Space Land Act

The legislation authorizes the purchase of conservation or open space easements, and property and estate tax benefits for those owners who donate easements on agricultural, forest or other open space lands. VA. CODE ANN. § 10.1-1700. The Virginia Land Conservation Foundation (VA. CODE ANN. § 10.1-1017) provides matching grants to nonprofit organizations to buy interests in land. The Open Space Lands Preservation Trust Fund (VA. CODE ANN. § 10.1-1801.1) provides grants to landowners to cover the transaction costs of donations of interests in land. Currently, several groups are fighting for appropriations for these funds.

Direct Financial Payments, Property Rights Tools, Tax Relief

Education/Technical Assistance for Wildlife Mapping

The Department of Game and Inland Fisheries provides technical assistance and workshops for individuals interested in starting a wildlife mapping program. Individuals are taught wildlife viewing, map reading, and habitat identification techniques.

Education/Technical Assistance

Education/Technical Assistance for Wildlife Habitat Conservation

The Department of Game and Inland Fisheries provides technical assistance, workshops, demonstration areas and information to landowners interested in endangered species, farm wildlife and other wildlife habitat.

Education/Technical Assistance

Natural Area Management Agreements

The Department of Conservation and Recreation will enter into Natural Area Management Agreements with landowners whose properties support habitat for rare, threatened, or endangered plants or animals, rare or state significant natural communities, and significant geologic landmarks. Through these agreements, the Dept. provides technical advice and habitat management support that improves or maintains the significant resources. Examples of this support include biological monitoring, prescribed burning and hydrologic restoration.

Education/Technical Assistance

Cave and Karst Protection

The Department of Conservation and Recreation's karst protection staff, in conjunction with the Virginia Cave Board, provides technical assistance to landowners for cave and karst land protection and management.

Education/Technical Assistance

Natural Area Dedication

The Department of Conservation and Recreation offers specific type of conservation easement called Natural Area Dedication, which is designed to protect properties that support habitat for rare, threatened, or endangered plants or animals, rare or state significant natural communities, and significant geologic landmarks. The easement may be eligible for tax benefits under state and federal law.

Property Rights Tools

The Virginia Environmental Stewardship Awards

The program recognizes landowners who use innovative and effective stewardship initiatives and educational approaches to help enhance the state's attractive natural resources. Recipients of the awards receive an engraved plaque and luncheon in their honor. The award program has been available for six years and is jointly administered by the Commonwealth of Virginia and the Virginia Petroleum Council.

Recognition Program

Virginia Registry of Natural Areas

The Department of Conservation and Recreation maintains the registry to recognize landowners whose property provides support habitat for rare, threatened, or endangered plants or animals, rare or state significant natural communities, and significant geologic landmarks. Landowners who place their properties on the registry receive a certificate and plaque.

Recognition Program

The Land Conservation Incentives Act of 1999

The legislation offers income tax credits for conveyance of land or interest in perpetuity in agricultural, forest, open space lands for natural resource, watershed, biodiversity conservation, and historic preservation. VA. CODE ANN. § 58.1-512. The income tax credit is equal to fifty percent of the fair market value (up to a maximum of \$50,000 for taxable year 2000, \$75,000 for 2001, and \$100,000 for taxable years thereafter) of any land or interest in land conveyed for to a public or private conservation agency for conservation or preservation purposes. This incentive went into effect on January 1, 2000.

Tax Relief

The Riparian Forest Buffer Incentive

The program is operated by the Department of Forestry, and rewards landowners with an income tax benefit for forebearing the harvest of timber on certain portions of the land near waterways, and complying with an individualized Forest Stewardship Plan to be certified by the State Forester. VA. CODE ANN. § 58.1-339.10. The income tax credit is equal to 25% of the value of the timber on that portion of the land retained as a buffer not to exceed \$17,500 or the total amount of tax owed, whichever is less. This incentive has been available since January 1, 2000. Information on acreage covered by the program is not yet available.

