



# Conservation Easements

## Improving water quality, reducing soil erosion and establishing wildlife habitat on privately owned lands

### What are conservation easements, and how do they work?

It involves the acquisition of limited rights in land for conservation purposes. Landowners who offer the state a conservation easement receive a payment to stop cropping and/or grazing the land, and in turn the landowners establish conservation practices such as native grass and forbs, trees or wetland restorations. The easement is recorded on the land title with the county recorder and transfers with the land when the parcel is sold.

### Who is eligible?

Any individual(s) who have owned the land for at least one year and can provide evidence of a good and marketable land title can apply to enroll eligible land. Landowners must update their property abstract at their own expense. All liens and mortgages must be paid off, or releases or consents to the easement must be obtained from the mortgage or lien holder before the easement can be completed. Partnerships and corporations must be certified as a farm corporation with the Minnesota Department of Agriculture to be eligible for the Reinvest In Minnesota (RIM) Reserve program.

### What are the financial incentives?

Payments vary by township and land use history (cropped or non-cropped). They are based on the assessor's township average market value for tillable land.

### How long do conservation easements last?

Most easements purchased by the state are perpetual (forever). Some eligible lands may be enrolled under limited duration easements (not less than 20 years), depending on programs available.

### What rights do landowners convey to the state?

Landowners retain ownership and control of the property they enroll into the easement but the easement prohibits the following: 1) Cropping and grazing unless specifically approved by the BWSR for habitat management purposes. 2) Timber harvest, unless approved by the BWSR for forest management purposes. 3) Building or placing structures on the easement. 4) Mining activities. 5) Placement of wells and sewage disposal systems. 6) Grading and excavating or any activity that would alter the cover that has been established on the easement.

### Who controls access to the easement acres?

All access to the land is controlled by the landowner. No public access is allowed unless granted by the landowner.

### How are easement areas managed?

Landowners receive financial assistance for the costs of establishing the conservation practices (vegetation or wetlands), as outlined in a conservation plan developed by the SWCD in cooperation with the landowner. The landowner is responsible for maintaining the practices as well as controlling noxious weeds. Easements are inspected annually by the SWCD for the first five years and every third year thereafter. A copy of the inspection is provided to the landowner and to BWSR. If necessary, the SWCD provides direction to the landowner to assure compliance.

### Who pays the property taxes on the easement area?

The landowner is responsible for paying all taxes and any other levies and assessments that may be assessed on the enrolled land. Assessed values vary from county to county.



*For more information about conservation easements, contact your local Soil and Water Conservation District.*