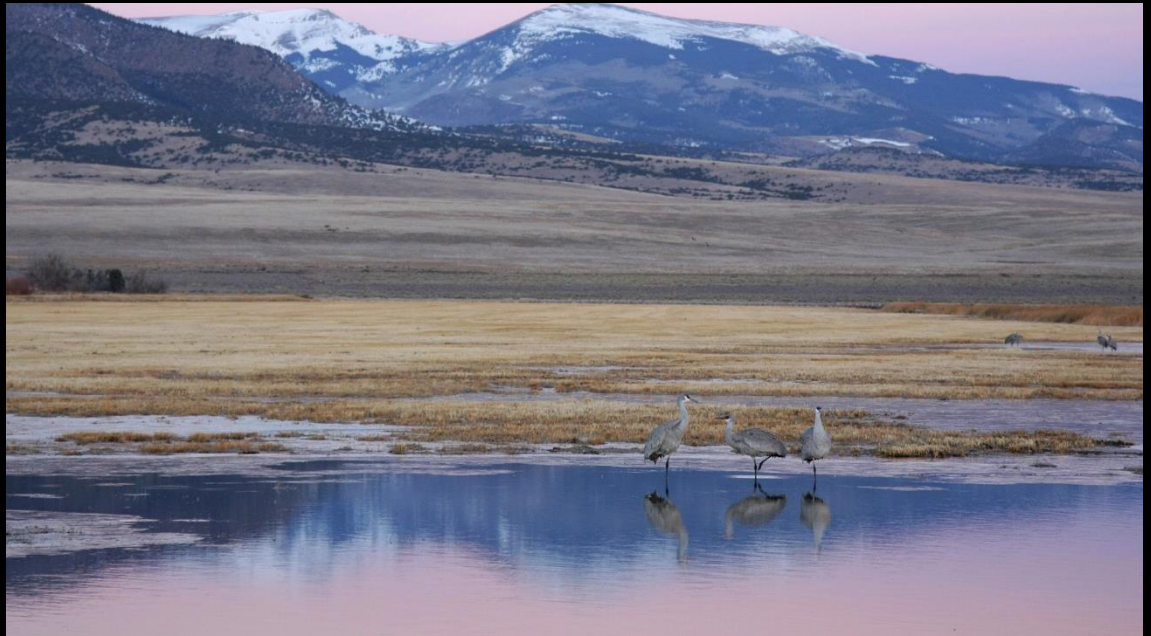


# COLORADO OPEN LANDS



Land Trusts and  
Ecosystem Sustainability

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# Today's Agenda

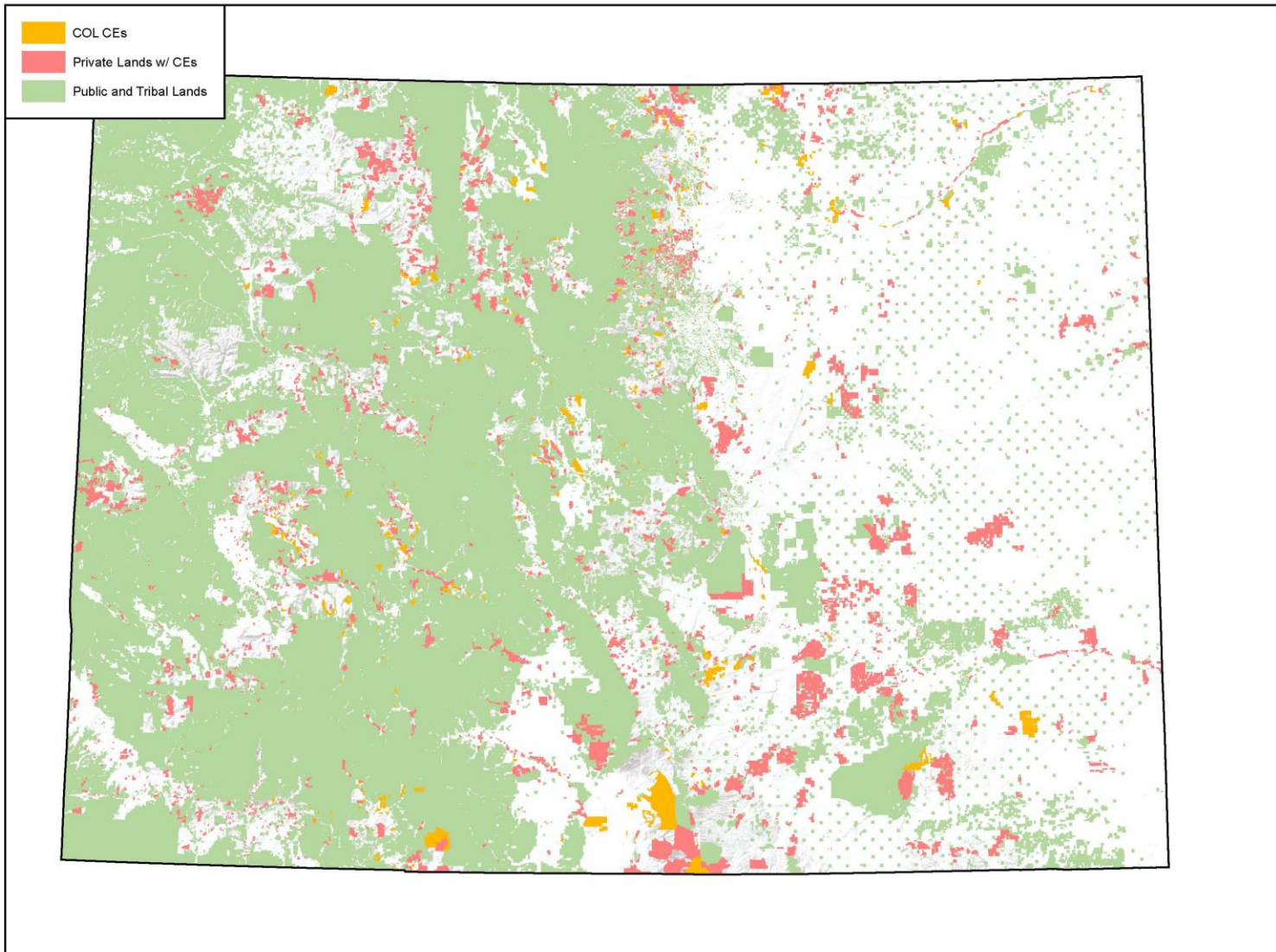
- Role of Private Lands Conservation in Ecosystem Sustainability.
- What is a conservation easement?
- Private landowner benefits.
- Why land and water
- After conserving land, what next? Examples

Questions are welcome anytime!



# Working Lands

Ecosystems don't adhere to boundaries created by governing bodies.



**Total Private lands with CEs = ~2,000,000 acres (4.5% of all private land)**  
**Colorado Open Lands has easements on 448,069 acres**

# Ecosystem Sustainability

- The use of ecological systems in conservation planning is intended to identify major native ecological systems that, if conserved/managed at appropriate scales, would protect the majority of the plants, animals and natural communities associated with them.
- We use a combination of resources to prioritize our conservation efforts.



## Conservation Easement

- Voluntary legal agreement that restricts or prohibits certain types of development on a property and certain uses of a property in order protect the property's conservation values forever.
- Placed on Land and Water Rights.

# Defined by IRS Regulations

“Qualified conservation contribution”

1. Contribution of a qualified real property interest
2. To a qualified organization
3. Exclusively for **conservation purposes**
4. In perpetuity

# Typical Restrictions

- No subdivision or limited division
- Limited homes and other buildings within identified areas (“building envelopes”)
- No surface mining
- Continued historic use of water rights on the property
  - Potential for limited leasing (3 in 10 Years)

# Conservation purposes

1. Public recreation of education
2. Protection of a relatively natural habitat of fish, wildlife, or plants, or similar ecosystem
3. Preservation of open space (including farmland and forest land) where such preservation is
  - I. for the scenic enjoyment of the general public, or
  - II. pursuant to a clearly delineated conservation policy, and will yield a significant public benefit
4. Preservation of a historically important land area or a certified historic structure

