

Organizations

AIM TO INCREASE LAND

CONSERVATION

statewide

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In Illinois, representatives of 42 conservation land trusts are working with parks, communities and government agencies to build on the 200,000 acres already set aside for conservation, largely using tools like conservation easements.



Described as “voluntary legal agreements” between landowners and either conservation land trusts or government agencies, these easements prohibit land development to protect rare wildlife habitats or to preserve farmland. Landowners retain the right to own and use their land, sell it and pass it

on to their heirs, according to the Land Trust Alliance website.

Individual conservation land trusts monitor the permanent land use limits of conservation easements.

“Since our founding in 1972, we have worked *with* — not against — the business community, the development community, municipal and county organizations, as well as other environmental groups,” says Dan Lobbes, director of land protection/Kane County program director of The Conservation Foundation. “One of our previous board members used to say we are the ‘reasoned voice’ in conservation, so we don’t see a lot of opposition to the work that we do.”



For decades, the easements have protected natural resources for Illinois communities, provided enduring legacies for families and allowed landowners tax savings. Although largely considered positive by farmers and outdoor enthusiasts, not everyone likes conservation easements, including some property owners who inherit land and don’t like the limitations the easements bring.

Understanding conservation land trusts and conservation easements

The Conservation Foundation is a regional conservation land trust working to preserve land and water and protect wildlife habitats in DuPage, Kane, Kendall and Will counties.

Lobbes says his organization helps bring a unified voice that represents local, regional and state interests. It works closely with park districts, municipalities, township open space districts and forest preserve

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districts. The Conservation Foundation was founded to help those organizations achieve their missions, so regular communications and cooperation is important.

“Conservation easements in Illinois got their start in the 1970s, and while many were put in place in the 1980s and 1990s, there have been quite a number since then,” says Lobbes. “They slowed down a bit during the recession, as did everything else at that time. But last December, Congress passed a bill expanding some of the tax benefits a bit, so conservation easements are happening more often.

“Conservation easements are meant to last forever, no matter who owns the land,” says Lobbes. “There are very few ways that an easement gets extinguished. They ‘run with the land.’” However, he says it’s useful to remember that a significant amount of the preserved land is unsuitable or difficult to develop.

Although 200,000 acres sounds like a lot of territory, says Lobbes, it’s less than 1 percent of the state acreage. In 2016, his organization had one new conservation easement.

Ray Brownfield, LandPro Managing Broker/Owner, and a chair of the REALTORS® Land Institute Land Education Foundation, says conservation easements don’t draw much media attention. He says they are not nearly as popular as they were in the 1980s and 1990s.

The HeartLands Conservancy, a conservation land trust in the St. Louis Metro East area, has been taking on conservation easements ever since 2000, says Mary Vandevord, President and CEO of HeartLands Conservancy. The organization completed five in 2014 — its highest number — and finished its most recent in September 2016.

The HeartLands Conservancy and the Conservation Foundation are two Illinois trusts that are part of the Prairie State Conservation Coalition, a nonprofit organization created to help land owners, communities and conservation land trusts. The PSCC provides a directory of its members on its website.

What’s not to like?

Conservation easements aren’t the only way property owners show their love for the land. In rural Illinois, where agriculture is king, REALTOR® Mac Boyd says the subject of conservation comes up frequently.

“I specialize in agriculture and rural properties,” says Boyd, who works for Farmers National Company in Arcola. “Counties like to see green space, too. Most counties have resources set up to help land owners educate themselves about zoning, planning and



Boyd

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land use so that wise decisions can be made. They do the best they can do.”

Sometimes, relatives who inherit land with a conservation easement don't like the specified land use and the lack of flexibility for land development, says Lobbes.

Other objections can come a substantial period of time after the easement was created, says Boyd. For example, he cites a situation in Pennsylvania where farmers put their land in a conservation easement to protect themselves from urban development. But development continued all around them, caused road problems they didn't anticipate and then they found it difficult to sell their land because of the easement.

“Had they sold their land instead of creating the conservation easement, they would have been able to relocate and avoid the situation,” Boyd says.

A third kind of objection has surfaced in the HeartLands Conservancy. “Opposition sometimes comes when we're turning over a piece of protected property to the government,” says Vandevord. “Some people prefer limited government ownership of land. Others sometimes think we're trying to stop growth and economic development, when we're actually trying to encourage economic development in a way that provides a high quality of life and maintains the uniqueness and character of our region.”

Successes

A collaborative approach, Lobbes says, has been the key to The Conservation Foundation's success. The foundation also offers educational and Conservation@home™ programs for members.

The HeartLands Conservancy is involved in projects and initiatives that preserve open spaces, consider bicycle and pedestrian green spaces and explain the importance of comprehensive (or long-term) planning in southwestern Illinois.

Vandevord says the organization has a good relationship with most farmers, too.

Although the southeastern part of Illinois doesn't have a specific land trust organization to monitor activity, HeartLands Conservancy has stepped in to help. “We've been serving as the surrogate land trust for that area. For example, we've been working with the Shawnee National Forest lately to protect important properties adjacent to the forest,” she says. “These properties will eventually become a part of the national forest.”

Look ahead

When asked to consider the biggest challenges to land conservation in her region of the state, Vandevord says limited funding stymies land acquisitions, hinders stewardship of protected properties and prevents the state from supporting tax incentives for conservation easements. Also, the general public and elected officials aren't aware of the importance of land conservation and they don't understand conservation land trusts or conservation easements.

More Illinoisans need to appreciate the natural resources available in some parts of the state, says Lobbes. As a result, residents must recognize the decline of these resources and provide funding to restore and maintain them. ☺



MORE INFORMATION

The Conservation Foundation
www.theconservationfoundation.org

The Prairie State
Conservation Coalition (PSCC)
www.prairiestateconservation.org/pscc

The HeartLands Conservancy
www.heartlandsconservancy.org

The Land Trust Alliance
www.landtrustalliance.org

REALTORS' Land Institute (RLI)
www.rlifund.com

Shawnee National Forest
www.fs.usda.gov/shawnee