

CONSERVATION EASEMENTS

FACT SHEET

A covenant with the future

The Native Prairie Stewardship Program encourages preserving and expanding tiny pockets of native prairie that remain in intensely farmed areas. As the Saskatchewan farm population ages, more changes in farm land ownership will occur. New owners and rising costs will spur cultivation of existing native prairie, unless protection happens now.

The Government of Saskatchewan has passed the Conservation Easement Act to facilitate habitat conservation while leaving the land and its management to the landowner. This fact sheet focuses on what a conservation easement is, how an easement can be used to preserve native prairie and what the benefits and responsibilities are for the landowner and the conservation agency holding the easement.

What is a conservation easement?

A conservation easement is a legal agreement between a property owner and a conservation agency to restrict the type and amount of development on the owner's property. The easement agreement is filed with the land's title and is binding on current and future owners for the term of the easement. Easements may exist for a specified time or in perpetuity.

Restrictions in the easement agreement are tailored to the particular property. The interests of the landowner and the conservation agency which holds the easement would be discussed prior to a formal agreement. Both the landowner and the conservation agency would identify the restrictions that protect the property. Both parties monitor the easement to ensure the terms of the agreement are maintained.



Why grant an easement?

Landowners grant a conservation easement to protect their land from inappropriate development while retaining ownership of the land. Granting an easement can also yield tax savings.

Who grants an easement?

While it is the landowner who grants an easement, all third parties that have a registered interest in the land must be given thirty days notice of intent to enter into a conservation easement. If the land is mortgaged, for instance, the mortgage holder must agree to the terms of the easement.

Privileges and responsibilities

The landowner who grants the easement and the conservation agency that holds the easement must agree on the terms. If an easement is granted on a parcel of native prairie, the two parties may, for instance, agree to manage grazing as a method of maintaining the integrity of the ecosystem. The landowner would then manage the on-site grazing arrangements.



The first move

Either the landowner or a conservation agency can initiate discussions about a conservation easement. A landowner may be seeking a way to protect a parcel of native prairie, or an agency may recognize the conservation value in a piece of land and seek the owner's co-operation in preserving it.

Other ways for future protection

A landowner can voluntarily donate land to a conservation agency, either during his or her lifetime or by bequeathing it. In some instances a conservation agency might buy a particular parcel of land. However, an easement ensures conservation protection while leaving the land title and its management in the hands of the landowner. Experience indicates that conservation easements have worked well in other provinces and in the United States.

For more information about native prairie and some actions you can take to protect it, contact:

Saskatchewan Wetland Conservation Corporation
Room 101 - 2022 Cornwall Street
Regina, Saskatchewan S4P 2K5
Tel: (306) 787-0726
Fax: (306) 787-0780
website: www.wetland.sk.ca
e-mail: swccnet@wetland.sk.ca

or

Nature Saskatchewan
1860 Lorne Street
Regina, Saskatchewan S4P 2L7
Tel: (306) 787-9273

or

Saskatchewan Wildlife Federation
444 River Street West
Moose Jaw, Saskatchewan S6H 6J6
Tel: (306) 692-8812

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