



Recommended Best Practices in Land Conservation  
For the Gulf of Mexico Region  
2019





## About the Partnership for Gulf Coast Land Conservation

The Partnership for Gulf Coast Land Conservation (Gulf Partnership) is a network of 28 local, regional, state and national land conservation organizations devoted to advancing voluntary land and water conservation in the Gulf of Mexico Region. Our mission is to work together across the five Gulf of Mexico states to increase the pace, quality and permanence of voluntary land and water conservation in the coastal region.



## About this Report

The purpose of this report is to recommend methods and best practices for landscape scale conservation projects in the Gulf of Mexico Region to aid the funders and other Gulf ecosystem restoration decision makers, land trusts and land conservation practitioners in ensuring their land protection investments are efficient and cost effective.

Special thanks to the National Fish and Wildlife Foundation for their support of this project through their Gulf Coast Conservation Grant Program.

Disclaimer: The views and conclusions contained in this document are those of the authors and should not be interpreted as representing the opinions of the National Fish and Wildlife Foundation or its funding sources. Mention of trade names or commercial products does not constitute their endorsement by the National Fish and Wildlife Foundation or its funding sources.

For more information on the Gulf Partnership and to download *Recommended Best Practices in Land Conservation in the Gulf of Mexico Region*, visit [www.gulfpartnership.org](http://www.gulfpartnership.org).

Cover: Cassidy Tract, Osceola National Forest.  
*US Forest Service*

Bottom left: Prescribed Fire at Santa Fe River Preserve.  
*Alison Blakeslee*

Bottom center: Bon Secour National Wildlife Refuge Dunes.  
*US Fish and Wildlife Service*

Bottom right: Grand Bay Hawk's Marsh.  
*Gretchen Grammer*

Back Cover: Bahia Grande, Laguna Atascosa NWR.  
*Callie Easterly*

# Best Practices in Land Conservation for the Gulf of Mexico Region

## TABLE OF CONTENTS

1	Executive Summary
3	Introduction
7	Challenges and Opportunities
9	Successful Landscape Collaborations
13	The Cost of Doing Business – A Look at Land and Due Diligence Costs for Conservation in the Gulf Region
17	Recommendations for Best Practices in Land Conservation
	Recommendation 1: Adopt and implement the <i>Land Trust Standards and Practices</i>
	Recommendation 2: Conservation investments should follow a strategic conservation plan
	Recommendation 3: Invest in private lands and conservation easements
	Recommendation 4: Leverage resources within and outside of DWH Investments
	Recommendation 5: Align real property acquisition policies and procedures, decision-making calendar and funding among DWH funding streams
	Recommendation 6: Provide upfront funding for due diligence
	Recommendation 7: Have a program of responsible stewardship for fee and easement acquisitions
	Recommendation 8: Assemble advisory group for best practices in land conservation. Consider convening all land conservation practitioners working in the DWH arena.
37	Selected References and Links
39	Acknowledgements

# EXECUTIVE SUMMARY

## Recommended Best Practices in Land Conservation for the Gulf of Mexico Region

The Partnership for Gulf Coast Land Conservation (Gulf Partnership) offers these *Recommended Best Practices in Land Conservation for the Gulf of Mexico Region* as a practical aid to the funders and others leading Gulf ecosystem restoration, as well as land trusts and land conservation practitioners as they work together to invest in efficient and cost effective land protection. This report summarizes eight recommendations for implementing landscape scale conservation based on our collective experience working in the Gulf Coast Region and draws heavily from the *Land Trust Alliances' Standards and Practices for the Responsible Operation of a Land Trust (2017)*. This report also looks at the elements shared among other successful landscape scale collaborations, to discuss costs associated with protecting land in the Gulf Region and to talk about the challenges and opportunities.

**Landscape Collaborations** Concurrent to our research for this report, the Network for Landscape Conservation (NLC) undertook an independent evaluation of landscape initiatives in North America and identified some common steps to successful landscape conservation initiatives. In their 2018 *Pathways Forward* report, NLC emphasizes the need for improving approaches to landscape scale conservation: “*Healthy, connected landscapes are essential – for clean water, healthy ecosystems, cultural heritage, vibrant communities and economies, climate resilience, climate mitigation, flood and fire control, outdoor recreation and a local sense of place. And yet our approaches to these critical issues are too often piecemeal, scattered, isolated and incomplete*”.

We found several examples of landscape collaboratives that have achieved success over a long period through formal and informal partnerships and reflect the key elements of a landscape initiative that NLC identified for success. Two coastal examples that stand out are the Chesapeake Conservation Partnership and the South Carolina Lowcountry Land Trust. Both exhibit the key elements NLC describes in that they have defined landscape boundaries, a shared vision and goals, a strategic plan and spatial design, secure funding and implement strategies, and they continually evaluate their progress, update their plans and adapt over time. They serve as great models for landscape initiatives in the Gulf Region.

**Costs of Protecting Land** While the costs should not be the only determining factor in a decision to protect a landscape, they are a critical part of decision-making. The geographies, habitats and resources targeted for restoration and protection as part of Gulf ecosystem recovery efforts are extremely diverse. In their *Vision for a Healthy Gulf of Mexico Watershed*, the US Fish and Wildlife Service identified 16 priority focal areas for restoration and conservation across the Gulf States including coastal prairies and forested wetlands, dunes, coastal strand, barrier island and estuarine island habitats, public and private lands, working lands, wetland and aquatic ecosystems. These land use types and their real estate values vary widely across the Gulf Coast. Properties near or in urban areas, near water, beachfront or island properties, or those with development potential can sometimes be extremely expensive. Though a detailed market analysis was not part of this project, we summarized some average land and due diligence costs for fee and conservation easement acquisitions from a review of 25 conservation easement purchases through *Florida Forever*, from Geographic Area Rate Caps (GARC) set for USDA Wetland Reserve Easement (WRE) Program in Gulf counties and parishes, and 18 conservation projects supported by the Gulf Partnership’s Project Assistance Fund which provides small matching grants for due diligence. Average easement costs from the Florida Forever review were \$2,198/acre and the average acreage was 1,631. GARC rates and ranges for USDA WRE varied by state with two states requiring appraisals. The per acre price for fee acquisition through the Project Assistance Fund ranged from \$844/acre to \$102,299/acre and acreage ranged from 130 acres to 9,819 acres. For conservation easements, the per acre price range was \$1,275/acre to \$3,012/acre with an average acreage of 1,134. For due diligence, costs varied dramatically for items such as appraisals, surveys, legal, and environmental and baseline reports due to the difference in scopes, size and types of properties and details required.

**Challenges and Opportunities** To provide some context for our recommendations we highlighted some of the overarching challenges to and opportunities for implementing conservation in the coastal region with DWH funds or in leveraging these funds with public or private dollars. Challenges include the large and complex decision-making framework and large number of decision makers among the three main funding sources, the different proposal review and funding cycles among DWH sources, costs of land, funding restrictions, and limited upfront funding sources available for due diligence or for long-term stewardship. One of the most significant opportunities is the Strategic Conservation Assessment

being developed through the Gulf Coast Ecosystem Restoration Council (RESTORE Council). It will help align conservation planning across the Gulf to funding opportunities associated with the RESTORE Act goals and can serve as a strategic guide for conservation investments regardless of the funding source. Other opportunities include the possibility of leveraging funds across DWH funding streams and other public and private sources, existing programs for conservation that can serve as models, and the expertise within the land conservation community in the region.

**Recommended Best Practices in Land Conservation in the Gulf Coast Region** As we researched best practices and developed these recommendations, it became clear that those making decisions about DWH investments share a great desire for conservation investments to be:

- Efficient, consistent and cost effective across the Gulf Region
- Targeted to priority geographies and habitats where land protection is essential to other restoration investments
- Well-planned and coordinated with agencies, non-government organizations and landowners.

The following are eight overarching best practices recommendations developed within the context of the unique challenges and opportunities associated with

conservation in the Gulf Region and are nested in the framework of the *Land Trust Alliance Standards and Practices*. These recommendations also emerged from experiences shared by those participating in conservation projects supported by early DWH funding, as well as lessons learned during the best practices presentations and workshops held during our 2017 and 2018 Gulf Coast Land Conservation Conferences.

Very special thanks to the National Fish and Wildlife Foundation for their support of this project through their Gulf Coast Conservation Grant Program and for their strong commitment to conservation as a priority investment in restoring the Gulf of Mexico ecosystem.

It is our sincere hope that land trusts, other conservation practitioners, public resource agencies and all those making decisions about conservation investments across the Gulf Coast Region at any scale will consider these recommendations for best practices as they plan, develop and implement conservation projects in the future. We stand ready to help.

For more information on the Gulf Partnership and to download the full report, visit [www.gulfpartnership.org](http://www.gulfpartnership.org).



### Recommended Best Practices

1. Adopt and implement the Land Trust Alliance Standards and Practices.
2. Conservation investments should follow a strategic conservation plan.
3. Invest in private lands and conservation easements.
4. Leverage resources within and outside of Deepwater Horizon investments.
5. Align real property acquisition policies and procedures, decision-making calendar and funding cycles among DWH funding streams for conservation projects and programs.
6. Provide upfront funding for due diligence.
7. Have a program of responsible stewardship for fee and easement acquisitions.
8. Assemble an advisory group for best practices in land conservation. Consider convening all land conservation practitioners working in the DWH arena.

# INTRODUCTION

This report was developed by the member organizations of the Partnership for Gulf Coast Land Conservation (Gulf Partnership) – a network of 28 local, regional, state and national land conservation organizations devoted to advancing voluntary land and water conservation in the Gulf of Mexico Region. Gulf Partnership members have been working in the Gulf Region for decades alongside private landowners, and local state and federal agencies. These land conservation practitioners have significant expertise in protecting landscapes for conservation, habitat, agriculture and working forests, recreation and parks, water quality and quantity, storm buffering, green space, aesthetics and other community benefits.

The Gulf Partnership offers these *Recommended Best Practices in Land Conservation for the Gulf of Mexico Region* as practical aid to decision makers, land trusts and other land conservation practitioners to ensure their investments are efficient and cost effective. This report summarizes methods and best practices for implementing landscape scale conservation projects suggested by the land trust organization members of the Gulf Partnership and is based on our collective experience in the Gulf Coast Region.

This report attempts to take a snapshot of the current state of work in land conservation work underway as part of the Gulf of Mexico ecosystem restoration resulting from the Deepwater Horizon oil spill settlement and other leveraged resources, to learn from the early investments in conservation, and to draw on the wealth of experience among land trusts operating in the region to recommend best practices.

Why do we need best practices? Perhaps the Network for Landscape Conservation, in their 2018 *Pathways Forward* report, said it best:

*“Healthy, connected landscapes are essential – for clean water, healthy ecosystems, cultural heritage, vibrant communities and economies, climate resilience, climate mitigation, flood and fire control, outdoor recreation and a local sense of place. And yet our approaches to these critical issues are too often piecemeal, scattered, isolated and incomplete”.*

Regardless of the source of funds or the lead organization, purchase and protection of land through fee acquisition or conservation easements should be:

1. **Efficient, consistent and cost effective** across the Gulf Region.
2. **Targeted to priority geographies and habitats** where land protection is essential to other restoration investments.
3. **Well-planned and coordinated** with agencies, non-government organizations and landowners.

## Deepwater Horizon and Land Conservation

The British Petroleum (BP) Deepwater Horizon (DWH) oil rig exploded on April 20, 2010 and resulted in the worst man-made environmental disaster in U.S. history. The disaster caused unprecedented damage to waters, habitats, wildlife, and fisheries, livelihoods, businesses and communities across coastal Texas, Louisiana, Mississippi, Alabama and Florida that depend on a healthy Gulf Coast.

In assessing the injuries to natural resources and services resulting from the DWH oil spill, the council of federal and state “Trustees” determined that the injuries could not be fully described *“at the level of a single species, a single habitat type, or a single region. Rather, the injuries affected such a wide array of linked resources over such an enormous area that the effects of the DWH Oil Spill must be described as constituting an ecosystem-level injury.”* Thus, the DWH Trustees’ preferred alternative for restoration planning employed a **“comprehensive, integrated ecosystem approach to best address these ecosystem-level injuries”**.

Protecting land is a key component of the recommended restoration identified in all of the plans developed by the various funding sources associated with the DWH oil disaster, and as such significant investments are being made to protect land over the next several years while these Gulf recovery funds are available. The following excerpt from the 2016 *Programmatic Damage Assessment and Restoration Plan (PDARP)* and *Programmatic Environmental Impact Statement (PEIS)* developed by the Deepwater Horizon Natural Resource Damage Assessment (NRDA) Trustees as part of the legal settlement with BP aptly describes the appropriateness of protection and conservation of land in the restoration framework:

*“...implemented properly, it can help return injured natural resources and services to baseline by minimizing or eliminating the potential for future loss or degradation of protected areas and/or enhancing the ecosystem services provided by protected areas over time relative to the future of those protected areas in the absence of the conservation action. It also can help compensate for interim service losses to 1) coastal and riparian buffer uplands; 2) coastal wetland, oyster, SAV, or beach/barrier island habitats; and 3) nearshore and offshore living coastal and marine resources such as fish and shellfish, birds, sea turtles, and marine mammals that were adversely affected by the Deepwater Horizon oil spill. This restoration approach may also compensate for interim service losses by increasing future ecosystem service provisioning from protected areas as compared to levels that would be achieved without conservation actions. The techniques described above have been widely used to restore habitats and species across the Gulf of Mexico, including in many*



*other NRDA cases and in Early Restoration for the Deepwater Horizon spill. Previous work demonstrates that this approach is highly likely to succeed in long-term restoration applications relating to the spill. Collateral injury to other natural resources is expected to be minimal or avoided entirely by the application of this approach. The nature and severity of those impacts would depend greatly on the management goals for the land and the location of the project, and any such impacts would likely be outweighed by the long-term benefits derived from the management actions”.*

Each DWH funding stream (NFWF, RESTORE, NRDA) is guided by a unique planning and decision-making process, timeline and authorities, though there is overlap among their goals and objectives, the decision makers and priority geographies or resource targets for restoration and conservation. A description of the DWH funding streams is on the following page. Leadership among the three main funding streams are making significant efforts to coordinate their planned restoration and to leverage funds.

