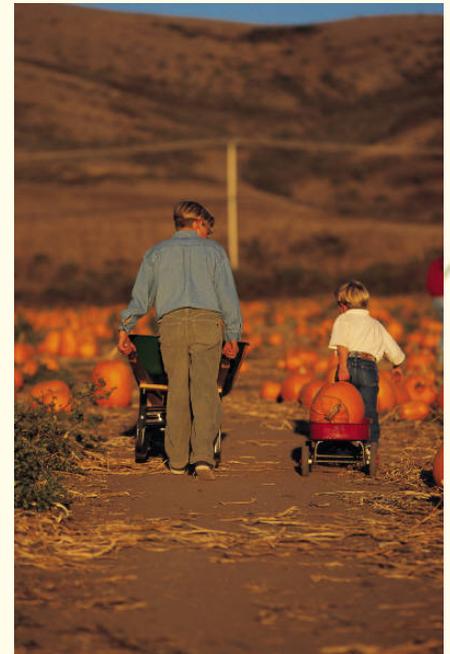


Agricultural Conservation Easements for Public Use



2007 California & Pacific Southwest
Recreation & Park Training Conference
March 9, 2007

Presenters:

- Michele Clark, Transaction Director, California Rangeland Trust, www.rangelandtrust.org 916 444-2096
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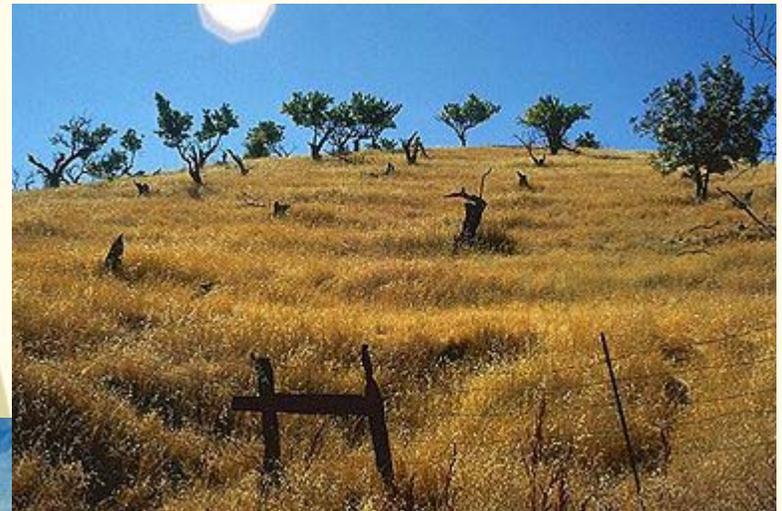
Photo courtesy of the Division of Land Resource Protection, CA Farmland Conservancy Program

Presentation Goals:

1. Define voluntary agricultural conservation easements and the Williamson Act
2. Describe their applicability to the park and recreation profession and issues landowners consider prior to entering into an agreement
3. Provide an overview of their effective use in protecting resources
4. Identify shortcomings and areas of concern related to their use
5. Provide examples of land preservation opportunities

Provide additional resources

“...open lands are necessary for quality of life and we must care for the land today so future generations may enjoy its physical and spiritual benefits tomorrow.” Sacramento Valley Conservancy’s web site



*Vacaville early fruit district
(1986)*



*Highway 20 west of
Williams, CA (1991)*

Quick California Farming Facts

- Farms generated \$32 billion in 2004. Farmers increased U.S. farm cash receipts from **9.5%** in 1960 to **13.2%** in 2004.*
- CA is the nation's **top agricultural state**; every year since 1948.*
- According to the Dept. of Conservation, 43,000 acres (roughly size of Modesto) urbanized between 1996 and 1998.
- Land Trusts in 19 counties own farm easements (137,000 acres). 0.5% of the 27 million acres of crop and grazing land statewide. (2002)**

Recent housing slump has slowed conversion of agricultural land but development is expected to pick up again soon

Source: *Agricultural Issues Center, UC Davis

** CA Real Estate Journal,

www.aglandconservancy.org

Through multiplier effects based on 2002 data:

- Agriculture supports 1.1 million jobs in California, accounting for about 7.3% of all employment
- CA farms generate 7.3 percent of the state's private sector labor force

