
Conservation Easements

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I hope I find you and yours well. Your solid leadership for the State and your strong representation of rural Colorado is appreciated.

I am writing to provide some input regarding the conservation easements hearing I understand you will be conducting. While I support limited conservation easements with reasonable time periods (NOT in perpetuity), I am deeply concerned that the program has grown beyond reasonable expectations and its impact needs to be closely reviewed despite the 'holy grail' status it has obtained.

As you are keenly aware, eastern Colorado and western Colorado have significant differences in federal government holdings of land. In Mesa County, for example, approximately 76% of our land is owned by the Federal Government. While multiple use is allowed, it is heavily regulated. There is no reason to expect this percentage of government ownership will drop in the long term future.

Mesa County has seen heavy activity with conservation easements over the last several years. Remember, 76% of the County is held by the government and of the remaining land, we estimate approximately 20% (~112,000 acres) is held under conservation easements in perpetuity. Almost all of these easements involve taxpayer dollars and almost all deny public access, despite these public dollars. One notable exception would be the Division of Wildlife easements acquired for the purpose of access.

While conservation easements are popular in perception, little attention is being paid to the fact that their lands are restricted in perpetuity and because they almost all have 3rd party restrictions (mostly Federal Government), they have removed local control (for example; local planning, local government needs, etc.).

Reserved 'in perpetuity' (vs. say 30-year easements) also dramatically lowers the availability of private land for other use. This means, over time, land ownership ends up in the hands of the well-off, pushing out critical elements of a community such as middle and lower economic classes.

One must also ask if we should allow control of land by the hand coming up from the grave. Should people of this generation be able to lock out uses 50 or 100 years from now? Many uses of land today were never even thought of 100 years ago and where would we be if these local needs were locked out by decisions of people long ago? For example; what if, during the prohibition, the growing of grapes were restricted in perpetuity? We would not have the wine vineyards of communities such as Palisade, Colorado.

These easements usurp local control and transfer it to 3rd parties, primarily the federal government. They are being placed in large quantities throughout the nation and restrict said properties in perpetuity. It will create a massive transfer of land use restrictions to all future generations, without of course, their input or thought of needs.

I've attached a [link](#) to a few documents that may be of interest to you. One is a recorded deed received from the Mesa Land Trust, clearly outlining the 3rd party involvement (Department of Agriculture, Natural Resources Conservation Service, Commodity Credit Corp.) in this private land-to conservation easement deed. Please pay special note to the multiple pages of restrictions that the Federal Government places on these private lands.

I've also included copies of the letter sent to the Executive Director of Mesa Land Trust after a recent request for a support letter, and a subsequent letter to Great Outdoors Colorado (required for this particular deed). One article in this folder would be of particular interest to you, such that, although this article was written over seven years ago, the concern of conservation easements was clearly on the rise, and of growing concern. If you are

not able to read all of the included documents, please read the GOCO letter and have your staff read the article from the National Policy Analysis publication.

All use of public funds should come with oversight, and local governments given land use control without being encumbered by perpetual easements.

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