This report is offered in the spirit of cooperation to not only those responsible for making decisions on DWH investments, but also to our own land trust community working in the Gulf States, and other public and private entities in the hope that as a collective we can accomplish what NRDA Trustees have outlined below:

1. To return injured resources and services to baseline by minimizing and eliminating the potential for future loss or degradation of protected areas.
2. To enhance the ecosystem services provided by protected areas over time.
3. To compensate for interim service losses to:
  - a. coastal and riparian buffer uplands;
  - b. coastal wetland, oyster, SAV, or beach/barrier island habitats; and
  - c. nearshore and offshore living coastal and marine resources such as fish and shellfish, birds, sea turtles, and marine mammals
4. To compensate for interim service losses by increasing future ecosystem service provisioning from protected areas as compared to levels that would be achieved without conservation actions.

## About Deepwater Horizon (DWH) Funds

Three main restoration funding processes stem from the 2010 Deepwater Horizon oil disaster:

### National Fish and Wildlife Foundation’s (NFWF) Gulf Environmental Benefit Fund (GEBF)

As part of the criminal settlements that BP and Transocean reached with the federal government in 2013, NFWF – a nonprofit organization that funds a wide variety of conservation projects across the country – is in the process of receiving a \$2.544 billion. GEBF monies will support projects and efforts benefiting the natural resources of the Gulf Coast that were impacted by the disaster. More information:

<http://www.nfwf.org/gulf/Pages/home.aspx>

### Deepwater Horizon Natural Resource Damage Assessment (NRDA)

In accordance with the Oil Pollution Act of 1990, federal and state natural resource trustee agencies (Trustees) assessed the DWH oil disaster’s impacts on the Gulf’s natural resources and the services they provide and how the public’s ability to use or enjoy these natural resources was impacted. The Trustees released a comprehensive, integrated ecosystem restoration plan to address those injuries (*Final Programmatic Damage Assessment & Restoration Plan*). The plan allocates funds from the BP settlement for restoration over 15 years.

Prior to the completion of the Damage Assessment, BP agreed to provide up to \$1 billion to start some restoration projects in 2011. In 2016, the Trustees finalized an agreement with BP to settle natural resource damages for \$7.1 billion (on top of the \$1 billion). Up to an additional \$700 million also will be available for unknown conditions and adaptive management.

<http://www.gulfspillrestoration.noaa.gov/>

Final Programmatic Damage Assessment & Restoration Plan: <http://www.gulfspillrestoration.noaa.gov/restoration-planning/gulf-plan/>

### RESTORE Act (RESTORE)

The Resources and Ecosystems Sustainability, Tourist Opportunities and Revived Economies of the Gulf Coast States Act (RESTORE Act) was passed by Congress and signed into law in 2012. The Act directs 80 percent of all Clean Water Act civil and administrative penalties paid by BP and other companies responsible for the DWH oil disaster to a Gulf Coast Restoration Trust Fund. The remaining 20 percent is deposited in the federal Oil Spill Liability Trust Fund.

The RESTORE Act also created a “five bucket” structure for the funds to be used for restoring and protecting the natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches, coastal wetlands, and economy of the Gulf Coast region. The following amounts are being directed to the Gulf Coast Restoration Trust Fund: BP (\$4.4 billion), Transocean (\$800 million), and Anadarko (\$128 million).

The Gulf Coast Ecosystem Restoration Council (Council), includes the governors from the five affected Gulf States, the Secretaries from the U.S. Departments of the Interior, Commerce, Agriculture, and Homeland Security, the Secretary of the Army and the Administrator of the U.S. Environmental Protection Agency. The Council has responsibilities for 60 percent of the funds made available from a Gulf Restoration Trust Fund, also established by the RESTORE Act. Thirty percent of the Trust Fund, plus interest, will be administered for ecosystem restoration and protection by the Council according to Section IV of this Plan (Council-Selected Restoration Component). The other 30 percent of the Trust Fund will be allocated to the Gulf Coast States under a formula described in the RESTORE Act and spent according to individual State Expenditure Plans (Spill Impact Component). The State Expenditure Plans must be consistent with the goals and objectives of this Plan and are subject to the Council’s approval. Remaining RESTORE Act funds not within the Council’s responsibilities are: the Direct Component (35 percent of the funds), available to the Gulf Coast States in equal shares; the Gulf Coast Ecosystem Restoration Science Program (2.5 percent of the funds plus interest); and Centers of Excellence Research Grants Program (2.5 percent of the funds plus interest).

## Current Guidance and Decision Making for DWH-related Restoration and Conservation

During the development of the Recommended *Best Practices in Land Conservation in the Gulf of Mexico Region* (2016 – 2018), leadership of the three major DWH funding streams were in the early stages of planning the framework for restoration, making foundational investments in restoration and monitoring their early investments. That work is ongoing and will continue for over a decade.

Significant progress has been made in planning, implementing and evaluating conservation projects by the three major funders. For instance, from 2013 to 2018 NFWF GEBF awarded over \$1 billion of the allocated \$2.54 billion toward 122 Gulf restoration projects in the five coastal states. According to *NFWF’s GEBF Five-Year Report* (2013-2018), these investments are expected to protect, restore or enhance more than 36,000 acres of marsh habitat, 2,750 acres of beach and dune habitat, 800 acres of oyster beds and 40 miles of shoreline across the Gulf. The Gulf Partnership recognizes and appreciates NFWF’s early leadership and efforts to invest

in foundational projects, and their strong support for conservation. NFWF GEBF leaders and the states have also worked to leverage these investments with other funds from the private sector and other public agencies and existing programs, as well as funds from NRDA and RESTORE.

## Existing Guidance for Land Acquisition using DWH Funds

NFWF’s guidance for land acquisition is embedded as Appendix F in the full proposal guidelines that the five Gulf state eligible applicants use when proposing restoration projects to the NFWF GEBF. *National Fish and Wildlife Foundation Gulf Environmental Benefit Fund 2018 Full Proposal Guidelines. Appendix F. GEBF Property Acquisition Guidelines.* <https://www.nfwf.org/gulf/Documents/GEBF%20Full%20Proposal%20Guidelines.pdf>

The RESTORE Council guidance for land acquisition is found within its proposal and award guide for grant recipients in Chapter IV.D. *Gulf Coast Ecosystem Restoration Council Recipient Proposal and Award Guide for Grant Recipients and Federal Interagency Agreement Servicing Agencies, Recipient Guidance Manual Version 1.01* (12-21-2015). <https://www.restorethegulf.gov/sites/default/files/GO-RES%20RPAG%201-01%2012-21-2015.pdf>

Real property acquisition guidance had not yet been issued by the NRDA Trustees at the time of this report.

The general requirements for each funding stream are similar and include a list of the due diligence required, and post-acquisition requirements.

## Timing of Decision Making for DWH Projects

Each DWH funding stream has a unique decision-making body and authority, and its own procedures and timeline for reviewing, approving and implementing projects. The RESTORE Science Program’s *Restoration Program Funding Calendar* identifies funding deadlines for the major federal DWH funding streams at <https://restoreact.scienceprogram.noaa.gov/funding-opportunities/funding-opportunities-2019-2021>. The following is a summary excerpted from the Funding Calendar that helps illustrate the various decision-making bodies and processes.

## Gulf Coast Ecosystem Restoration Council

The RESTORE Council will fund and implement projects and programs through its 11 state and federal members (governors of each of the five states, and representatives from the US Environmental Protection Agency, and the US Departments of Agriculture, the Army, Commerce, Homeland Security, Interior). In 2019 the Council solicited proposals from its members for the next Funded Priorities List (FPL) for approval in 2020. Individual Council



members may solicit projects and/or programs from any entity and the general public to submit to the Council for consideration.

## **National Fish and Wildlife Foundation Gulf Environmental Benefit Fund**

NFWF carries out one project selection cycle per year and begins the project review process each spring through intense consultation with state natural resource agencies, NOAA, USFWS to identify projects to that meet conditions of the plea agreement to be supported by the fund. NFWF retains sole authority to make final decisions. Each state has established their own website (aka portal) to describe the process established to identify priority projects, and for the public to submit project ideas under various programs, including the NFWF GEBF.

## **Natural Resource Damage Assessment (NRDA) Trustee Council**

The NRDA Trustee Council implements restoration, monitoring and adaptive management projects through restoration plans developed and funded by the Trustee Implementation Groups (TIGs). Additionally, strategic restoration planning and programmatic monitoring and adaptive management activities may be funded by the TIGs through TIG resolutions. Each of the TIGs provides opportunities for the public to offer restoration project ideas through the Trustee Council project idea submission database (<http://www.gulfspillrestoration.noaa.gov/restoration/give-us-your-ideas/suggest-a-restoration-project>) as well as through project idea submission databases (aka portals) run by each of the five Gulf States.

## **State Websites (portals) for Program Information and Project Solicitation**

Each state has established their own website (portal) to describe the process established to identify priority projects, and for the public to submit projects for funding under various programs. The states set their own deadlines for project solicitations.

Alabama (<http://www.restorealabama.org/>)

Florida (<https://floridadep.gov/wra/deepwater-horizon>)

Louisiana (<http://coastal.louisiana.gov/>)

Mississippi (<https://www.mdeq.ms.gov/restoration/>)

Texas (<https://www.restorethetexascoast.org/>)

# CHALLENGES AND OPPORTUNITIES

To provide some context for our recommendations for best practices, below is a list developed by Gulf Partnership leaders of some of the main challenges to and opportunities for implementing conservation actions in the coastal region with DWH funds or in leveraging these funds with public or private dollars. It is helpful to articulate the challenges that land trusts, willing landowners and cooperators and public agencies face in achieving landscape scale conservation in the Gulf Coast Region.

## Challenges

The DWH-related guidance and decision-making summaries on the previous pages help illustrate a few of the challenges to coordinating landscape scale conservation especially when trying to leverage funds from different sources. Layered onto those challenges are the restrictions on the use of DWH funds specific to each source, and the different timelines each entity uses for deciding where to invest funds.

### Challenges specific to DWH Funding Streams:

- Large and complex decision-making framework and large number of decision makers among the three main funding sources can make coordination and leveraging other funds difficult.
- Federal, state and local (county/parish) agencies have different policies, laws and guidance for land acquisition.
- Timelines for decision-making do not coincide among the funding sources, and can result in long waits if leveraging among funding sources is sought.
- Balancing the need for confidentiality and sensitive nature of land acquisition and working with private landowners with the use of public websites (portals) to submit project ideas.
- Length of time from proposal, to decision, to award and implementation.
- Available land doesn't fit into neat categories of injured resources (i.e. difficult to just buy or ease the property with the injured resource such as a wetland. The uplands may need to be acquired too, to close the deal and are often important for habitat, buffers, for management access, and potential habitat migration/shifts). Parsing out specific habitat types in a transaction can drive up cost, create unnecessary delays and complexities, and may result in lost opportunities.

- States have primary control over the DWH funds, and have varying priorities and procedures for conservation (and in the case of the State of Louisiana are focused primarily on coastal marsh restoration, and not land conservation at this time); thus coordinating landscape conservation across state boundaries requires more effort and knowledge of state-specific requirements, policies and restrictions.

### Land Trusts Challenges:

- Few local land trusts in Gulf Coast region compared to other regions of the country.
- Capacity varies among land trusts in the region to provide upfront costs for due diligence, and to acquire and hold properties for long periods.
- Very limited funding for upfront due diligence is available via private, local or state sources in any of the Gulf States.
- Confidentiality and sensitivity around some land protection efforts limits the willingness to submit details in state DWH portals.

### General/Regional Challenges:

- Limited dedicated match or cost share funds in the Gulf States for both conservation (only Florida and Alabama have significant dedicated funds available statewide for conservation).
- Limited funds for long-term stewardship/management after acquisition.
- Conservation easements under-utilized by states as a tool for permanent protection of private lands via DWH but are a widely accepted and popular conservation tool across the region.
- Lack of funds for upfront costs such as due diligence and staff time to put together conservation proposals.
- Land costs in the coastal region can be expensive depending on land use, location, size.
- The Gulf Coast landscape is highly fragmented and urbanized in some parts of the region making large scale conservation difficult.
- Some acquisitions are still opportunistic, versus strategic.
- Landscape scale needs to be defined by the conservation target (e.g. protection of critical habitat for Perdido Key Beach Mouse may only require a few acres of the right habitat. Protection of buffers for landward migration in a particular estuary may require hundreds or thousands of acres).

## Opportunities

DWH funds are often called an “unprecedented” opportunity for Gulf ecosystem restoration and the settlement funds provide an enormous opportunity to leverage other funds for conservation on a scale never imagined in the Gulf Coast Region.