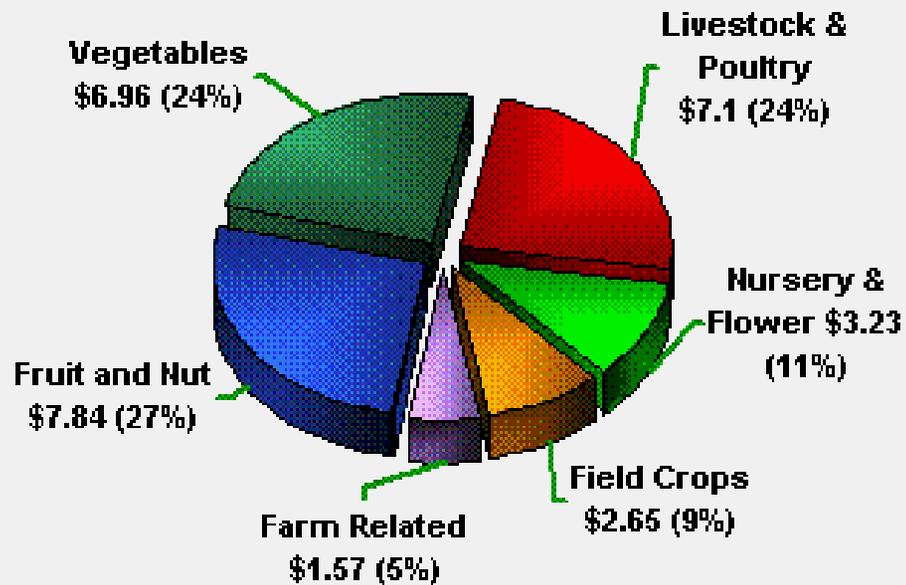


Source: www.AIC.UCDAVIS.EDU

More on California farming facts:

- More than $\frac{1}{4}$ of CA's landmass is agriculture – about 27.6 million acres. 50% is pasture and range, and 40% is cropland (2002)
- Cropland covers about 8.5 million acres
- Roughly 734,000 acres or 2.7% of the state's total agricultural land available in 1987 was converted to urban uses between 1988 and 2002
- Dairy is top agricultural commodity (\$5 billion)

California's Agricultural Gross Cash Income 2003 (in Billion\$)



Source: www.WesternAgri-radio.net

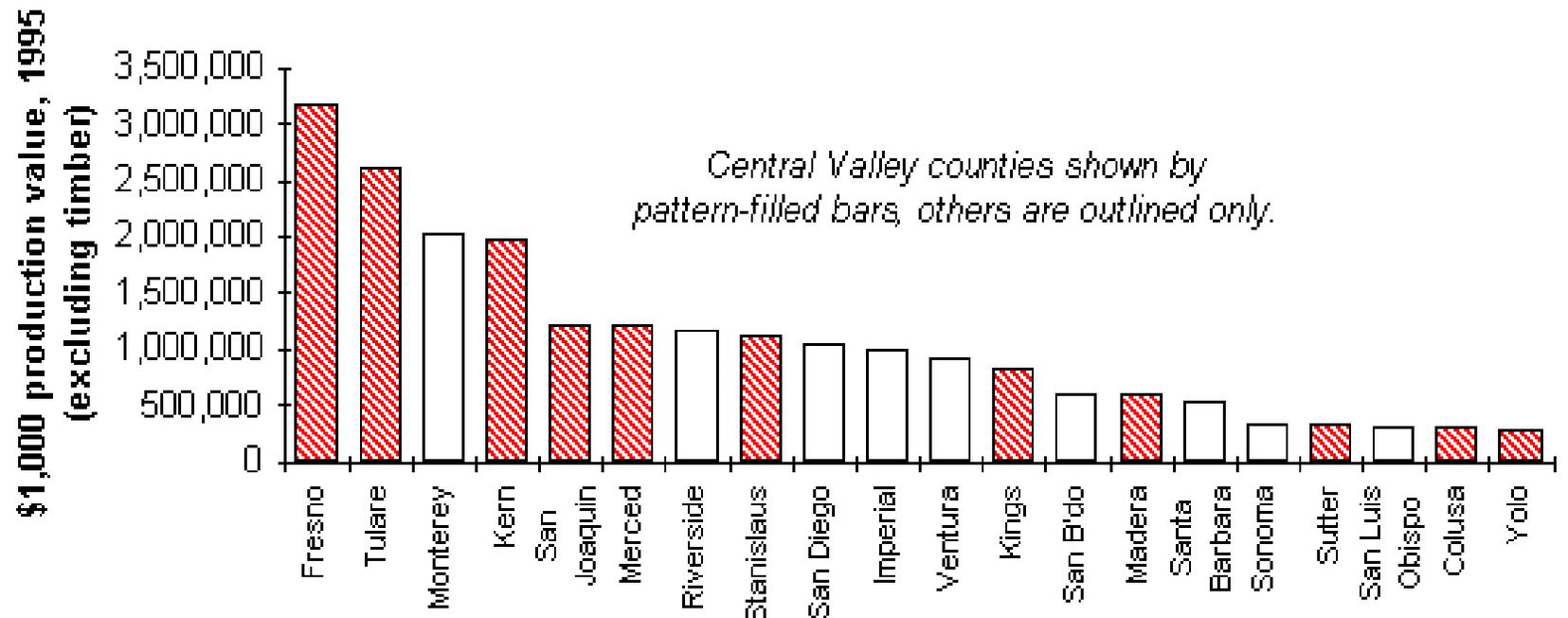
California (1992-1997):