Tax Relief

Property Tax Benefits for Conservation Easements

Conservation easements are authorized by statute and provide property tax benefits. VA. CODE ANN. § 10.1-1009. Assessments reflect the reduction in fair market value of the land that results from the inability of the owner of the fee to use the property in ways terminated by the easement.

Tax Relief, Property Rights Tools

Estate Tax Benefits for Conservation Easements

If a conservation easement is donated by a personal representative or trustee with written consent of a decedent's heirs, beneficiaries and devisees, then it is excluded from the estate tax. VA. CODE ANN. § 64.1-57.3.

Tax Relief

Capital Gains Tax Benefits for Open Space Preservation

Landowners who sell land or easements for open space use are exempt from the 5.75% state capital gains tax on the sale (but the land must be devoted to open space for at least 30 years after the sale). VA. CODE ANN. § 58.1-402.

Tax Relief

Contacts:

VA Department of Forestry
P.O. Box 3758
Charlottesville, VA 22903
(804) 977-6555
www.state.vipnet.org/dof

VA Department of Game and Inland Fisheries
4010 W. Broad St.
Richmond, VA 23230
(804) 367-8351

Natural Heritage Program
VA Dept. of Conservation and Recreation
217 Governor St.
Richmond, VA 23219
(804) 786-7951

Environmental Stewardship Awards
(410) 269-1850
www.api.org/pasp/step/environaward.htm

Division of Planning and Recreation Resources
VA Dept. of Conservation and Recreation
202 Governor St.
Richmond, VA 23219
(804) 786-2093
www.state.va.us/~dcr

Riparian Waterway Buffer and Preservation of Land Credit
www.tax.state.va.us/

WASHINGTON

The Forest Riparian Easement Program (FREP)

The Forest Practices Division offers rental or lease of habitat and conservation easements under the program, which has been available since July 2000. WASH. ADMIN. CODE § 222-21. The program focuses on forest riparian habitat, riparian species and other areas of value in need of aquatic resource protection. Landowners receive compensation in exchange for a 50 year easement on qualifying timber. To qualify, landowners must have at least twenty contiguous acres of forested acres, harvestable timber adjoining streams and/or wetlands, and agree not to cut or remove the qualifying timber during the easement period. Participants receive 50% of the stumpage value of the qualifying timber plus reimbursement of easement compliance costs. If a landowner regulatory impact exceeds 19% for western Washington or 12% for eastern Washington, additional compensation is allowed. Two easements have been completed, with a total of 50 acres, and another thirty are in progress. The legislature funds the program at \$1.875 million.

Direct Financial Payments, Property Rights Tools

The Riparian Open Space Program

The Department of Natural Resources provides for the purchase of land or rights to land for ecological protection and fisheries enhancement under the program. It focuses on unconfined avulsing channel migration zones within forest lands. To qualify, landowners must apply and state whether they will donate land, or seek statutory compensation for conveyance. The department pays for timber value in addition to land value if purchasing fee title. Easements must include qualifying timber within riparian areas. Once conveyed, the land goes under a Special Wildlife Management Plan and must use best science, landscape approaches, protect threatened and endangered species and comply with federal and state environmental laws and habitat conservation plans and incidental take permits. The program has been available since July, 2001. The legislature funds the program at \$1million per year.

Direct Financial Payments, Property Rights Tools

The Upland Wildlife Restoration Program

The Department of Fish and Wildlife offers in kind assistance in the form of staff labor, equipment, and plant materials for habitat improvements under the program. In addition, landowners receive technical assistance, recognition, signage of properties and a liability exemption for allowing public access. Owners may receive \$100/acre in direct payments to protect agricultural lands adjacent to riparian areas (specific to SE Washington). This program is available on private agricultural and forested lands and benefits all forms of upland wildlife, game, nongame, birds, and mammals. Some elements of this program have existed since 1947, but in its present form it has been available for ten years. Currently the program has 1300 cooperators on 3.4 million private acres covered under cooperative agreements. Funding for the program comes from federal and state funds with a total of \$1.2 million/year.

Direct Financial Payments, Legal/Statutory Mechanisms, Education/Technical Assistance, Recognition Program

Grants for Salmon Habitat Restoration

The Department of Fish and Wildlife offers grants for salmon habitat restoration. WASH. REV. CODE § 77.85.130.