One of the most significant opportunities in development now is the **Strategic Conservation Assessment (SCA)**. The US Fish and Wildlife Service and Mississippi State University are designing the SCA Tool with support from the Gulf of Mexico Restore Council (RESTORE Council) to help improve the efficiency and effectiveness of conservation investments. To strategically plan for land conservation projects within the RESTORE Act region, they have inventoried the plans, priorities, and efforts regarding land conservation throughout the region as an initial step. Thus far they have assessed 352 plans and found 293 that have a component of land conservation. This study is the first large-scale regional assessment of conservation planning efforts across resource agencies and NGOs encompassing all ecosystem types in the Gulf of Mexico and is vital to understanding the key factors that may drive conservation efforts, as well as identifying potential gaps in conservation planning efforts. A holistic understanding of the origin of conservation plans and their relationship with respect to RESTORE Council conservation goals can be useful in aligning conservation planning efforts to funding opportunities associated with RESTORE goals.

In addition to the SCA, **other key opportunities include:**

- DWH funds generally do not require matching funds but can be used as match or leverage in many cases.
- All DWH funding streams encourage leveraging among themselves and other public and private sources.
- Many organizations, individuals and agencies have real property acquisition expertise both within the decision-making bodies among the DWH funding streams and across the land trust community in the Gulf States and are engaged in planning and implementation.
- There is no need to reinvent the wheel on real property acquisition guidance as several existing state and federal programs are proven (North American Wetlands Conservation Act or NAWCA, Forest Legacy Program, Florida Forever, Forever Wild in Alabama, USDA’s Agricultural Conservation Easement Program, DoD’s Readiness and Environmental Protection Integration Program or REPI, National Coastal Wetlands Grant Program).

- Public input on Gulf restoration has repeatedly emphasized the need for land conservation as part of the overall ecosystem recovery.
- The Gulf Partnership is an organized network of land conservation practitioners that are ready and willing to assist local, state and federal partners in identifying and implementing landscape conservation. Other state level land trust collaborations also engaged include the Texas Land Trust Council and the Alliance of Florida Land Trusts.
- Other large scale partnerships that have been successful at a state or larger geographic scale provide models for our collective work in the Gulf (e.g. Lowcountry Land Trust, Chesapeake Conservation Partnership).



# SUCCESSFUL LANDSCAPE COLLABORATIONS

In developing this report, the Gulf Partnership was tasked with seeking and sharing information about successful landscape collaborations that may serve as models for conservation initiatives in the Gulf Coast States. Concurrent to our research for this report, the Network for Landscape Conservation (NLC) undertook an independent evaluation of landscape initiatives in North America. ([www.landscapeconservation.org](http://www.landscapeconservation.org)). NLC is the national community of practice for practitioners advancing collaborative, cross-boundary conservation as an essential approach to protect nature, culture, and community in the 21st Century.

NLC recognized that collaboration across larger landscapes to achieve results is a major trend in conservation in North America and set out to gather information on the state of practice for the evolving field of landscape conservation. In 2017 they published *Assessing the State of Landscape Conservation Initiatives in North America: A Survey and Report* to gain a clearer understanding of this growing area of conservation. Several key insights NLC gleaned from their survey data are helpful in our quest to identify successful and relevant examples of landscape initiatives.

The following are excerpts of key findings from NLC's 2017 survey of 130 landscape conservation initiatives:

1. ***Landscape conservation has emerged as an essential approach to addressing challenges in the 21st Century.***
2. ***Landscape conservation is not defined by size.*** Landscape conservation initiatives operate across a whole spectrum of different geographic sizes, from the scale of thousands of acres to many millions of acres. Landscape conservation is not about absolute geographic size but rather about approach, with a holistic and collaborative focus on integrated cultural and ecological landscape systems. The extent of the collaboration also varies; many initiatives report a small circle of partners (53% of the initiatives have less than 30 partners) while others report expansive partnerships (19% have more than 100).
3. ***Landscape conservation initiatives are often characterized by informal governance structures.*** The preponderance of initiatives report a more informal governance structure: nearly 75% of initiatives reported operating as either partnerships (58%) – entities converging around tangible, stated goals – or networks (15%) – entities converging around shared interests for informal collaboration.

Only 15% of surveyed initiatives report having a formal institution governance structure. This suggests that we are seeing a fundamental shift in how we approach conservation. The landscape conservation approach relies less on top down or otherwise mandated efforts, and is rather most often characterized by voluntary, horizontal collaborations that are inspired by a shared vision and propelled by the power of collective impact to sustain the landscapes that participants call home.

4. ***The collaborative process is central to the success of landscape conservation.*** Factors related to collaboration and building effective relationships were regularly identified as central to the success of landscape conservation initiatives. For instance, the two most frequently cited drivers of success – appearing more often than even funding – were “support” (28% of responses were coded here, with “stakeholder trust and commitment” and “people power to move a collaborative forward relentlessly over time” as examples) and “partnerships” (17% of responses, with “long-term collaborations with MANY orgs” and “partners looking across boundaries” as examples). Some of the central elements of landscape conservation – working across jurisdictions and geopolitical boundaries, embracing voluntary and horizontal governances – require collaborative processes. These data underscore the point, suggesting that practitioners see collaboration as a fundamental component of the landscape conservation approach.
5. ***Landscape conservation initiatives often exhibit a “nested” arrangement that allows impact across scales.*** “Nestedness” is highly prevalent in landscape conservation initiatives: 80% of landscape conservation initiatives report being either nested within a larger initiative or having smaller efforts nested within their initiative. This suggests that nested arrangements provide an effective mechanism for managing the tension of different geographic scales and jurisdictions, allowing people to work within their own manageable geographies or set of issues while also playing a role and working within the context of the larger region(s).
6. ***While ecological considerations continue to drive virtually every initiative, a diversity of additional complementary priorities is also emerging.*** The data suggest that landscape conservation initiatives are primarily shaped by biodiversity and ecological themes. For instance, habitat fragmentation or loss (noted by 83% of respondents) and climate change (72%) were most

frequently noted as threats within landscapes. Similarly, biodiversity conservation (90%) and watershed protection (77%) were most frequently noted as focus areas by initiatives. However, a suite of additional interrelated priorities was also identified, including recreation, agricultural/ grazing/timber lands and sustainable economies, ecosystem services, and cultural and historical significance – all of which were identified as focus areas by more than 20% of initiatives. This is consistent with the expanding understanding of landscape conservation as an approach that can be applied to advance a diversity of interrelated values, including ecological integrity, climate resilience, clean and abundant water, outdoor recreation cultural heritage, sustainable communities and natural resource-based economies, and connections to place.

7. ***The landscape conservation approach carries specific, unique challenges.***

Initiatives report confronting a wide range of challenges. Many of these challenges are unsurprising, as they are similar to those that conservationists have long faced: a lack of sufficient funding, changing demographics, accelerating development and land use conversion, and politics. Yet other challenges are different: building and maintaining effective collaboratives across a diversity of values and perspectives, establishing effective internal structure and operation on jurisdiction-spanning contexts, sharing and managing data at large scales and across jurisdictions, and working over long periods of time (beyond typical grant cycles or funder interest). What this suggests is that practitioners are having to face new challenges specific to the landscape conservation approach as they work to sustain healthy, interconnected landscapes.

8. ***There are commonalities and lessons to be learned from the landscape conservation approach that can help advance the field.***

The survey results underscore that landscape conservation initiatives come in different sizes, progress at different rates, and can include a different blend of priorities, approaches, and challenges. Each group of collaborative stakeholders must work within its own local and regional context to build trust and move toward shared vision, goals, and strategies. That being said, it is clear that practitioners do face many common challenges and deploy many common strategies that are specific to the landscape conservation approach. This suggests that significant opportunities exist for landscape conservation initiatives to draw on lessons learned

in the field; there is no need to continually “reinvent the wheel” as our knowledge of collaborative landscape conservation practice continues to grow.

*...significant opportunities exist for landscape conservation initiatives to draw on lessons learned in the field; there is no need to continually “reinvent the wheel” as our knowledge of collaborative landscape conservation practice continues to grow.*

NLC maintains a database of North American landscape conservation initiatives on its website.

<http://landscapeconservation.org/knowledge-center/initiatives-database/>.

In 2018, the NLC published a follow up report, *Pathways Forward: Progress and Priorities in Landscape Conservation*, in which they looked at two essential questions:

1. What is the current state of landscape conservation?
2. What can we do together in our own landscapes to shape this essential practice and ensure a healthy, sustainable future for people and all nature?

This second report evaluates five themes relative to landscape conservation: **collaboration, communications/ engagement, science-based planning, funding/finance and policy** and provides best practices recommendations and on the ground examples for each theme. NLC identifies common steps to success for collaborative landscape conservation initiatives (**Table 1**) that provide a useful framework for conservation investments in the Gulf Region.

The NLC represents 100 organizational partners and 2,000 practitioners to develop tools and strategies to advance best practices and policies for landscape conservation.

NLC’s findings and recommendations provide an overarching framework for conservation practitioners to follow in establishing new or improving existing landscape conservation initiatives in the Gulf Coast Region and should be carefully considered and adapted to our collective efforts.

**Table 1: Key Elements of a Collaborative Landscape Conservation Initiative\***

Phases	Anticipate	Articulate	Anchor/Assess	Achieve	Advance/Sustain
<b>Emphasis</b>	<i>Define Landscape Boundary and Need or Opportunity</i>	<i>Identify Shared Vision and Goals</i>	<i>Undertake Spatial Design and Strategic Plan</i>	<i>Fund and Implement Strategies</i>	<i>Evaluate Progress, Update Plan, and Adapt Over Time</i>
<b>Focal Tasks</b>	<ul style="list-style-type: none"> <li>█ Convene and galvanize core group of partners.</li> <li>█ Identify shared geography and initial list of shared interest, concerns, and goals.</li> </ul>	<ul style="list-style-type: none"> <li>█ Articulate shared vision and associated goals and strategies.</li> <li>█ Explore how landscape vision is connected to efforts at different scales.</li> <li>█ Agree on plan for moving towards goals and strategies.</li> </ul>	<ul style="list-style-type: none"> <li>█ Map ecological and other resources of concern, identifying values, threats, trends, and opportunities.</li> <li>█ Craft conservation/management plan based on prioritization.</li> <li>█ Identify knowledge gaps.</li> <li>█ Develop strategic action plan.</li> </ul>	<ul style="list-style-type: none"> <li>█ Identify and secure funding sources.</li> <li>█ Implement activities identified in the strategic action plan.</li> <li>█ Monitor appropriate indicators and measures of success.</li> </ul>	<ul style="list-style-type: none"> <li>█ Celebrate successes.</li> <li>█ Evaluate progress and effectiveness of action plan.</li> <li>█ Recalibrate strategies and activities to reflect lessons learned.</li> <li>█ Adapt, reinvent, and re-energize over time as necessary.</li> </ul>
<b>Partner Building And Other Outreach</b>	<ul style="list-style-type: none"> <li>█ Start to build relationships and trust with core stakeholders.</li> <li>█ Weave authentic engagement and communications into work from beginning.</li> </ul>	<ul style="list-style-type: none"> <li>█ Continue trust building; add stakeholders as timely partner contributions while building shared activities and understanding.</li> <li>█ Ensure good internal communications to keep people informed, connected, and involved.</li> </ul>	<ul style="list-style-type: none"> <li>█ Continue to build trust and partnerships to match the scope and external communications (e.g., website, e-news) to build support, learn from one another and achieve goals.</li> </ul>	<ul style="list-style-type: none"> <li>█ Continue strategic outreach and develop media to highlight and advance core messages and collaborative efforts.</li> </ul>	<ul style="list-style-type: none"> <li>█ Give credit to all showcasing successes and progress.</li> </ul>
<b>Structure And Staffing</b>	<ul style="list-style-type: none"> <li>█ Identify backbone organization, potential process, governance structure, and seed funding.</li> </ul>	<ul style="list-style-type: none"> <li>█ Establish staffing plan (at least for backbone coordination).</li> <li>█ Fund and hire staff accordingly.</li> </ul>	<ul style="list-style-type: none"> <li>█ Develop steering committee, working groups, other structure as helpful (only as much as needed).</li> </ul>	<ul style="list-style-type: none"> <li>█ Further develop and refine governance structures as needed; increase staffing capacity as needed.</li> </ul>	<ul style="list-style-type: none"> <li>█ Remain nimble and adapt as the longterm collaborative initiative grows and changes over time.</li> </ul>

\* Network for Landscape Conservation, Pathways Forward (2018)



In reviewing examples of other landscape collaborations around the country, we found two coastal examples that have achieved success over a long period through formal and informal partnerships that may serve as models to emulate. They are the Chesapeake Conservation Partnership which is organized around a large, multi-state watershed, and the Lowcountry Land Trust which is a single organization that is an active collaborator in a larger initiative.