Number of Farms	79,631
Land in farms (acres)	27,589,027
Total CA land area (acres)	99,813,971
Agricultural land converted to developed use (acres)	413,300

Roughly $\frac{1}{4}$ of CA's land mass is in agricultural production

Source: www.farmlandinfo.org/california:

**Eleven of the top 20 agricultural counties in California
are in the Central Valley
(all 8 San Joaquin Valley Counties are among them)**



Source: 1996 Calif. Agricultural Resources Directory (CA Dept. of Food and Ag.)

c:\data\central\newertag.xls

Source: California Research Bureau, Kenneth W. Umbach, Ph.D.

Six Disturbing Trends:

1. Local land use plans call for efficient development avoiding the best farmland, but are mostly ineffective at fulfilling their objectives.
2. The most productive farmland is being developed the fastest.
3. The land is being developed very inefficiently – an acre of farmland is lost for every 8 new residents.

Source: California Farmland Conservancy Program: Focus on Farmland, newsletter of April 2006, Volume 4, No. 3, American Farmland Trust Releases Report on Central Valley Farmland

4. “Ranchettes” occupy about 1/3 as much land as all urban development combined.
5. Speculation is driving farmland prices above what growers, land trusts and local governments can afford.
6. If trends continue, by 2040, the Valley will lose another 880,000 acres with an agricultural output of \$800 million/year (in 2000 dollars).

Source: California Farmland Conservancy Program: Focus on Farmland, newsletter of April 2006, Volume 4, No. 3, American Farmland Trust Releases Report on Central Valley Farmland

Methods for Counteracting these upsetting trends



Agricultural Conservation Easements

Presented by:

Michele Clark, Transaction Director

March 9, 2007



CALIFORNIA
RANGELAND
Trust

California Rangeland Trust

- Statewide land trust
- Mission - **preserve open space, habitat and stewardship of privately owned ranches**
- Over 176,000 acres of rangeland under permanent preservation



What is a Conservation Easement?

- **Voluntary** agreement between landowner and nonprofit organization or a governmental entity.
- Landowner agrees to **permanently retain** land predominantly to specific purpose --
 - ∞ Agriculture
 - ∞ Open space, scenic, natural
 - ∞ Forest

***Every easement is unique
because every parcel of land is
unique.***



CALIFORNIA
RANGELAND
Trust

Why Landowners Want a Conservation Easement

- Maintain family ranch
- Protect the critters
- Reduce value for estate tax
- Cash
- Tax deduction



Issues Landowner Considers Prior to Entering Into a Conservation Easement

- Retained development rights
- Future viability of agricultural operation
- Family unity
- Ownership of surface mineral rights



What Happens After Easement is Signed

- Land with an easement may be sold or transferred by will or by gift - still subject to terms of conservation easement
- *May or may not include public access - landowner's discretion*



What Happens After Easement is Signed



- Annual compliance monitoring
- Easement does not prevent condemnation
- Remains on property tax rolls

Hearst Ranch as an Opportunity

- 80,000 acres of rangeland surrounding Hearst Castle
- Permanent preserved as it looks today
- No public access
- Limited placement of family residences

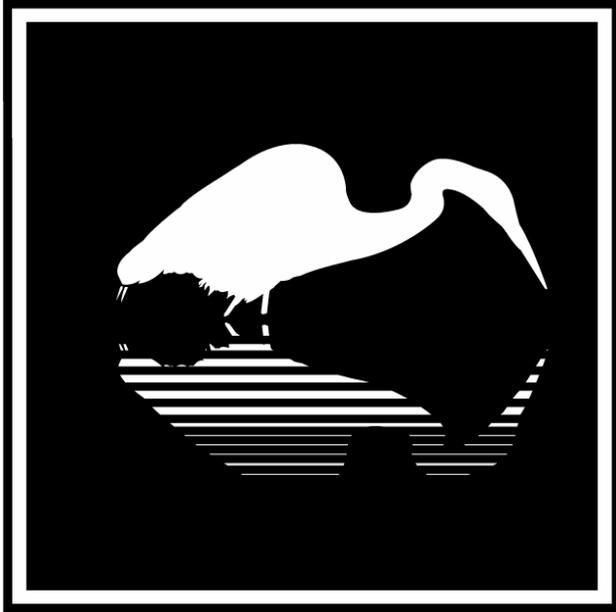


Arguments Against Public Access



- Interference with agricultural operations
- Public trespass off trails
- Fire
- Garbage
- Liability
- Maintenance
- Perceived degradation of land

Sacramento Valley Conservancy



sacramento valley
conservancy

Open Space. For all of us.