# Landowner Benefits

## Tax benefits

- Federal income tax deduction (up to 15 years).
- State income tax credit up to 90% of Easement Value (transferrable)
- Estate Tax Reduction
- Local assessment treatment

# Funded Conservation Easement

Land trust or local government entity pays cash at closing for some portion of the easement value and the remainder is treated as a donation

Funding sources:

- Natural Resources Conservation Service (USDA)
- Sales Tax revenue (e.g. Larimer County)
- US Fish and Wildlife Service
- Colorado Parks and Wildlife
- Great Outdoors Colorado (GOCO)
- Colorado Water Conservation Board
- Private Foundations (Walton Family Foundation)

# Property Conserved. What next?

- Habitat and Ecosystem specific **management practices**.
- **Instream flow opportunities**. By keeping water on farm, we can strategically use it to keep water in stressed sections of rivers particularly during certain low-water periods of time.
- Soil Health Practices
- Carbon Sequestration Opportunities



## Preble's Meadow Jumping Mouse

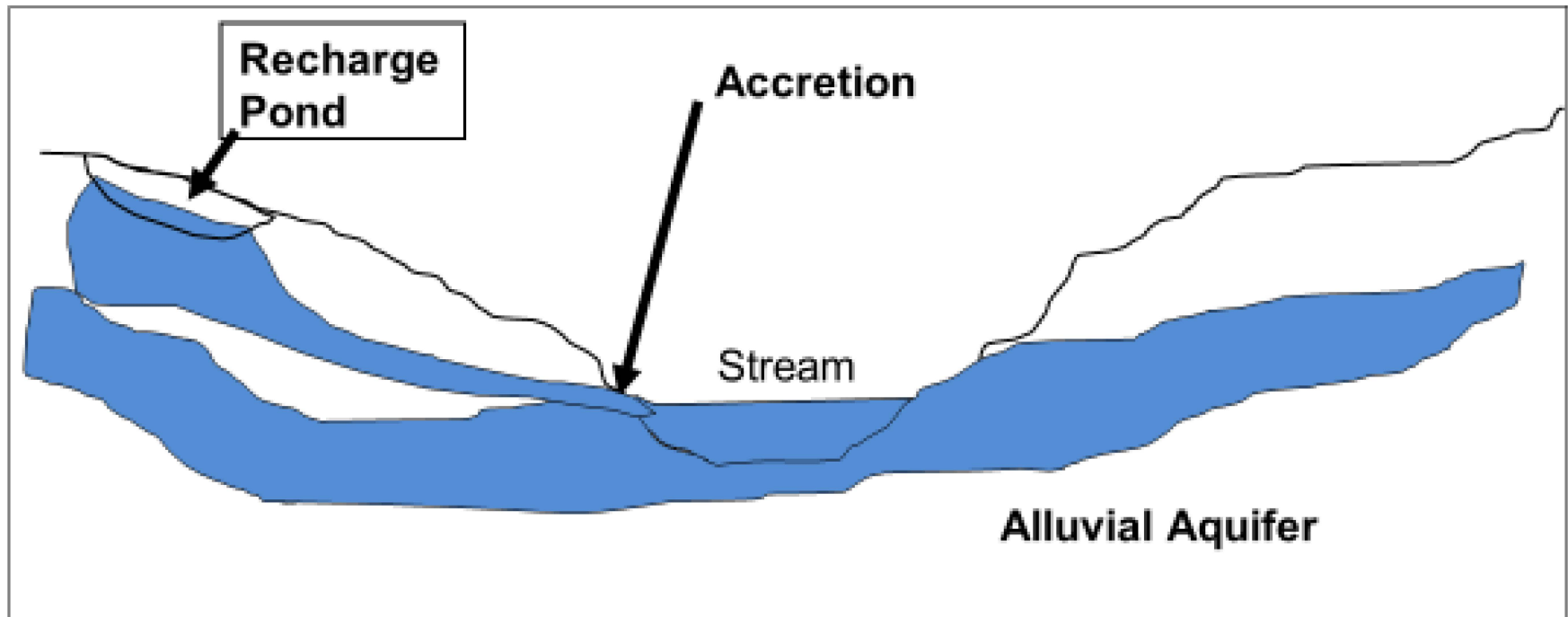
Photo: Courtesy of Rob Schorr

# Waterfowl Habitat Easements

- Recharge water needed to support water table and Instream Flows.
- Storage/Augmentation Ponds provide important seasonal wetland complexes.