## Chesapeake Conservation Partnership

The **Chesapeake Conservation Partnership (CCP)** originated from a one-day workshop in 2009 where public agencies and non-government organizations assembled to discuss options for enhancing conservation and public access in the Chesapeake watershed that spans six east coast states and the District of Columbia. This network of over 50 public agencies and non-government organizations (NGOs) has evolved since that initial meeting into a formal collaboration that works to recommend policy, share best practices and advance collaborative efforts across the Chesapeake Bay Watershed. They have established a goal of adding two million additional acres to the 8.8 million acres already permanently protected in the watershed and adding 300 public access sites by 2025. Their organizational evolution mirrors the phases highlighted in the NLC Table 1, as they have:

1. A defined boundary of the Chesapeake watershed and have an expressed need.
2. A shared vision and long term conservation goals for *Farms, Forests, Habitat, Heritage and Human Health*.
3. Spatially expressed their conservation plan and mapped their goals through A Chesapeake Conservation Atlas (March 2018) <https://www.chesapeakeconservation.org/wp-content/uploads/2018/06/Chesapeake-Conservation-Atlas-1.1-March-2018-hires-corrected-c.pdf>.
4. A mechanism to fund and implement strategies through the Chesapeake Bay Watershed Agreement.
5. An established method to track progress toward goals through the assistance of public agency partners (<https://www.chesapeakeprogress.com/conserved-lands/protected-lands>).

They subscribe to the principles of precision conservation “Getting the right practices, in the right places at the right scale” (<https://precisionconservation.com>).

## Lowcountry Land Trust

Since 1986 **Lowcountry Land Trust (LLT)** in partnership with several agencies, other NGOs, private entities and landowners have protected over 138,000 acres of diverse landscapes in 17 South Carolina coastal counties and six designated conservation focus areas. Unlike the CCP, they are an individual land trust, but have demonstrated in over 30 years of service that the same principles of collaborative landscape conservation identified by NLC work at an individual organizational level if the organization is committed to real partnerships.

LLT’s evolution also follows the phases highlighted in the NLC Table 1, as they have:

1. Focal areas identified by a larger initiative. In this case the South Atlantic Migratory Bird Initiative (SAMBI) of the Atlantic Coast Joint Venture (ACJV) provides a framework of focal areas that have been adopted for use in conservation planning by LLT and many other partners working to protect and restore habitat in the South Atlantic states. The ACJV is a partnership focused on the conservation of habitat for native birds in the U.S. Atlantic Flyway from Maine to Puerto Rico. SAMBI integrates the planning efforts of all the major bird conservation initiatives and single species initiatives into a single resource where common goals and objectives are identified to direct conservation efforts to sustain, maintain, and increase populations of resident, migrating, and wintering birds in the planning area. SAMBI has been one of the most successful regional conservation successes in the United States and is a model for integrated planning and conservation delivery in North America.
2. A shared vision and goals with the Atlantic Coast Joint Venture’s SAMBI, and like other organizations in the region they have adopted the goals of this larger collaborative planning initiative.
3. A strategic plan and spatial design that also follows the SAMBI.
4. Funding comes not only from their organization’s efforts but is also leveraged through their collaboration with a multitude of partners that share the same vision and goals under SAMBI.
5. Methods to measure progress feed into the larger effort to measure the effectiveness of the ACJV’s implementation plan.

# THE COST OF DOING BUSINESS

## A LOOK AT LAND AND DUE DILIGENCE COSTS FOR CONSERVATION IN THE GULF REGION

The geographies, habitats and resources targeted for restoration and protection as part of Gulf restoration are extremely diverse. The USFWS in their *Vision for a Healthy Gulf of Mexico Watershed* identified 16 priority geographic focal areas for restoration and conservation across the five Gulf States that include coastal prairies and forested wetlands, dunes, coastal strand, barrier island and estuarine island habitats, public and private lands, working lands, wetland and aquatic ecosystems. These land use types and their values vary widely across the Gulf Coast and can be extremely expensive if they are near or in urban areas or near water.

It is important to all parties involved in Gulf recovery that funds to conserve and restore land are spent efficiently and the costs are reasonable and defensible. While the costs should not be the only determining factor in a decision to protect land, it is a critical part of the decision. A detailed market analysis of the costs of due diligence and land costs is beyond the scope of this report. However, the following summaries provide some insight into the costs based on recent conservation acquisitions via Florida Forever, the Gulf Partnership's Project Assistance Fund, and 2019 rates set by USDA for the Wetland Reserve Easement (WRE) program.

### Conservation Easement Purchases by Florida Forever

The following is excerpted from a review of 25 conservation easements (CEs) acquired in Florida through the *Rural and Family Land Protection Program and Florida Forever* from 2015 – 2018. The average acreage was 1,631 acres, with an average fair market value before easement of \$3,520/acre per acre, an average conservation easement purchase of \$2,198/acre and an average diminution in value of 42%.

#### Conservation easement acres\*

- Average – 1,631 acres
- Median – 1,076 acres
- Minimum – 109 acres
- Maximum – 8,138 acres

#### Conservation easement purchase price per acre\*

- Average – \$2,198
- Median – \$1,777
- Minimum – \$450
- Maximum – \$12,912

#### Fair market value before conservation easement\*

- 22 w/ (Fair Market Value) FMV before
- Average – \$3,520
- Median – \$3,777
- Minimum – \$1,400
- Maximum – \$12,912

#### Diminution from before easement value\*

- 22 provided FMV value before
- Average – 42%
- Median – 43%
- Minimum – 20%
- Maximum – 55%

For conservation easements acquired during 2015 – 2019, the average acreage was 1,631 acres, the average price was \$2,198/acre and the average diminution in value was 42%.

*\*Source: Compiled by Shane Wellendorf, Tall Timbers Research Station in Tallahassee Florida from a review of purchase options for Rural and Family Land Protection Program and Florida Forever, Feb. 2015 – February 2018.*

## Gulf Coast Conservation Project Assistance Fund Land and Due Diligence Costs

In 2014, the Gulf Partnership and the Galveston Bay Foundation received a \$500,000 seed grant from the Knobloch Family Foundation (KFF) to set up the Gulf Coast Project Assistance Fund (PAF). The PAF provide small 1:1 matching grants of up to \$25,000 to Gulf Partnership member organizations for due diligence needed to recommend land acquisition projects for potential DWH funding. For completed acquisitions from 2014 to 2018, partners leveraged funds from DWH funding sources such as the NFWF Gulf Environmental Benefit Fund, the RESTORE Act, and the Natural Resources Damages Trustees and non-DWH funding sources including North American Wetlands Act (NAWCA), US Environmental Protection Agency, US Endowment for Forestry and Communities, US Forest Service Forest Legacy Program, US Fish and Wildlife Service, state-funded water management districts, and private foundations and individuals.

The cost per acre for 18 fee and easement acquisitions in the PAF varied dramatically and was driven by factors

such as the location, size, land use type and the parcel's highest and best use. Acres acquired via fee or easement ranged from 1 acre to 9,819 acres. Due to the wide variation in factors and types of properties, and the small sample, we are reluctant to draw conclusions from an analysis of the costs per acre; however, the ranges of costs below illustrate the variation in land costs across the Gulf.

**Per acre price range for fee acquisition:** \$478/acre – \$825,000/acre. The lower priced acres are large tracts of coastal marsh. The \$825,000/acre is a highly developable waterfront property needed to protect dune habitat for species of concern. Excluding the highest and lowest extremes, the cost per ranged from \$844/acre to \$102,299/acre and the acres acquired ranged from 130 to 9,819 acres.

**Per acre price range for conservation easement acquisition:** \$1,275/acre - \$3,012/acre. There were only three easement acquisitions in the PAF sample. The average easement acreage acquired was 1,134.

**Table 2: Gulf Coast Land Conservation Project Assistance Fund Totals 2014-2018**

Due Diligence Funds Invested	Projects Closed	# Acres Protected	Conservation Dollars Invested and Leveraged*
\$386,152	18	27,813	\$53,670,032

\* Includes land costs, other due diligence funds and match.



## Range of costs for due diligence from Project Assistance Fund 2014 – 2018

Costs for due diligence items associated with the acquisitions completed via the PAF are highlighted below. Though the sample size is small, the ranges and average costs by due diligence item are informative for project

planning. Because the scope written for some of these items (e.g. type of appraisals, reviews, type of surveys) is unknown, some of the ranges vary widely. For instance, the type of survey ordered, type of appraisal and property, title issues, and the size of the parcel can impact the costs.

**Table 3: Range of Costs for Due Diligence from Project Assistance Fund 2014 – 2018**

Due Diligence Item*	Cost Per Item Low	Cost Per Item High	Average Cost per Project	Note
Appraisal	\$1,000	\$22,275	\$10,435	Not specified if Yellowbook appraisal or other USPAP
Appraisal Review	\$1,000	\$2,500	\$2,000	Type of review not specified
Preliminary Title Review	\$300	\$15,000	\$6,591	
Survey	\$2,500	\$54,040	\$21,680	Type of review not specified
Legal	\$400	\$25,000	\$6,059	
Environmental Assessment	\$2,500	\$8,600	\$4,000	
Baseline Documentation Report	\$5,000	\$20,863	\$12,931	For conservation easement
Closing Costs	\$8,714	\$10,000	\$9,143	May include legal, title review, filing fees, or other closing costs
Minerals Remoteness Report	\$6,000	\$6,000	\$6,000	Based on one transaction.
Title Commitment and Insurance	\$15,375	\$21,150	\$18.262	

\* Source: Partnership for Gulf Coast Land Conservation's Project Assistance Fund.

## USDA Geographic Area Rate Cap (GARC) Summary for Wetland Reserve Easements for Gulf States (2019) for Coastal Counties and Parishes

USDA Natural Resources Conservation Service sets a Geographic Area Rate Cap (GARC) for identified zones and by county/parish within each state. The GARC defines the rate allowed to be paid for a permanent conservation

easement under the Agricultural Conservation Easement Program for Wetland Reserve Easements. The 2019 GARCs for WRE are listed below for the coastal regions of the Gulf States and are updated based on a current *Areawide Market Analysis*. These easement acquisition rates may be helpful in understanding and budgeting for the costs for conservation easements on certain types of wetlands and buffers acquired with DWH funds in the future.

**Table 4: 2019 GARC Wetland Reserve Easement Rate Ranges for Gulf Coast States**

State	Low GARC \$/acre	High GARC \$/acre	Note
Alabama	\$1,830	\$4,200	Crop/hay/pasture/timber in coastal counties differentiated from inundated timber.
Florida	\$900	\$7,875	Varies widely depending on type of land – irrigated, or non-irrigated, pasture, ranchland, forested, natural, wetlands, perennial crops, etc....
Louisiana	\$1,470	\$3,930	Agricultural land and other land differentiated.
Mississippi	Requires appraisal	Requires appraisal	Appraisal required for all landcover types in coastal zone.
Texas	Requires appraisal	Requires appraisal	GARC set at 80% of individual appraisals.

# RECOMMENDATIONS FOR BEST PRACTICES IN LAND CONSERVATION IN THE GULF REGION

The following is a compilation of overarching best practices recommendations developed within the context of those unique challenges and opportunities associated with conservation in the Gulf Region discussed earlier in this report and are nested in the framework of the *Land Trust Alliances' Standards and Practices for the Responsible Operation of a Land Trust (Rev. 2017)*. The Gulf Partnership is composed of land trust organizations that work in the five Gulf States and utilize the Standards to guide their work. As such, our recommendations draw heavily from those Standards.

These recommendations also emerged from experiences shared by those participating in conservation projects supported by early DWH funding, as well as lessons learned during the best practices presentations and workshops held during the 2017 and 2018 Gulf Coast Land Conservation Conferences.

We hope that land trusts, other conservation practitioners, public resource agencies and all those making decisions about conservation investments across the Gulf Coast Region at any scale will consider these recommendations for best practices as they plan, develop and implement conservation projects in the future.

Further details on each recommendation are discussed on the following pages with some practical ideas and suggested steps to implement them.

## Recommendations for Best Practices in Land Conservation

1. Adopt and implement the *Land Trust Standards and Practices*.
2. Conservation investments should follow a strategic conservation plan.
3. Invest in private lands and conservation easements.
4. Leverage resources within and outside of DWH investments.
5. Align real property acquisition policies and procedures, decision-making calendar and funding cycles among DWH funding streams for conservation projects and programs.
6. Provide upfront funding for due diligence.
7. Have a program of responsible stewardship for fee and easement acquisitions.
8. Assemble an advisory group for best practices in land conservation. Consider convening all land conservation practitioners working in the DWH arena.

## Recommendation 1: Adopt and implement the Land Trust Standards and Practices

### About the Land Trust Standards and Practices

Founded in 1982, the Land Trust Alliance (LTA) is a national conservation organization whose mission is “to save the places people love by strengthening land conservation across America.” The LTA has established a set of ethical and technical guidelines for the responsible operation of a land trust called *Land Trust Standards and Practices* (Rev. 2017) or *Standards*. These guidelines describe how to operate a land trust legally, ethically and in the public interest, with a sound program of land transactions and land stewardship. All LTA

member land trusts must adopt the Standards as their guiding principles for their operations.

Link to the *Land Trust Standards and Practices*:  
<http://s3.amazonaws.com/landtrustalliance.org/LandTrustStandardsandPractices.pdf>

The first *Standards* were drafted in 1989 to affirm certain best practices as the surest way to secure lasting conservation and have been updated and revised four times to maintain the land trust community’s strength, credibility and effectiveness. While the *Standards* are designed for non-profit, tax-exempt land trusts, they can be easily applied and adapted to the needs of government entities (city, county, parish, state, federal, quasi-government) or other non-government entities engaged in land acquisition.