Direct Financial Payments

The Pheasant Habitat Enhancement Grant Program

The Department of Fish and Wildlife offers grants to owners of lands containing pheasant habitat under the program. Landowners may receive up to \$5,000 per year for signing a Regulated Access Cooperative Agreement and opening the area to public hunting. The program has been in operation since 2000. Information on acreage and participants is not yet available because the program is new. Funding for the program comes from the legislature through a share of upland game licenses fees at approximately \$50,000/year.

Direct Financial Payments

Technical Assistance for Habitat Protection

The Department of Fish and Wildlife offers technical assistance on habitat protection.

Education/Technical Assistance

The Backyard Forest Stewardship Program

The Department of Natural Resources offers an information guide to landowners on how to improve wildlife habitat in a landowner's yard and forest under the program. Landowners who live in the forest of eastern or western Washington may receive the guide.

Education/Technical Assistance

Special Wildlife Management Plans

Owners of forest lands with threatened or endangered wildlife on their property may enter into a plan to protect those species. By doing so, landowners receive management guidance. There are currently three plans in effect, covering 170,000 acres. The program has been available since 1993.

Education/Technical Assistance

The Cooperative Habitat Enhancement Agreements Program

Owners of lands that contain marbled murrelet or northern spotted owl habitat may enter into safe harbor agreements, no take agreements and receive education under the program with the Department of Fish and Wildlife. The program is intended to remove disincentives for landowners who create, enhance, or maintain habitat for the northern spotted owl and marbled murrelet by providing landowners with protection against future rules regarding those species. Landowners identify the baseline level of habitat in their management plan, along with the overall benefits to the marbled murrelet or northern spotted owl which includes proposed measures to create, enhance, or maintain habitat, and the terms of agreement. The plan must also minimize and mitigate significant adverse impacts caused by the plan on the species. For northern spotted owls, the plan must avoid harvest and road construction of pesticide use between March 1 and August 31 on seventy acres of the highest quality suitable northern spotted owl habitat surrounding the nest. This program has been in existence since August 1997. The program currently has two plans in the final stages, covering 630 acres.

Education/Technical Assistance, Legal/Statutory Mechanisms

The Habitat Incentives Program

The Department of Fish and Wildlife offers an exemption from new regulations if a long term habitat management plan is adopted. WASH. REV. CODE § 77.55.300. Under the program, a landowner may enter into an agreement to enhance habitat for food fish, game fish or other wildlife species and in exchange receive state regulatory certainty with regard to future applications for hydraulic project approval or a forests practices permit on the property covered by the agreement. This incentive has been available since 1998.

Legal/Statutory Mechanisms

Conservation Easements

Conservation easements are authorized by statute. WASH. REV. CODE § 64.04.130.

Property Rights Tools

Tax Benefits for Conservation

Landowners receive an exemption from ad valorem taxation if the property is used for specific conservation activities. WASH. REV. CODE § 84.36.260.

Tax Relief

Tax Benefits for Fish and Wildlife Habitat Enhancement

Washington exempts improvements to fish and wildlife habitat from taxation; this new law is designed to encourage private property owners to make voluntary improvement to their property without the penalty of paying higher property taxes. WASH. REV. CODE § 89.08.440. All improvements to real and personal

property that benefit fish and wildlife habitat, water quality, or water quantity are exempt from taxation if the improvements are included under a written conservation plan approved by a conservation district. This incentive is administered by local conservation districts and the Department of Revenue.

Tax Relief

Property Tax Benefits for Open Space Land

Washington offers a current use assessment, which results in a property tax reduction, to owners of open space lands. WASH. REV. CODE § 84.34.010. The incentive is administered by local taxing authorities (assessors).