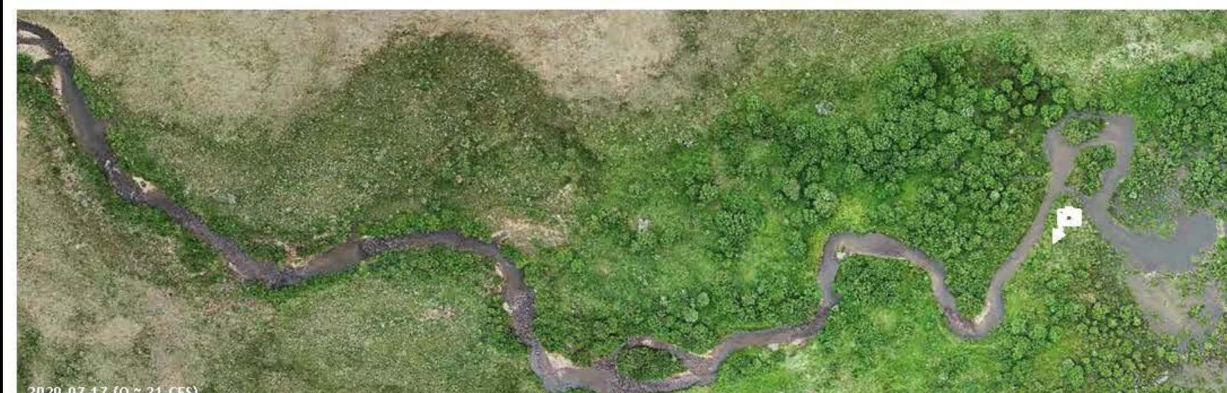
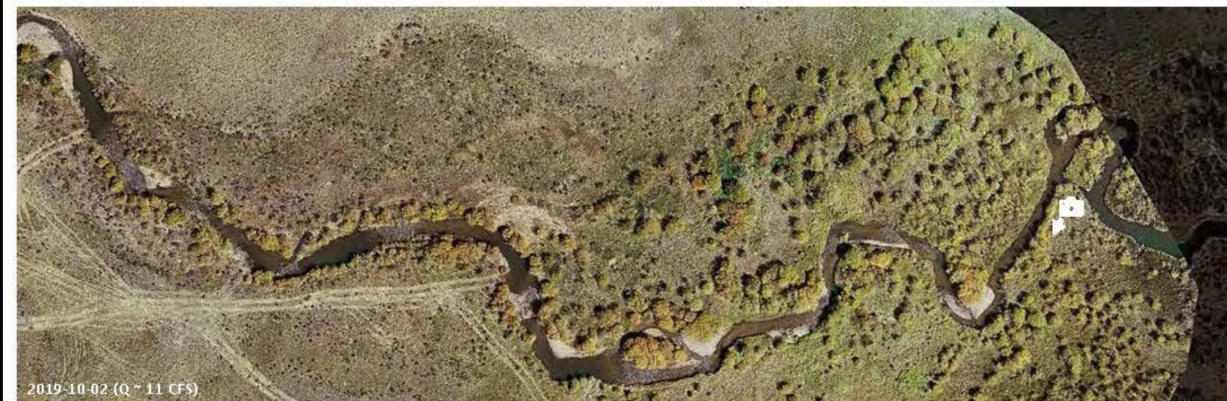
# RETURN FLOWS AND ACCRETIONS



- Recharge Ponds allow water to infiltrate back into the aquifer which slowly makes its way back to the river. The volume of water released to the river is an “accretion” which can be used as a credit to offset well pumping.

# Riparianreconnect.org

Tarryall Notch Ranch – 2008-2020 response



# Water Sharing

- Instream Flows
- Working with Colorado Water Trust and municipalities to think through how water can be left in streams during **targeted times** and **specific reaches**.



Questions

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