### Twelve Guiding Principles of the Standards

The Standards set 12 broad principles. These Standards are broken down into 59 practices and 188 practice elements, which describe the essential actions needed to fulfill the Standards. By adopting the 12 principles, land trusts agree to:

1. Maintain high ethical standards and have a mission committed to conservation, community service and public benefit.
2. Fulfill their legal requirements as nonprofit tax-exempt organizations and comply with all laws.
3. Act ethically in conducting the affairs of the organization and carry out legal and financial responsibilities as required by law.
4. Have policies and procedures to avoid or manage real or perceived conflicts of interest.
5. Conduct fundraising activities in a lawful, ethical and responsible manner.
6. Be responsible and accountable for how they manage finances and assets.
7. Have sufficient skilled personnel to carry out their programs, whether volunteers, staff and/or consultants/contractors.
8. **Carefully evaluate and select conservation projects.**
9. **Work diligently to see that every land and conservation easement transaction is legally, ethically and technically sound.**
10. **Work diligently to see that every charitable gift of land or conservation easement meets federal and state tax law requirements, to avoid fraudulent or abusive transactions and to uphold public confidence in land conservation.**
11. **Have a program of responsible stewardship for conservation easements.**
12. **Have a program of responsible stewardship for the land held in fee for conservation purposes.**



While all the Standards have applicability to other entities besides land trusts, Standards 8 – 12 (bolded) contain guidance and best practices that can be adapted by all local, state and federal agencies and non-government or quasi-government organizations working to conserve land in the context of Gulf restoration. To address the unique circumstances of quasi-governmental entities that own land or hold land for conservation purposes, LTA developed an interpretive document to assist them in applying the standards to their organizational structure (<https://www.landtrustalliance.org/topics/land-trust-standards-and-practices>).

The Gulf Partnership members and all land trusts operating in the region should hold ourselves to the highest standards by adopting and implementing the Standards. We urge other entities working to conserve land in the Gulf Coast Region (e.g. public agencies, other non-government organizations or NGOs) to learn and adopt these Standards, with particular emphasis on Standards 8 – 12.

Throughout the other recommendations that follow, we reference Standards 8 - 12 and how to apply them to DWH investments. We believe these well-vetted and time-tested practices provide a strong foundation for investments in land conservation for the Gulf Coast Region and should be followed by all entities working on land acquisition.

## Recommendation 2: Conservation investments should follow a strategic conservation plan

The focal area for much of the Gulf ecosystem recovery efforts is defined as the coastal zone in the Gulf Coast States (as defined by the Coastal Zone Management Act of 1972), and any adjacent land, water and watersheds within 25 miles of the coastal zone, as well as all federal waters in the Gulf of Mexico. It covers over 122 million acres of land, 1,631 miles of coastline and over 88 percent is in private ownership. This vast and diverse northern Gulf of Mexico ecosystem includes an extensive network of freshwater, brackish and salt marshes, barrier islands, riparian forests, rivers, wetland and upland forests, agricultural lands, cheniers, beaches, mangrove swamps, urban areas and marine and estuarine habitats.

To avoid “*random acts for conservation*” or opportunistic/non-strategic acquisitions and to ensure conservation is efficient and effective, an overall strategy and science-based approach to investments that incorporates the priorities, mandates and limitations of the funding sources is essential. Over the past few years, DWH decision makers have developed a variety of plans and decision-support tools to assist in this massive and overwhelming task of prioritization at a regional scale. For example, the Mississippi Department of Environmental Quality (MDEQ) has developed the *Mississippi Comprehensive Restoration Tool* or MCERT as a decision-support tool to screen potential restoration actions that could be considered for DWH investments. While it is not a strategic conservation plan, it does offer science support for potential conservation investments at a state level and watershed level.

To meet the need for an overarching, regional conservation strategy, the US Fish and Wildlife Service (USFWS) and Mississippi State University (MSU) are developing a suite of tools through the *Strategic Conservation Assessment* (SCA) project with funding from the Gulf Coast Ecosystem Restoration Council (RESTORE Council). As an initial step, they have inventoried the plans, priorities, and efforts regarding land conservation throughout the region and thus far have assessed 352 plans and found 293 that have a component of land conservation. This study represents the first large-scale regional assessment of conservation planning efforts across governmental and non-governmental organizations encompassing all Gulf of Mexico ecosystem types. As a regional comprehensive analysis, the SCA is vital to understanding the key factors that may drive conservation efforts and to identify potential gaps in conservation planning efforts.

As noted earlier in this report, this initial phase of the SCA is aimed at developing decision support tools that can lead to better informed decisions about land conservation Gulf-wide. The objectives of SCA are to develop a suite of decision support tools that will evaluate the benefits of

proposed projects and help prioritize and optimize landscape-level conservation investments.

While this effort is funded by the RESTORE Council, we believe the SCA will have utility for not only NFWF’s GEBF and NRDA conservation investments, and for agencies, local and state governments and land trusts working at a variety of scales. NRDA and RESTORE have larger funds and a longer timeline for implementation than NFWF, and thus may be the best sources for larger scale conservation investments. However, we believe NFWF’s initial investments in both planning and conservation on the ground, and the lessons learned from these early actions are informative and serve as a foundation for future, larger investments.

Land trusts, local, state and federal resource agencies and others should fully participate in the ongoing development of the SCA and should utilize it once it is available through the RESTORE Council.

*Land Trust Standard 8: Evaluating and Selecting Conservation Projects* details relevant best practices such as developing and following a strategic conservation plan, having established project selection criteria, evaluating the risks associated with long-term management and stewardship, and having written agreements with partners.

## Evaluating and Selecting Conservation Projects (excerpted from *Land Trust Standard 8*)

- A. Strategic Conservation Planning**
  - 1. Identify specific conservation priorities consistent with the organization's mission and goals
- B. Project Selection Criteria and Public Benefit**
  - 1. Develop and implement a written process to select land and conservation easement projects
  - 2. Develop and apply written project-selection criteria that are consistent with the organization's conservation priorities
  - 3. Document the public benefit of every land and conservation easement project
- C. Project Evaluation**
  - 1. Visually inspect properties before buying or accepting donations of conservation land or conservation easements to determine and document whether:
    - a. There are important conservation values on the property
    - b. The project meets the organization's project-selection criteria
  - 2. Evaluate potential threats to the conservation values on the property and structure the project to best protect those conservation values
  - 3. Evaluate any current or potential risks associated with the project, including to the organization's reputation or to the land conservation community, and modify or decline the project if the risks outweigh the benefits
- D. Project Planning**
  - 1. Individually plan all projects so that:
    - a. The best available conservation strategy for the property is identified
    - b. The property's important conservation values are protected
    - c. The project furthers the organization's mission and goals
  - 2. Assess the stewardship implications of each project and the organization's capacity to meet those obligations
- E. Partnership Documentation**
  - 1. When engaging in a partnership on a joint acquisition or long-term stewardship project or when co-holding conservation easements, create written agreements to clarify:
    - a. The goals of the project
    - b. The roles and responsibilities of each party
    - c. Legal and financial arrangements
    - d. Communications to the public and between parties

### Recommendation 3: Invest in private lands and conservation easements

Gulf restoration decision makers recognize the long-term benefits of protecting private and public lands. Because almost 90 percent of the land in the coastal zone and defined RESTORE Act boundary is in private ownership, successful restoration and conservation efforts will depend on working with private landowners. Conservation easements\* are a commonly used land protection tool funded through the following federal grant programs:

#### US Forest (USFS) Service Forest Legacy Program (FLP)

The Forest Legacy Program (<https://www.fs.fed.us/managing-land/private-land/forest-legacy/program>) uses a competitive grant program to the states to acquire conservation easements and fee lands to protect important forest land threatened by conversion to non-forest uses.

#### USFWS North American Wetlands Conservation Act (NAWCA) Grants

The NAWCA Program (<https://www.fws.gov/birds/grants/north-american-wetland-conservation-act.php>) funds wetlands protection through private land easements and fee acquisitions for public land, along with restoration and enhancement activities to increase bird populations and wetland habitat, while supporting local economies and American traditions such as hunting, fishing, bird watching, family farming, and cattle ranching.

#### Department of Defense (DoD) Readiness and Environmental Protection Integration Program (REPI)

REPI (<https://www.repi.mil/>) focuses on removing or avoiding land-use conflicts near military installations that may restrict training, testing and operations. Through “buffer partnerships” among military services, NGOs, and public agencies, the DoD uses easements or fee interest from willing sellers to preserve compatible land uses and natural habitat near installations and ranges.

#### US Department of Agriculture Agricultural Land Easement Program

US Department of Agriculture (USDA) Agricultural Conservation Easement Program (ACEP) helps landowners, land trusts, and other entities protect, restore, and enhance wetlands, grasslands, and working farms and ranches through conservation easements. Under the Agricultural Land Easements (ALE) component, NRCS helps American Indian tribes, state and local governments and non-governmental organizations protect working agricultural lands and limit non-agricultural uses of the land. Under the Wetlands Reserve Easements

component, NRCS helps to restore, protect and enhance enrolled wetlands. Of note, NFWF and the USDA recently collaborated under the NFWF-NRCS Gulf Partnership Agreement to invest in private conservation easements on wetlands and working lands that would have an impact on wildlife habitat and water quality in the Gulf Coast Region. Through this partnership they have provided \$20 million apiece to help enroll conservation easements in the five Gulf states in ACEP and the Wetland Reserve Easement (WRE) program.

Along with the LTA Standards, we believe the federal programs listed above all provide useful frameworks, guidelines and criteria for investing in conservation easements using public or public and private funding.

*\* A conservation easement is a voluntary, written agreement between a landowner and the “holder” of the conservation easement under which a landowner voluntarily restricts certain uses of the property to protect its natural, productive or cultural features. The holder of the conservation easement must be a governmental entity or a qualified conservation organization. With a conservation easement, the landowner retains legal title to the property and determines the types of land uses to continue and those to restrict. As part of the arrangement, the landowner grants the holder of the conservation easement the right to periodically (typically annually) assess the condition of the property to ensure that it is maintained according to the terms of the legal agreement.*

#### The benefits of conservation easements

Conservation easements offer an effective and tested method to conserve land in partnership with private landowners. Easements cost less than fee acquisitions and allow land to remain on the tax rolls, and the responsibility for long-term stewardship remains with the landowner. In its 2015 *National Land Trust Census*, LTA reported that since the 1970s land trusts across the country hold and monitor over 16.7 million acres in conservation easements. The case for conservation easements as a valuable tool in landscape conservation has been well documented by LTA (<https://www.landtrustalliance.org/why- conserve-land>). Additionally, USDA NRCS has worked with landowners through ACEP and its precursors to protect more than 4.4 million acres of privately-held wetlands and working lands resulting in improved soil health, water and air quality and wildlife habitat.



## Conservation Easements in Texas

In 2019, Texas A & M University Natural Resources Institute (NRI) published *Conservation Easements in Texas 2019* to provide an analysis of conservation easement lands across Texas, the conservation value of these lands, potential funding sources and increasing landowner interest. (<https://texaslandtrustcouncil.org/wp-content/uploads/2019/04/TAMU-NRI-Cons-Esmts-in-Texas-FINAL-NEWEST.pdf>)

The following are excerpts from an April 2019 interview between Texas Farm Bureau Radio Network and Dr. Roel Lopez, Director of Texas A & M University NRI about this new report that emphasize the value of conservation easements to agricultural production, water and wildlife.

*“We were able to assess the value of all conservation easement acres in Texas within three broad categories of ecosystem services – agricultural production, water and wildlife – to illustrate the value of the natural goods, services and benefits conservation easements provide,” Lopez said.*

*Lopez said Texas has approximately 248,000 farm and ranch operations accounting for over 142 million acres of land use.*

*Texas has more than 142 million acres of land devoted to agricultural production.*

*“In 2017, these agricultural operations generated about \$23 billion in cash receipts and are reported to contribute over \$100 billion annually to the food and fiber sector,” he said. “And agricultural employment also plays an important role in the state’s labor force.”*

*Lopez said using Texas Comptroller land productivity data, which captures the value of the land based solely on its ability to produce commodities, conservation easements in Texas can potentially provide over \$63.1 million in agricultural commodities annually.*

*He said another value of conservation easements to the state is in protecting land-water contributions for current and future water supplies.*

*NRI data shows conservation easements could capture more than 980,000 acre-feet of water annually, representing a \$207 million savings to the state.*

*“According to the latest Texas State Water Plan, the state will have a nearly 9 million acre-foot water deficit by 2070,” he said. “Conserving undeveloped, permeable working lands can help mitigate both issues by capturing rainfall, reducing water runoff, and increasing groundwater recharge. And by conserving vital floodplains, we can also reduce the risk of flooding.”*

*Lopez said an NRI study concluded conservation easements are six times more efficient than non-land conservation strategies. In Texas, these have the potential to capture over 980,000 acre-feet of water annually, representing a \$207 million water replacement cost savings per year.*

*He noted wildlife also plays an important role in both the state’s economy and ecological well-being, and many landowners are now managing their lands to benefit wildlife.*

*The use of conservation easements could bring more than \$5.8 million per year in value to wildlife.*

*“Texas Land Trends data shows wildlife management on Texas working lands has increased by over 5.6 million acres since 1997,” Lopez said. “The interest in wildlife is also reflected in the 2016 National Survey of Fishing, Hunting, and Wildlife-Associated Recreation, showing about 104 million Americans are involved in some type of passive or active wildlife-related recreation,”*

*He said the NRI’s analysis suggests that conservation easements in Texas have the potential to provide approximately \$5.8 million in total wildlife value annually.*

*Lopez said more than 88 percent of conservation easements in the state were executed in the past two decades, indicating an increasing interest and willingness among private landowners to use conservation easements.*

*“We have also had a positive response from landowners to our surveys related to their land management needs, which also shows us there are opportunities to expand the use of conservation easements in Texas, but the financial incentive to do so isn’t where it needs to be,” he said. “While data support the viability of conservation easements as a tool to conserve land and resources, in Texas funding from state and federal sources to purchase conservation easements has been limited, and this has restricted its use as an effective conservation tool.”*

## Recommendation 4: Leverage resources within and outside of DWH Investments

Much has been said and written through public comment opportunities and in planning documents about the need to seek and leverage Gulf restoration funding streams and other federal, state, local and private funds for conservation that are appropriate and complementary. The major Gulf restoration funding streams (NFWF, RESTORE, NRDA) do not require match or cost share in most cases, but can be applied as match or cost share (in many instances) with other land acquisition programs. This has already been accomplished through NAWCA, the Forest Legacy Program, USDA NRCS programs and grants (such as the NFWF-NRCS Gulf Partnership program mentioned above) and at the state level with dedicated state funds such as Florida Forever among others.