Tax Relief

Contacts:

WA Department of Fish and Wildlife
600 Capitol Way, N.
Olympia, WA 98501-1091
(360) 902-2476
www.wa.gov/wdfw

WA Department of Natural Resources
P.O. Box 47001
Olympia, WA 98504-7001
(800) 527-3305
www.wa.gov/dnr

Natural Heritage Program
WA Dept. of Natural Resources
P.O. Box 47016
Olympia, WA 98504-7016
(360) 902-1340

Small Forest Landowner Office
WA Dept. of Natural Resources
Forest Practices Division
1111 Washington St., SE
Olympia, WA 98504-7012
(360) 902-1400

WEST VIRGINIA

Property Tax Benefits for Conservation Easements

Conservation easements are authorized by statute. W. VA.CODE § 20-12-3. Landowners entering into conservation easements receive taxation on the same basis as agricultural lands. W. VA.CODE § 8-24-83.

Property Rights Tools, Tax Relief

The Stream Partners Program

Landowners may receive \$5,000 seed grants for watershed improvement projects under the program, which is offered by the Division of Environmental Protection, Soil Conservation Agency, Division of Forestry and Division of Natural Resources. Landowners must match 20% of the seed grant with cash and/or in-kind service contributions to complete a sustainable watershed improvement project. This program helps to restore or improve habitat for fish and wildlife relying upon streams or wetlands.

Direct Financial Payments

Contacts:

Stream Partners Program
Division of Environmental Protection
10 McKunin Road
Nitro, West Virginia 25143
www.svsca.org/stream_partners.htm

Wildlife Resources
Division of Natural Resources
1900 Kanawha Blvd. East
Charleston, WV 25305
(304) 558-2771

West Virginia Natural Heritage Program
Division of Natural Resources
P.O. Box 67
Elkins, WV 26241
(304) 637-0245

WISCONSIN

The Glacial Habitat Restoration Area Program

The Department of Natural Resources offers direct purchase of easements, in kind and technical assistance, and property tax benefits to landowners in order to restore grassland and wetlands in a four county area in East Central Wisconsin. The program provides for purchase of perpetual easements to restrict timber, cropping and development rights at 40-60% of fair market value. If landowners do not wish to sell easements they may receive in kind assistance in the form of seed, labor, and materials to restore wetlands in exchange for entering into long term agreements with the Department. The total restoration area is 530,000 acres, and the goal is to preserve 11,000 of those acres. As of 1996, 3,500 acres were being preserved under the program (1,600 acres of conservation easements). In 1990, the legislature created the 10-year, \$250 million Stewardship Fund to purchase land for conservation and recreation; each year \$1.5 million from the fund is earmarked to help restore wetlands and grasslands.

Direct Financial Payments, Tax Relief, Education/Technical Assistance

The Wisconsin Forest Landowner Grant Program

The Department of Natural Resources offers cost share and habitat improvement assistance to owners of forest lands, prairies, and waters. The Department provides reimbursement of up to 65% of the cost of tree planting, timber stand and wildlife habitat creation and improvement, protection of rare communities and species, preparation of forest stewardship plans and other practices. The program has been available since 1999, and is available to landowners with 10-500 acres of non-industrial woodland who have a forest stewardship plan or Managed Forest Law plan. Practices must be maintained a minimum of ten years. The minimum grant amount is \$100, and the maximum is \$10,000/year. The cost share is awarded on a first come, first served basis. The program helps approximately 500 landowners with 40,000 acres of practices annually. 1,092 landowners were helped in the first two years on 79,305 acres. The State Legislature started the program in July 1, 1999 with the FY00-01 biennial budget. During the first two years, the program was funded at \$1,000,000 a year. Funding has increased by \$250,000.

Direct Financial Payments, Education/Technical Assistance

The Turkey and Pheasant Stamp Programs

The Department of Natural Resources offers cost share, in kind and technical assistance, and payments for providing hunting access in order to improve the habitats of the two species. The programs are utilized on many types of lands such as woodlands, savannah, wetlands, and prairie. Landowners may receive 50-50 cost share on approved practices such as burning equipment, labor and prairie seed, in exchange for entering into agreements to maintain habitat work for ten years. Also, a small pilot program provides payments for hunting access. The Pheasant Program has been available since 1992, and the Turkey Program since 1989. Currently there are 24,000 acres being covered by the turkey program and 25,000 by the pheasant program. Funding for the program comes from Turkey and Pheasant stamps purchased by hunters at approximately \$1/2 million a year.