- Local land trust in Sacramento region
- Preserves agriculture, habitat, recreation and scenic resources
- Over 7,000 acres- almost all in active agricultural use
- Two cattle ranches with public access

Preserving Heritage Responsibly



- Can you find the people? No?--Good!
- Make sure your recreation footprint stays sensitive to each place and its heritage

Agriculture as Main Goal



- Agriculture *must* equal recreation and resource protection goals to stay viable
- Listen to experienced operators and meet their needs
- Choose operators that can be flexible and help with management

Successful Examples

<ul style="list-style-type: none">• Howard Ranch (12,000 acres)	Private owner Agriculture lessee Public CE	Dawn-dusk trail Foot access only
<ul style="list-style-type: none">• Rancho Seco Park (4,000 acres)	Public owner Nonprofit CE Ag Lessee	Dawn-dusk trail <ul style="list-style-type: none">➤ Camping➤ Fishing➤ Picnicking

Ownership & Management Models Levels of Public Use

Sacramento Prairie Vernal Pool Area (900 acres)	Nonprofit owner Nonprofit CE Ag Lessee	Docent-led tours
Deer Creek Hills Preserve (4,000 acres)	Public/nonprofit owners-joint Nonprofit mgt Ag Lessee	Docent-led tours Planned interpretive trail w/docent check-in, check-out

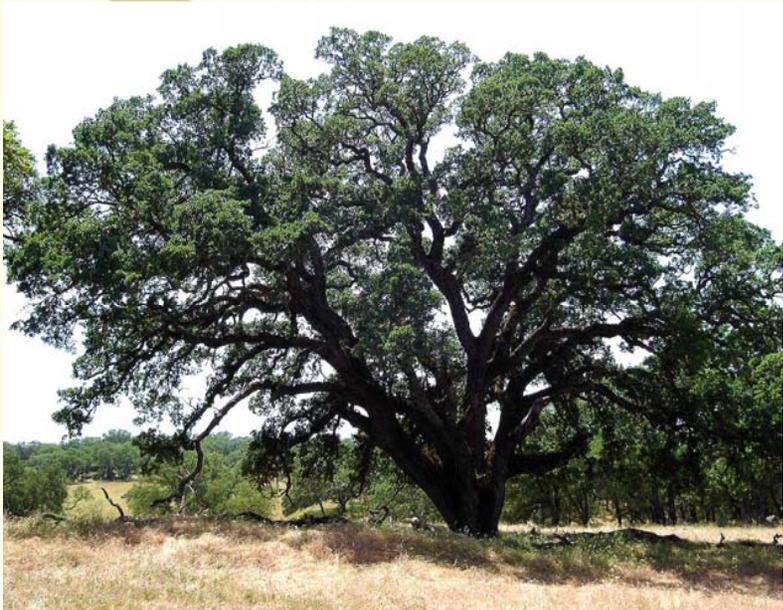
Be Wise, Listen Carefully



- Take your time to get to know each property, the owner, agriculture operator, and neighbors
- Do not have cookie-cutter rules about management
- Create a unique plan for each site

Adaptive Management-

Don't just say it, do it!



- Never stop re-balancing-always be ready to listen
- Be willing to adjust access type, level, location, rules
- Balance is possible-think like a blue oak - they have up to 500 years of adaptive management!

Nature, Cows, People



Land Conservation Act – commonly called the “Williamson Act”

- Enacted in 1965
- Provides property tax relief
- Based on income producing value rather than highest and best use
- State reimburses counties for loss of tax revenue
- Contracts are automatically renewed every 10 years
- 1998 – Farmland Security Zone
 - 20 year contracts
 - Additional 35% discount
 - Voluntary for the counties to participate
- No impact on conservation easements

Exercise:

What would you do??