**About state dedicated sources of funding for conservation in the Gulf:** Unfortunately, not every Gulf State has a dedicated source of funding for conservation that can be used for leverage. *Florida Forever*, the State of Florida's conservation and recreation land acquisition program, provides an excellent framework for other Gulf States to follow (<https://floridadep.gov/lands/environmental-services/content/florida-forever>). It serves as a blueprint for conservation of priority natural resources and is the largest program of its kind in the US and offers a model of a state-based strategic land conservation program with an accompanying funding mechanism (legislative appropriation). Because Florida already had a suite of identified priority acquisitions prior to the DWH oil disaster, that state has been well-positioned to implement conservation projects. Alabama's *Forever Wild Program* (<https://www.alabamaforeverwild.com/>) also uses interest earned from offshore nature gas royalties for its investments in conservation and recreation properties across the state and is managed by the Alabama Department of Conservation and Natural Resources. This program has not yet been heavily utilized as leverage for DWH projects.

Texas, Louisiana and Mississippi have little to no dedicated source of funding for conservation.

The Gulf Partnership strongly encourages all efforts to continue and expand opportunities to leverage public and private funds with these one-time Gulf restoration funds. Beyond encouraging and advocating for leverage, we suggest some practical ways forward:

1. **Identify and publish potential sources for leverage (public sources such as NAWCA, FLP, USDA ACEP, REPI, Florida Forever, Alabama's Forever Wild, National Coastal Wetlands Grant Program, and others) and crosswalk the program requirements for each to aid conservation practitioners and decision makers.**  
  
This will help those proposing and managing projects to easily identify the areas of agreement among funding streams on items such as due diligence specifications, reporting requirements, reimbursement schedules, ownership restrictions, easement language, etc.
2. **Memorialize partnerships. Leveraging extends beyond just committing funding. It can include committing skills, experience and in-kind support. In the realm of conserving land, partnerships are often the vehicle for leveraging resources to accomplish the end goal.**

*Land Trust Standard 8: Evaluating and Selecting Conservation Projects* offers some best practices for documenting partnerships: *When engaging in a partnership on a joint acquisition or long-term stewardship project or when co-holding conservation easements, create written agreements to clarify:*

- a. *The goals of the project*
- b. *The roles and responsibilities of each party*
- c. *Legal and financial arrangements*
- d. *Communications to the public and between parties*

Land trusts across the Gulf have proposed several project ideas for consideration with DWH funds through the state portals. In many cases, they may also be the best entity to carry it out because of their relationship with a seller/landowner or their reputation in the local community. Some willing sellers prefer to work with a non-government organizations versus a public agency. Memorializing a partnership with an entity who can coordinate and carry out land transactions will leverage the skills and experience of the land trust to accomplish the project goals efficiently.

3. ***Partnerships with organizations that offer conservation financing should be enlisted to help avoid lost opportunities for targeted land acquisitions.***

Sometimes the lack of timely funding can impede or sideline a land acquisition. Conservation loans\* (aka bridge loans for conservation purposes) are low or no interest, short term loans that help organizations complete land and easement purchases prior to securing all the necessary funding. Some examples of organizations that provide conservation loans in the Gulf Coast states are: The Conservation Fund, The Trust for Public Land, and The Nature Conservancy. Recently, the Texas Parks and Wildlife Foundation (TPWF) established the Gulf Coast Conservation

Loan Program, a revolving loan fund to provide interim financing for time sensitive conservation projects along the Texas Gulf Coast. This fund was created to help conservation organizations secure cost-effective interim financing for projects that have been approved for a DWH-related grant.

When using conservation loans, it is important to develop a “take-out” strategy on the front end that defines the revenue source that will be used to repay the loan and interest.

4. ***Each Gulf State should work to replicate a dedicated source of funding for conservation similar to Florida Forever or Alabama’s Forever Wild programs.***

**\*Conservation Loans** *The urgency and pace of conservation can be impeded by a lack of timely funding. Our Conservation Loans program offers flexible financing as well as sustained and expert technical assistance to land trusts and other organizations aiming to protect key properties in their communities, increase access to green and open-space, recover natural habitats, provide conservation education programs, and help people connect with nature. Since our first loan in 1993, we’ve helped our partners achieve their conservation goals, providing more than \$190 million in almost 350 loans to 160 partners. Local conservationists have protected more than 140,000 acres across 35 states – lands valued at more than \$380 million – with funds from our continually revolving \$50 million pool of loan capital. We are a land trust as well as a lender, investing in our shared conservation goals.*

*The Conservation Fund  
[www.conservationfund.org](http://www.conservationfund.org)*

## Recommendation 5: Align real property acquisition policies and procedures, decision-making timelines and funding cycles among DWH funding streams for conservation projects and programs

Protecting a target landscape often involves partnerships and collaboration among multiple funders, landowners, facilitating organizations and agencies, private donations, and can take months or years to complete all the required due diligence, line up due diligence and to receive the needed approvals. While the Gulf restoration funding streams (NFWF, RESTORE, NRDA) do not generally require match or cost share, in-kind and financial contributions leveraged from other public or private sources have been successfully paired with DWH funds to conserve land during the early years of Gulf recovery work.

Coordinating and facilitating land acquisition is challenging when all the funds are coming from one source.

When multiple funding sources, partner agencies and organizations, multiple parcels and willing sellers are involved, it gets even more complicated. The extra layer of scrutiny, reporting and audit requirements, and compliance with settlements associated with the Gulf restoration funding streams add even more challenges for executing timely transactions.

Current published real property acquisition guidance for the NFWF GEBF and the RESTORE Council are:

*Gulf Coast Ecosystem Restoration Council Recipient Proposal and Award Guide for Grant Recipients and Federal Interagency Agreement Servicing Agencies, Recipient Guidance Manual Version 1.01 (12-21-2015)* (See Chapter IV. Section D – Land Acquisition) <https://www.restorethegulf.gov/sites/default/files/GO-RES%20RPAG%201-01%2012-21-2015.pdf>

*National Fish and Wildlife Foundation Gulf Environmental Benefit Fund 2018 Full Proposal Guidelines. Appendix F. GEBF Property Acquisition Guidelines* <https://www.nfwf.org/gulf/Documents/GEBF%20Full%20Proposal%20Guidelines.pdf>

At the time of this report, no comparable guidance has been issued by NRDA Trustees.

In addition, some state agencies or state land offices and local governments in the Gulf Region have published standards for real property acquisition. There are many common requirements these various programs and funds such as the standard list of due diligence, as well as some differences that are driven by the type of funding (government or non-government), program purposes and restrictions, and needs.

We respect and appreciate the accountability measures built into these funding processes. To streamline the process of acquisition, improve efficiency, to identify and

address programmatic differences while maintaining the high level of accountability, we strongly recommend the DWH decision makers work across the funding streams (local, state, federal agencies responsible for fee and easement acquisitions) to develop and adopt a detailed shared set of real property acquisition guidance. As land trust leaders, we offer our assistance in the creation of this cross-entity guidance.

A good first step would be to develop a crosswalk of programmatic and due diligence requirements among the different funding sources (See Recommendation 4 on leveraging) and to adapt this into a checklist of requirements for those entities that submit ideas for conservation projects into the state or NRDA portals\*. Table 5 lists the common due diligence items that are often required for land acquisition with public funds.



**Table 5: Examples of Due Diligence Items that may be Required when Acquiring Land with Public Funds**

**Examples of Common Due Diligence Items (not all may be needed or required by a funder)**

**Property and Ownership Information:**

Legal description

Recorded acquired interest in or fee deed

Amicable agreement acknowledgment (includes willing seller language)

Current landowner info (ownership name and type, contact information)

Copies of leases, covenants, or other restrictions

Documentation of location of transaction/negotiation summary and history

Preliminary title exam

Offer, letters of intent, any correspondence with landowner

**Appraisal and Review:**

Final appraisal with appraisal instructions/scope that complies with Uniform Standards or Professional Appraisal Practice/and Uniform Appraisal Standards for Federal Land Acquisition (aka Yellowbook – if required) performed by qualified appraiser

Final technical appraisal review report with instructions/scope that complies with Uniform Standards or Professional Appraisal Practice/and Uniform Appraisal Standards for Federal Land Acquisition (aka Yellowbook – if required) by a qualified general appraiser

Certification of appraiser and review appraiser qualifications

**Environmental Assessment**

Environmental site inspection report (Phase I ESA)

**Multi-Resource Management Plan:**

Resource management plan and long-term stewardship plan with signatures

Baseline inventory of habitat and wildlife (required for conservation easement)

**Minerals:**

Minerals determination or remoteness letter (if needed)

**Maps and Surveys:**

GIS shapefile of property to be acquired

Property maps/aerial imagery

Survey (specifications to be determined by type of property and needs of funders and future managers)

**Closing and Title Information:**

Deed for review that includes program language required by all funders, and restrictions

Drafts of ancillary closing documents prepared to address problematic issues (if any)

Escrow instructions for title/settlement company, including wire transfer information

Copy of settlement/closing statement and check or electronic funds transfer (EFT) statement

Final title insurance policy or assurance of title letter (also referred to as “Opinion letter of local counsel”)

Recorded filed deed

**Donations:**

For donated tracts, appraisal (for match tracts)

Documentation of landowner or donor’s willingness to use property as cost share (match)

**Miscellaneous:**

Grant award

Evidence of publicly crediting the funding sources

Also, a common proposal format among the DWH portals that is specific to land conservation projects would be useful for decision makers who need a certain level of detail in order to elevate a project idea to a potentially funded project and for those submitting ideas. Proposal formats used in other federal grant programs such as NAWCA (see below) can be especially helpful in leading the proposer through a series of questions that explain the project in sufficient detail for the decision maker to be satisfied of the benefits of the project, the finances needed to carry it out and the timeline for completion.

Other federal grant or match programs that routinely fund real property acquisition (fee and conservation easement) and associated due diligence are listed below. Guidance that directs these long-standing, well-vetted programs as well as the proposal formats for these grant programs are excellent models for further refining the current guidance being used by NFWF and RESTORE, or for developing a common set of guidance among all funding streams.

### Examples of federal programs that fund real property acquisition:

- North American Wetland Conservation Act Program (US Fish and Wildlife Service) – *2018 US Grant Standards (See Section F: Real Property Acquisition)* – <https://www.fws.gov/migratorybirds/pdf/grants/USGrantStandards.pdf>
- Forest Legacy Program (US Forest Service) – Forest Legacy Program Implementation Guidelines (May 2017) – [https://www.fs.fed.us/sites/default/files/fs\\_media/fs\\_document/15541-forest-service-legacy-program-508.pdf](https://www.fs.fed.us/sites/default/files/fs_media/fs_document/15541-forest-service-legacy-program-508.pdf)
- Agricultural Conservation Easement Program, Agricultural Land Easement and Wetland Reserve Easement (USDA Natural Resources Conservation Service) <https://www.nrcs.usda.gov/wps/portal/nrcs/main/fl/programs/easements/acep/>
- National Coastal Wetlands Grant Program (US Fish and Wildlife Service) <https://www.fws.gov/coastal/CoastalGrants/>

**Why should there be a specific proposal format for real property acquisition?** Real estate transactions, whether private or public funds are involved, are sensitive by nature. Sometimes sellers request a confidentiality agreement as they are considering an offer. Expectations of property values can be heightened by a public announcement about acquiring real property interests in a particular area. Sharing parcel information in public too early in an acquisition process can have unintended consequences. Also, some due diligence items have a short “shelf life” such as environmental site assessments, baseline documentation reports for conservation easements, title commitments, options and offers and

appraisals that must be ordered and timed close to the closing date. Proper procurement of these services from qualified vendors by public agencies and their partners also takes time. Then there are all the levels of decisions and approvals needed to fund an acquisition.

Navigating the requirements of funders, the sensitivity of land acquisition, timing the work flow and managing the expectations of landowners and partners involved can be addressed in part by clearly defining the procedures and level of details required by the funder(s) through frequent communication among partners, and by ensuring that there is enough accurate information to make timely decisions. To recommend specific parcels for conservation, certain upfront due diligence items should be completed to:

- Ensure there is a willing seller(s) and an option, letter of intent or purchase agreement in place.
- Develop a reasonable estimate for land costs and other due diligence costs.
- Identify any title issues that need to be addressed.
- Make sure future long-term management/stewardship is possible.