Direct Financial Payments, Education/Technical Assistance

County Land and Water Resource Management Plan Implementation

The Department of Agriculture and local Conservation Districts provide cost share and technical assistance under the program. All types of land qualify, and water habitats are targeted in particular. The purpose is to conserve county-identified natural resources through cost-share agreements (up to 70% cost share).

Direct Financial Payments, Education/Technical Assistance

Assistance for Endangered and Threatened Species' Habitat Conservation

The Department of Natural Resources offers tax benefits, cost share, and technical assistance to owners of endangered and threatened species' habitat if they conserve that property.

Direct Financial Payments, Tax Relief, Education/Technical Assistance

Technical Assistance for Land Management for Wildlife

The Department of Forestry provides general technical assistance to landowners who wish to manage their property for wildlife.

Education/Technical Assistance

The Landowner Contact Program

The Department of Natural Resources, Endangered Resources Program, offers landowners education on state and federally listed species. The program started in 1991, initially focusing on one county and two federally listed species. Now the focus is six federally listed species as well state listed species. Using a natural history inventory, the program administrator determines a species' location, then makes arrangements to walk the land with the landowner or land manager. During a site visit, the administrator shows the landowner how to recognize the species and its habitat, how activities can affect species, and whether there are invasive species threatening the endangered species. The goal of the program is to work with landowners and land managers to recognize, respect and protect rare species and habitat. Interested landowners are urged to sign a memorandum of understanding honoring the protection of the rare species and habitat. The program also provides landowners with written literature and references to other programs which offer financial assistance such as the U.S. Fish and Wildlife Service's Partners for Wildlife Program. Since 1991, the program has had over 160 participants. Funding for the program comes from the Endangered Resources Fund, The Nature Conservancy and USFWS.

Education/Technical Assistance

The Natural Areas Program

Wisconsin offers landowners property tax benefits if they enter into conservation easements under the program. WIS. STAT. § 70.40, .32. The tax assessor must consider the factors which affect the value of the property, such as the effect of a conservation easement or restriction.

Property Rights Tools, Tax Relief

The Managed Forest Law

The Department of Natural Resources offers property tax benefits and technical assistance to owners of forest lands. WIS. STAT. 77.80 - .91. The law provides lower property taxes (80% discount) to landowners who own at least 10 acres of forest land, and professional forestry assistance in developing management plans if landowners engage in good forest stewardship. The program has been available since 1985, and helps preserve forest species. There are currently 2.5 million acres (1.5 million owned by non-industrial private landowners) and a total of 25,000 participants enrolled in the program.

Tax Relief, Education/Technical Assistance

Contacts:

WI Department of Natural Resources
Box 7921
Madison, WI 53707
www.dnr.state.wi.us/

Bureau of Wildlife Management and Habitat Protection
Box 7921
Madison, WI 53707
(608) 267-0796

Natural Heritage Program
WI Dept. of Natural Resources
Box 7921
Madison, WI 53707