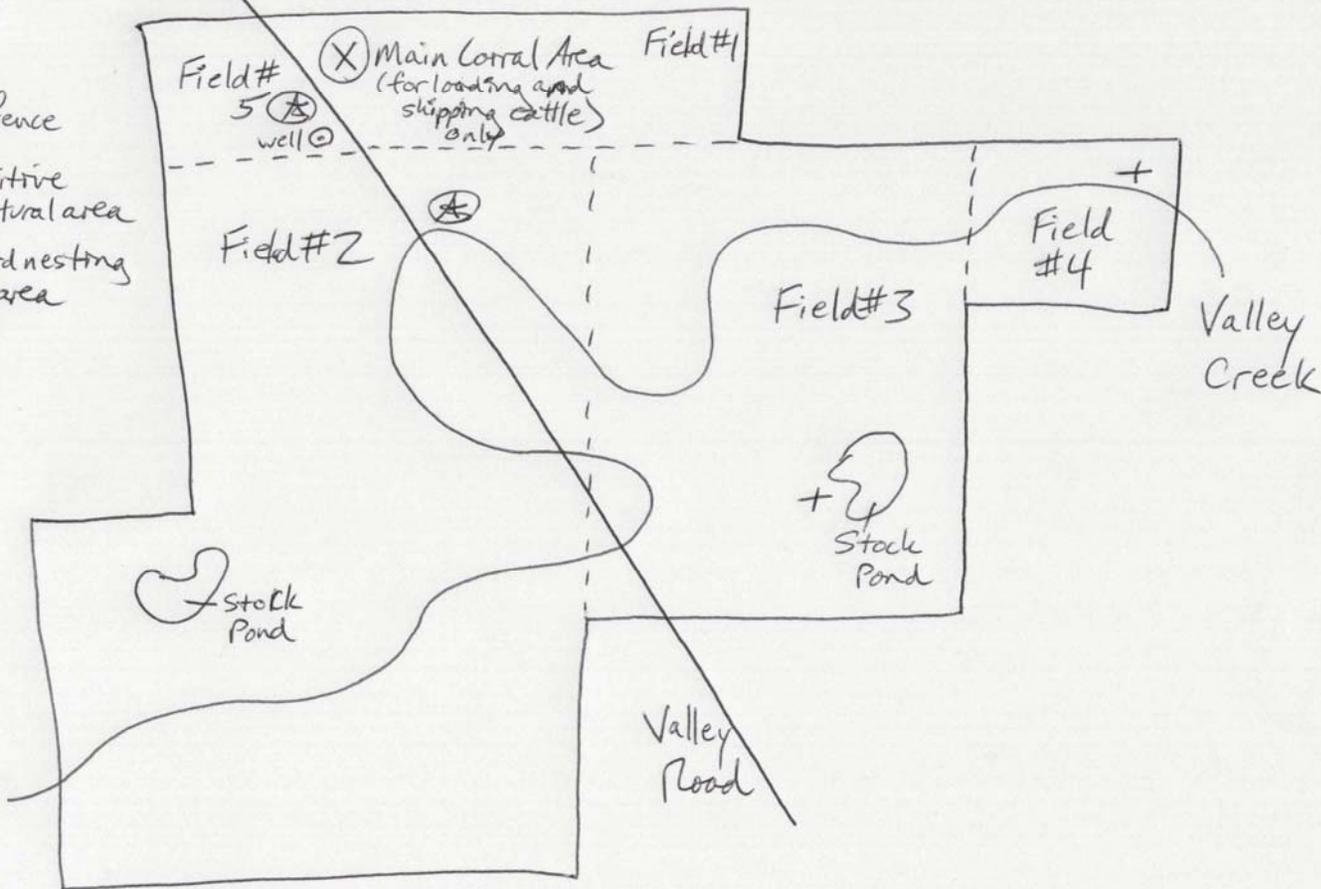
Valley Ranch Map



--- fence

⊛ = sensitive cultural area

+ = bird nesting area



Selected Resources

- American Farmland Trust, www.farmland.or/default.asp
- California Council of Land Trusts, www.cclt.org
- The California Environmental Information Catalog, The CaLSIP Data Catalog, www.ceres.ca.gov
- California Department of Conservation, www.conservation.ca.gov
- California Legacy Project Archive, www.legacy.ca.gov
- California Rangeland Trust, www.rangelandtrust.org
- California Wildlife Conservation Board, www.wcb.ca.gov
- Farmland Information Center, www.farmlandinfo.org/
- Federal Farm and Ranchland Protection Program, www.ca.nrcs.usda.gov/programs/frpp.html
- Great Valley Center, www.greatvalley.org
- Hearst Ranch Conservation Plan, www.resources.ca.gov
- Land Trust Alliance, www.lta.org
- Sacramento Valley Conservancy, www.sacramentovalleyconservancy.com
- Trust for Public Land, www.tpl.org