Standardizing a land acquisition-specific proposal format among state and federal project suggestion portals and sharing a common set of guidelines can help streamline and expedite the acquisition process. The sensitivity of land acquisitions may inhibit a proposer from including some details in a public website portal. Thus, consideration should be given on how to balance the needs of the funding entity with the confidentiality that may be required in the early phases (due diligence development) of a land acquisition.

Additionally, a common timeline among the DWH funding streams for considering conservation projects and dedicating funds for upfront due diligence would further streamline the efficiency and effectiveness of implementing landscape scale projects. See Recommendation 6 for more details on funding due diligence.

The Land Trust Standard 9 describes best practices for due diligence for fee and conservation easement acquisitions that could be adapted into a standardized set of real property acquisition guidance for all DWH funding streams.

## **Land Trust Standard 9: *Work diligently to see that every land and conservation easement transaction is legally, ethically and technically sound***

### **A. Legal Review and Technical Expertise**

1. Obtain a legal review of every land and conservation easement transaction, appropriate to its complexity, by an attorney experienced in real estate law
2. As dictated by the project, secure appropriate technical expertise, such as in financial, real estate, tax, scientific and land and water management matters

### **B. Legal and Financial Advice**

1. Do not give individualized legal, financial or tax advice when providing transaction related information
2. Recommend in writing that each party to a land or conservation easement transaction obtain independent legal, financial and tax advice

### **C. Environmental Due Diligence**

1. For every transaction, conduct or obtain a preliminary environmental investigation, transaction screen or Phase I assessment to identify whether there are any conditions that pose environmental risks, and take steps to address any significant concerns

### **D. Determining Property Boundaries**

1. Determine both the legal description and physical boundaries of each property
2. If a conservation easement contains restrictions or permitted rights that are specific to certain zones or areas within the property, include the locations of these areas in the easement document so that they can be identified in the field

### **E. Partnership Documentation**

1. Conservation Easement Drafting
  - a. Individually tailor it to the specific property
  - b. Identify the conservation values being protected
  - c. Allow only uses and permitted rights that are not inconsistent with the conservation purposes and that will not significantly impair the protected conservation values
  - d. Avoid restrictions and permitted rights that the organization cannot monitor and enforce
  - e. Include all necessary and appropriate provisions to ensure it is legally enforceable
2. If applicable, review potentially tax-deductible conservation easements for consistency with the Treasury Department regulations (U.S.C. §1.170A-14), especially the conservation purposes test of IRC §170(h)

### **F. Title Investigation and Recording**

1. Prior to closing and preferably early in the process, have a title company or attorney investigate title for each property or conservation easement the land trust intends to acquire
  - a. Individually tailor it to the specific property
2. Evaluate the title exceptions and document how the land trust addressed mortgages, liens, severed mineral rights and other encumbrances prior to closing so that they will not result in extinguishment of the conservation easement or significantly undermine the property's important conservation values
3. Promptly record land and conservation easement transaction documents at the appropriate records office

### **G. Recordkeeping**

1. Adopt a written records policy that governs how and when organization and transaction records are created, collected, retained, stored and destroyed
2. Keep originals of all documents essential to the defense of each real property transaction in a secure manner and protected from damage or loss
3. Create and keep copies of these documents in a manner such that both originals and copies are not destroyed in a single calamity

**Land Trust Standard 9: *Work diligently to see that every land and conservation easement transaction is legally, ethically and technically sound* continued**

**H. Purchasing Land or Conservation Easements**

1. When buying land, conservation easements or other real property interests, obtain an independent appraisal by a qualified appraiser in advance of closing to support the purchase price
  - a. However, a letter of opinion from a qualified real estate professional may be obtained in the limited circumstances when:
    - i. A property has a very low economic value
    - ii. A full appraisal is not feasible before a public auction
    - iii. Or the amount paid is significantly below market value
2. In limited circumstances where acquiring land, conservation easements or other real property interests above the appraised value is warranted, contemporaneously document:
  - a. The justification for the purchase price
  - b. That there is no private inurement or impermissible private benefit

**I. Selling or Transferring Land or Conservation Easements**

1. When selling land, conservation easements or other real property interests,
  - a. Establish protections as appropriate to the property
  - b. If the sale is to a party other than another tax-exempt organization or public agency, obtain an independent appraisal by a qualified appraiser or a letter of opinion from a qualified real estate professional to determine the value of the asset and to support the selling price
  - c. Select buyers in a manner that avoids any appearance of impropriety
2. When selling or transferring conservation land or conservation easements to another tax-exempt organization or public agency, consider whether the new holder can fulfill the long-term stewardship and enforcement responsibilities



## Recommendation 6: Provide upfront funding for due diligence

Upfront costs for due diligence (surveys, appraisals and reviews, title review and commitments, baseline documentation and environmental reports, legal fees, mineral remoteness reports, etc.) and the labor costs to prepare and coordinate land acquisitions are difficult to obtain for any entity (NGO or government agency) preparing proposals for land acquisition.

As discussed earlier in this report, the range of costs for due diligence items can vary widely depending on the level of detail required, the type of properties and ownerships, the requirements of funders, etc. But upfront due diligence is essential to developing robust land conservation proposals with accurate budgets that have a high probability of success.

Finding the money and managing the risks involved in these upfront due diligence costs is a constant challenge for land trusts and public agencies. In the Gulf Region, there are few sources for match for the actual land purchase, and fewer dedicated or stable funding for upfront due diligence costs.

To ensure the success of conservation investments in the Gulf Region, we strongly recommend developing a funding mechanism that supports the development of due diligence for DWH investments. This could take a variety of forms such as a dedicated fund, a mechanism for reimbursement of due diligence costs at closing, and/or allowance of pre-award costs in a grant or subaward agreement. For example, the Florida Community Trust (FCT) Program\* allows reimbursement of pre-award costs that are up to two years old.

Since 2014 the Gulf Partnership founded and has managed the Gulf Coast Land Conservation Project Assistance Fund with support from the Knobloch Family Foundation. Over a five-year period, our land trust partners closed 18 projects totaling 27,813 acres of protected easement and fee lands across the Gulf with \$386,152 in due diligence grants. These land trusts leveraged \$53,670,032 in other funds for land costs and due diligence through this program. This small matching grant program is an excellent example of how a small investment in due diligence can facilitate successful conservation.

**\*Florida Communities Trust (FCT) Program** Florida Communities Trust (FCT) assists communities in protecting important natural resources, providing recreational opportunities and preserving Florida's traditional working waterfronts through the competitive criteria in the *Parks and Open Space Florida Forever Grant Program* and the *Stan Mayfield Working Waterfronts Florida Forever Grant Program*. These local land acquisition grant programs provide funding to local governments and eligible nonprofit organizations to acquire land for parks, open space, greenways and projects supporting Florida's seafood harvesting and aquaculture industries. The source of funding for FCT comes from Florida Forever proceeds.

More information:

<https://floridadep.gov/lands/land-and-recreation-grants/content/fct-florida-communities-trust-home>

## Recommendation 7: Have a program of responsible stewardship for fee and easement acquisitions

The acquisition of conservation land – whether for public or private use – requires that all entities consider carefully the responsibility for ongoing management and stewardship of the land. **What is long-term stewardship?** The LTA defines stewardship as *the ongoing responsibility to supervise and maintain lands either owned in fee or protected by a conservation easement (also called long-term management).*

When accepting a property or conservation easement, the agency or land trust promises to ensure that the land's conservation values remain protected for the future. But just setting land aside may not ensure that the natural resources for which the land was valued are preserved. Invasive species, trespass, urban encroachment, land use changes within the watershed and changing environmental conditions (sea level rise, changes in precipitation and weather patterns, etc.) can all impact the conservation values, especially in the coastal region.

Thus, it is necessary to consider what tasks may be needed over the long-term to ensure the ecological values of a site will be preserved. Depending on the objectives for the protected property, only basic tasks such as trash removal may be needed or marking boundaries, while other sites may require more intensive activities such as regular prescribed fire, invasive species control or restoring natural hydrology. In considering the long-term management necessary at a site one should strive to identify tasks that are reasonably foreseeable needs for the site and provide adequate funding to ensure these activities can be implemented. These long-term stewardship costs must be accounted for and adequately funded as part of project development.

Long-term stewardship costs can be difficult to predict and are often underestimated. For DWH investments, one should view the long-term stewardship the way it is viewed for compensatory mitigation projects where thorough long-term planning is critical to determining the amount of stewardship money set aside for a property. That amount is decided during the project approval phase, and there is no mechanism to request additional funds from the project sponsor after the mitigation project has transitioned to long-term management. Because the long-term management responsibilities for mitigation properties are often passed on to a long-term steward, if the accompanying funds for stewardship aren't sufficient to adequately manage the property, the resource values are at risk of becoming degraded over time.

In light of these legitimate concerns about the stewardship of permanently protected lands, for DWH investments in land acquisition we recommend:

1. Conservation easements – whether on purchased, donated or privately owned lands – be accompanied by a dedicated fund for monitoring of the easement. This is common practice among land trusts and can be adapted by public agencies.
2. Where easements or fee lands are purchased by public agencies or NGOs, dedicated stewardship funds should be established and adequately funded to cover the management, maintenance and defense of the easements.
3. Dedicated funds for stewardship and management of permanently protected lands should be allowed as part of the land purchase costs.

LTA Standards 11 and 12 provide a useful guide for stewardship of easement and fee lands (respectively). See LTA Standards 11 and 12 on the following pages.

**Stewardship Funds** *A stewardship fund is a separate, dedicated fund established to provide financial resources for the costs of long-term management and maintenance. Examples include forms such as a mitigation endowment (to hold permit-exacted long-term stewardship funds) or a charitable endowment (to hold contributions designated as restricted net assets to provide funding for long-term stewardship).*

So how do you determine the costs long-term stewardship? The Nature Conservancy's 2016 **Long-Term Stewardship Calculator: Accompanying Handbook** offers a practical approach to estimating costs for monitoring and stewardship. <https://www.conservationgateway.org/ConservationPlanning/ToolsData/Documents/Long-Term%20Stewardship%20Calculator%20Handbook.pdf>

For its *Environmentally Sensitive Lands Protection Program and Neighborhood Parklands Program* the Sarasota County Commission in Florida has ordinances for land acquisition that also include startup costs (improvements and enhancements deemed necessary and appropriate to achieve the intended uses of the sites) in the acquisition costs. The scope of startup costs may cover items such as planning, design, permitting, site clearing, cleaning, safety, security, signage, access, regulatory requirements and passive recreation amenities. These ordinances allow 15 to 25 percent of the acquisition costs to be allocated to start up costs. The local ordinance is a good example of how stewardship costs may be addressed by a public entity as part of the overall project cost.

## Land Trust Standard 11: Conservation Easement Stewardship

### A. Funding Conservation Easement Stewardship

1. Estimate the long-term stewardship and enforcement expenses of each conservation easement transaction
2. Track stewardship and enforcement costs

### B. Baseline Documentation Report

1. For each conservation easement, have a baseline documentation report, with written descriptions, maps and photographs, that documents:
  - a. The conservation values protected by the easement
  - b. The relevant conditions of the property as necessary to monitor and enforce the easement

[Note: Guidance on additional items to include in a baseline documentation report may also be required by a funder or partner. For example, USDA's Agricultural Land Easement Program has guidance specific to baseline reports prepared. Land trusts also may include required items specific to their mission and goals].