(608) 266-7012

Glacial Habitat Restoration Area Program

1210 N. Palmatory

Horicon, WI 53032

(920) 485-3026

www.dnr.state.wi.us/org/land/wildlife/hunt/hra.htm

Wisconsin Forest Landowner Grant Program

WI Dept. of Natural Resources

(608) 266-2388

<http://www.dnr.state.wi.us/org/land/forestry/Private/financial/wflgp.htm>

Managed Forest Law

Bureau of Forestry

Box 7921

Madison, WI 53707

www.dnr.state.wi.us/org/land/forestry

Turkey and Pheasant Stamp Program

WI Dept. of Natural Resources

(608) 264-6023

Wildlife Damage Abatement and Claim Program

<http://www.dnr.state.wi.us/org/land/wildlife/damage/genrules.htm>

Endangered Resources Program

Landowner Contact Program

(608) 267-9789

WYOMING

The Habitat Trust Fund Grants Program

The Game and Fish Department offers cost share and technical assistance. This grants program has been in existence for many years, but was revitalized and implemented statewide in 1996 as a formal program. All land types, habitats and species are considered, but the program especially targets uplands, riparians and water developments. Some special projects that have been funded are habitat initiatives for mule deer, sage grouse and bighorn sheep. The projects are carried out with and on federal lands, private lands or some combination thereof. In exchange for financial and technical assistance, private landowners enter into cooperative agreements with the Department which outline management and maintenance for a term of 5-15 years. The agreements require cost share contributions on the part of the landowner and most require some limited access for hunting, fishing, wildlife viewing or educational tours. The funding cap is \$10,000 per project for upland and riparian grants and \$7,500 for water development grants, with a 50% cash or in-kind contribution required from the landowner. Between 1996-2001, the Department funded 239 projects totaling approximately 400,000 acres on private, state and federal lands, with 33 new participants signing up in 2001. From 1996-2001, direct payments made to landowners were made in the amount of \$1,805,000, however the total sum of costs for these projects was about \$8,300,000 because the Department was able to leverage funding from other sources, such as federal conservation groups, and landowners at about \$4.60 for each \$1 of direct expenditure by the Department. Funding for the program comes from the Game and Fish Department's Trust Fund Account with up to \$400,000 available annually.

Direct Financial Payments, Education/Technical Assistance

The Private Land-Public Wildlife Program

The Game and Fish Department rents habitat from private landowners under the program. It provides walk-in access on private lands for hunting or fishing with an annual lease and payment made to the landowner. This program also provides habitat treatments and conservation agreements similar to the Habitat Trust Fund Grant Program outlined above. The Department provides the signage and enforcement of hunting regulations.

Direct Financial Payments

The Lands Administration Program

The Lands Administration Branch of the Game and Fish Department offers direct purchase of property rights and rental of habitat in exchange for donation of easements or if landowners enter into conservation agreements. The program targets natural areas, wildlife habitat, crucial winter range, or public access for hunting, fishing, or nonconsumptive uses. Many nongame and game species are benefitting from the program. The program has not added many acres in the last few years (none last year, and only 40 acres in year prior), however, a total of 165,167 acres are owned statewide in fee title (this number does not include the acreage under lease). The Department currently only holds a few conservation easements. Owners may receive up to the appraised value for the sale of easements, or other rights to land. If they choose to donate rights, they receive federal tax breaks. The program is funded by hunting and fishing license sales. Funding varies from year to year, but usually is approximately \$300,000 per year.

Direct Financial Payments, Property Rights Tools

The Fish Wyoming Program

The Game and Fish Department offers in kind and cost share assistance to landowners under the program. It provides assistance to develop fishing opportunities and enhance fish habitat. It is a cooperative program, with a funding limit of \$20,000/year.

Direct Financial Payments

Financial Incentives for Prairie Dog Protection

The Game and Fish Department offers cash payments to owners of prairie dog habitat, if they agree to allow the species to exist on their land.

Direct Financial Payments

The Riparian Habitat Improvement Grant Program

The Game and Fish Department offers cost share to owners of riparian habitat under the program. Landowners may receive a maximum of \$10,000 per project with 50% cash or in-kind contribution required from the landowner. All permitting, NEPA compliance, construction, maintenance, access and management planning are the landowner's responsibilities.

Direct Financial Payments

Coordinated Resource Management Program

The Department of Agriculture leads this program, which is a voluntary, problem-solving process that joins concerned landowners, organizations, agencies and interest groups to resolve natural resource issues.

Education/Technical Assistance

Contacts:

WY Department of Game and Fish
5400 Bishop Blvd.
Cheyenne, WY 82006
(307) 777-4576
<http://seo.state.wy.us/wconsprog/consdir/wgafd11.htm>

Wyoming Natural Diversity Database
University of Wyoming
P.O. Box 3381
Laramie, WY 82071-3381
(307) 766-3023

Division of State Parks and Historic Sites
WY Dept. of Commerce
1st Floor, Herschler Building
Cheyenne, WY 82002
(307) 777-5598

State Forestry Division
1100 W. 22nd St.
Cheyenne, WY 82002