2. Prepare the report prior to closing and have it signed by the landowner and organization at or prior to closing
  - a. In the event that seasonal conditions prevent the completion of a full baseline documentation report by closing, the landowner and land trust sign a schedule for finalizing the full report and an acknowledgement of interim data [that for donations and bargain sales meets Treasury Regulation §1.170A-14(g)(5)(i)] at closing [if applicable]
3. When there are significant changes to the land or the conservation easement (such as a result of an amendment or the exercise of a permitted right), document those changes in an appropriate manner, such as through monitoring reports, a baseline supplement or current conditions report

### C. Conservation Easement Monitoring

1. Adopt a written policy and/or procedure for monitoring conservation easements that establishes consistent monitoring protocols and recordkeeping procedures
2. Monitor each conservation easement property at least once per calendar year
  - a. If the organization uses aerial monitoring, conduct on-the-ground monitoring at least once every five years
  - b. Promptly document the annual monitoring activities for each conservation easement

### D. Landowner Relationships

1. Maintain regular contact with owners of conservation easement properties to maintain relationships and avoid potential easement conflicts
2. Establish systems to track changes in land ownership
3. When the property changes hands, attempt to meet with the new owner or property manager and provide information in writing about the conservation easement and the land trust's stewardship policies and procedures

### E. Conservation Easement Enforcement

1. Adopt a written policy and develop written procedures for documenting and responding to potential conservation easement violations
2. Investigate potential violations in a timely manner and promptly document all actions taken
3. Involve legal counsel as appropriate to the severity of the violation and the nature of the proposed resolution

## Land Trust Standard 11: *Conservation Easement Stewardship continued*

### F. Approvals and Permitted Rights

1. Respond to landowner required notices or requests for interpretation or approvals in a timely and consistent manner, as specified in the conservation easement deed or in a written procedure
2. Establish written procedures to guide the land trust's decision-making if using discretionary approvals or if conservation easement deeds contain such clauses
3. Maintain a permanent record of all notices, approvals, denials, interpretations and the exercise of any significant permitted rights

### G. Contingency Strategy

1. Take reasonable steps to provide for the disposition of conservation easements in the event the organization ceases to exist or can no longer steward and administer them

### H. Amendments

1. Adopt and follow a written policy or procedure addressing conservation easement amendments that is consistent with the Land Trust Alliance Amendment Principles <http://s3.amazonaws.com/landtrustalliance.org/AmendingConservationEasements-2nd-Edition.pdf>
2. Evaluate all conservation easement amendment proposals with due diligence sufficient to satisfy the *Amendment Principles*
3. If an amendment is used to adjust conservation easement boundaries (such as to remedy disputes or encroachment) and results in a de minimis extinguishment, document how the land trust's actions address the terms of J.1. below

### I. Condemnation

1. If a conservation easement is threatened with condemnation,
  - a. Take steps to avoid or mitigate harm to conservation values and document the actions taken
  - b. Have or obtain appropriate documentation of the percentage of the full value of the property represented by the conservation easement
  - c. Document the organization's attempts to receive its proportional share of the proceeds and use any proceeds in a manner consistent with the conservation easement deed

### J. Partial or Full Extinguishment

1. In the rare case that it is necessary to extinguish a conservation easement, in whole or in part,
  - a. Follow the terms of the conservation easement with respect to taking appropriate action, and obtain judicial or regulatory review when required by law or specified in the easement deed
  - b. Ensure there is no private inurement or impermissible private benefit
  - c. Take steps to avoid or mitigate harm to conservation values and/or use any proceeds in a manner consistent with the conservation easement deed
  - d. Consider the organization's actions in the context of its reputation and the impact on the land conservation community at large



## Land Trust Standard 12: Fee Land Stewardship

### A. Funding Land Stewardship

1. Determine the immediate financial and management implications of each conservation property acquisition and estimate the long-term implications
2. Anticipate and track costs associated with long-term land management, stewardship and enforcement of conservation properties

### B. Land Management and Stewardship

1. Develop a written land management plan for each conservation property within 12 months after acquiring the land to:
  - a. Identify the property's conservation values, including any significant cultural and natural features or those that have significant community value
  - b. Identify the overall management goals for the property
  - c. Identify activities to achieve the goals and to reduce any risks or threats to the conservation values
  - d. Specify the uses that are appropriate for the property, in keeping with the property's conservation values, any restrictions and donor or funder requirements
    - i. Provide public access opportunities as appropriate to the property and the organization's mission
2. Manage each conservation property in accordance with its management plan, and review and update the plan as necessary
3. Perform administrative duties (such as paying insurance, filing required forms, keeping records) in a timely and responsible manner
4. Maintain the property in a manner that retains the organization's public credibility, manages community expectations and minimizes risk

### C. Inspecting Land Trust Properties

1. Determine the boundaries of properties and physically mark them to the extent possible or necessary
2. Inspect properties at least once per calendar year for potential management problems and promptly document the inspection
3. Address management problems, including encroachments, trespass and other ownership challenges, in an appropriate and timely manner and document the actions taken

### D. Contingency Strategy

1. Take reasonable steps to provide for the continuing protection of conservation properties in the event the organization ceases to exist or can no longer own or manage them

### E. Condemnation

1. If a conservation property is threatened with condemnation, take steps to avoid or mitigate harm to conservation values and document the actions taken

## Recommendation 8: Assemble advisory group for best practices in land conservation. Consider convening all land conservation practitioners working in the DWH arena.

All those working in conservation across the Gulf States share a common desire: for investments of Gulf restoration funds to be leveraged with other public and private funds and go as far as possible in protecting priority lands to help achieve the ultimate goal of restoring the Gulf ecosystem.

Regardless of the funding source or lead entity, we hope that our collective recommendations herein aid conservation practitioners and decision makers in agencies and local communities and land trust leaders to work together to ensure land acquisitions are:

1. **Efficient, consistent and cost effective** across the Gulf region
2. **Targeted to priority geographies and habitats** where land protection is essential to other restoration investments
3. **Well-planned and coordinated** with agencies, non-government organizations and landowners.

The Gulf Partnership member organizations offer our assistance now and in future efforts to further develop program and project details that will improve efficiencies, and we pledge our support in participating in strategic conservation planning efforts that will help guide investments. Our partner organizations have a unique set of skills to support restoration efforts, including:

- A shared vision among our partners for land conservation across the Gulf Coast region expressed geospatially (*A Land Conservation Vision for the Gulf of Mexico Region, 2014*) <http://gulfpartnership.org/index.php/site/issue/strategic-conservation>;
- Strong, long standing relationships with private property owners and local community leaders in the Gulf Coast Region, including those with working forest and agricultural lands;
- Expertise in land acquisition best practices and methodologies, including procurement of public lands;
- Ability to acquire land within a reasonable time frame;
- Experience in developing, negotiating, and managing conservation easements;
- Landscape and level planning and implementation capabilities; and
- Knowledge of local communities and their conservation and community priorities.

In order to implement the seven previous recommendations we believe a next step would be to assemble a working group or advisory group of land conservation practitioners and land managers from across the Gulf Region to help align and streamline the process of proposing, selecting and successfully accomplishing strategic conservation projects. We stand ready to assist in these endeavors and offer our members' expertise and skills toward landscape conservation across the Gulf of Mexico Region over the next several years.

## SELECTED REFERENCES AND LINKS

- Chesapeake Conservation Partnership. *A Chesapeake Conservation Atlas* (March 2018).  
<https://www.chesapeakeconservation.org/wp-content/uploads/2018/06/Chesapeake-Conservation-Atlas-1.1-March-2018-hires-corrected-c.pdf>
- Deepwater Horizon Natural Resource Damage Assessment Trustees. NOAA website:  
<https://www.gulfspillrestoration.noaa.gov/>
- Gulf Coast Ecosystem Restoration Council Recipient Proposal and Award Guide for Grant Recipients and Federal Interagency Agreement Servicing Agencies, Recipient Guidance Manual Version 1.01 (12-21-2015).  
<https://www.restorethegulf.gov/sites/default/files/GO-RES%20RPAG%201-01%2012-21-2015.pdf>
- Land Trust Alliance. *2015 National Land Trust Census*.  
<https://www.landtrustalliance.org/about/national-land-trust-census>
- Land Trust Alliance. *Determining Stewardship Costs and Raising and Managing Dedicated Funds*. 2007.  
<https://www.landtrustalliance.org/publication/determining-stewardship-costs-raising-and-managing-dedicated-funds>
- Land Trust Alliance. *Land Trust Standards and Practices 2017*.  
<http://s3.amazonaws.com/landtrustalliance.org/LandTrustStandardsandPractices.pdf>
- Louisiana Department of Wildlife and Fisheries and The Conservation Fund. 2014. *Master Plan for Wildlife Management Areas and Refuges*.  
[http://www.wlf.louisiana.gov/sites/default/files/pdf/document/38542-2014-master-plan-wma/master\\_plan\\_low-res.pdf](http://www.wlf.louisiana.gov/sites/default/files/pdf/document/38542-2014-master-plan-wma/master_plan_low-res.pdf)
- Louisiana Trustee Implementation Group. *Executive Summary Louisiana Trustee Implementation Group Proposed Alternatives for Recreational Use*.  
[https://www.gulfspillrestoration.noaa.gov/sites/default/files/LA%20TIG%20Draft%20Rec%20Use%20Plan\\_508%20Executive%20Summary\\_December%202017.pdf](https://www.gulfspillrestoration.noaa.gov/sites/default/files/LA%20TIG%20Draft%20Rec%20Use%20Plan_508%20Executive%20Summary_December%202017.pdf)
- Lund, A.A., L.A. Smith, A. Lopez, R.R. Lopez and J.H. Leibowitz. 2019. *Conservation Easements in Texas*. Texas A&M Natural Resources Institute. College Station, TX, USA.
- National Fish and Wildlife Foundation *Gulf Environmental Benefit Fund. 2018 Full Proposal Guidelines. Appendix F. GEBF Property Acquisition Guidelines*.  
<https://www.nfwf.org/gulf/Documents/GEBF%20Full%20Proposal%20Guidelines.pdf>
- Network for Landscape Conservation. *Pathways Forward: Progress and Priorities in Landscape Conservation*. 2018.  
[http://landscapeconservation.org/wp-content/uploads/2018/08/Pathways-Forward\\_2018\\_NLC.pdf](http://landscapeconservation.org/wp-content/uploads/2018/08/Pathways-Forward_2018_NLC.pdf)
- Partnership for Gulf Coast Land Conservation. *A Conservation Vision for the Gulf of Mexico Region*. 2014.  
<http://gulfpartnership.org/a-land-conservation-vision-for-the-gulf-of-mexico-region/>
- Restore Science Program. *Funding Opportunities 2019-2021*.  
<https://restorescienceprogram.noaa.gov/funding-opportunities/funding-opportunities-2019-2021>
- Samiappan, S.; Shamaskin, A.; Liu, J.; Roberts, J.; Linhoss, A.; Evans, K. *Land Conservation in the Gulf of Mexico Region: A Comprehensive Review of Plans, Priorities, and Efforts*. Land 2019, 8, 84.
- Texas Land Trust Council. *Valuing Economic Benefits of Texas Conservation Lands, January 2019*.  
[https://texaslandtrustcouncil.org/wp-content/uploads/2019/03/TLTC\\_EcosystemServiceValuation\\_Report\\_wAppendix\\_2019\\_03\\_01\\_Final.pdf](https://texaslandtrustcouncil.org/wp-content/uploads/2019/03/TLTC_EcosystemServiceValuation_Report_wAppendix_2019_03_01_Final.pdf)
- Texas Land Trust Council. [www.texaslandtrustcouncil.org](http://www.texaslandtrustcouncil.org)

## SELECTED REFERENCES AND LINKS continued

The Nature Conservancy. *Long-Term Stewardship Calculator: Accompanying Handbook*. 2016.

<https://www.conservationgateway.org/ConservationPlanning/ToolsData/Documents/Long-Term%20Stewardship%20Calculator%20Handbook.pdf>

US Department of Agriculture. [www.usda.gov](http://www.usda.gov)

US Fish and Wildlife Service. *Vision for a Healthy Gulf of Mexico Watershed*. 2013.

<https://www.fws.gov/southeast/pdf/gulf-vision-document.pdf>

USDA Natural Resources Conservation Service. *Instruction and Guidance for national review and approval of Area Wide Market Analysis, Geographic Area RateCap, and Uniform Standard for Professional Appraisal Practices*.

<https://directives.sc.egov.usda.gov/ViewerFS.aspx?hid=41664>



## **ACKNOWLEDGEMENTS**

Very special thanks to the National Fish and Wildlife Foundation (NFWF) for their support of this report through their Gulf Coast Conservation Grant Program. We also wish to express our extreme gratitude to NFWF for their commitment to land conservation and restoration, and for taking a lead role in seeking efficient, targeted and results driven approaches to Gulf recovery.

**National Fish and Wildlife Foundation**

**Land Trust Alliance**

**Land Trust for the Mississippi Coastal Plain (PGCLC Fiscal Sponsor)**

**USDA Natural Resources Conservation Service Gulf Ecosystem Restoration Team**

**Texas Land Trust Council**

**Alliance of Florida Land Trusts**

**Partnership for Gulf Coast Land Conservation Members**

## Partnership for Gulf Coast Land Conservation Members

### Local , State and Regional Organizations

Alabama Coastal Heritage Trust (AL)  
Alabama Forest Resources Center (AL)  
Alachua Conservation Trust (GA/FL)  
Artist Boat (TX)  
Coastal Land Trust (AL)  
Colorado River Land Trust (TX)  
Conservation Foundation of the Gulf Coast (FL)  
Conservation Florida (FL)  
Dauphin Island Bird Sanctuaries (AL)  
Florida's Nature Coast Conservancy (FL)  
Galveston Bay Foundation (TX)  
Guadalupe Blanco River Land Trust (TX)  
Katy Prairie Conservancy (TX)  
Land Trust for Louisiana (LA)  
Land Trust for the Mississippi Coastal Plain (MS)  
Mississippi Land Trust (MS)  
North Florida Land Trust (FL)  
Tall Timbers Research Station & Land Conservancy (FL)  
Tampa Bay Conservancy (FL)  
Texas Agricultural Land Trust (TX)  
Weeks Bay Foundation (AL)  
Woodlands Conservancy (LA)  
Wolf River Conservation Society (MS)

### National organizations

American Farmland Trust  
Land Trust Alliance  
National Audubon Society  
The Conservation Fund  
The Nature Conservancy  
The Trust for Public Land

*When people think about “coastal restoration” they often imagine marshes being planted, oyster reefs created, and dunes being restored.*

*These are important ways to restore coastal ecosystems. However, sometimes simply protecting existing wild places is the most meaningful – and cost-effective – way to help an ecosystem at risk. For example, protecting existing marshes or dunes and the lands behind them can allow these important habitats to migrate inland, in response to sea level rise. Furthermore, protecting existing habitats connects people to nature, creates a sense of place, and supports outdoor traditions such as fishing, hunting, camping or kayaking.*

Ray Herndon, Director, Central Gulf & Lower Mississippi Region, The Conservation Fund  
And Past Chair, Partnership for Gulf Coast Land Conservation



Visit [www.gulfpartnership.org](http://www.gulfpartnership.org) to learn more about the Gulf Partnership, to donate and get involved.