

# Conservation Easements in Montana

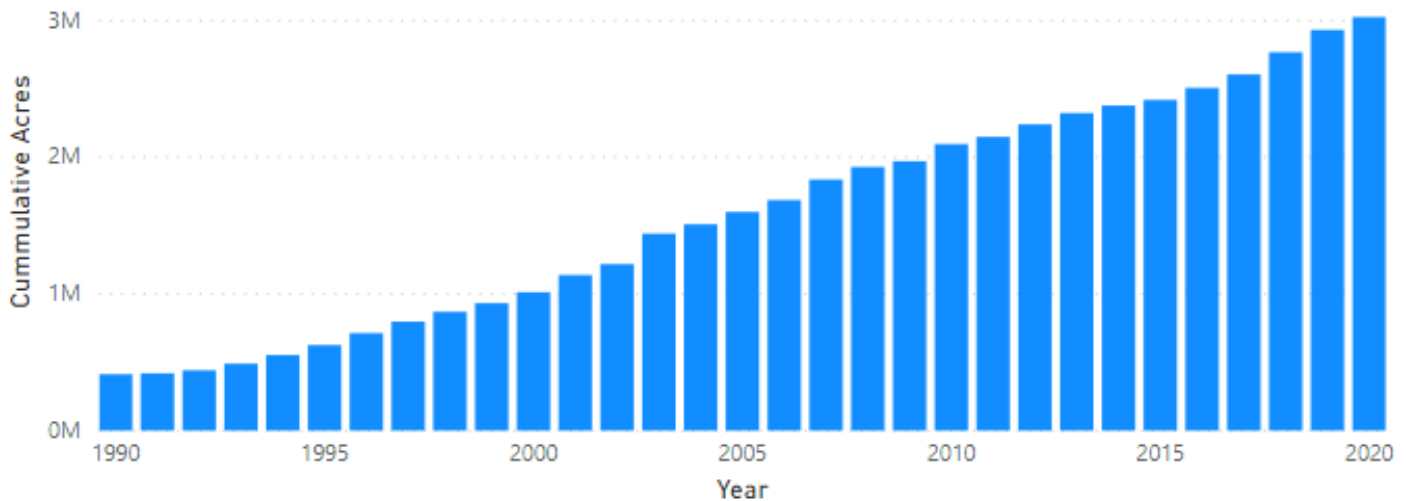
ALICE HECHT

AUGUST 31, 2021

Since the passing of the federal Tax Reform Act of 1976 over 3 million acres of lands in Montana have been put under conservation easements. Every county, except Fallon and McCone, has conservation easements.

Through the 1980s growth in land under easements was slow, with approximately 60,000 acres being put under easements between 1976 and 1988. In 1989 the Nature Conservancy acquired a conservation easement on the Flying D Ranch, a 113,000-acre property owned by Ted Turner that crosses both Madison and Gallatin counties. The Flying D remains the second largest conservation easement in the state, second only to the 142,000-acre Thompson-Fisher conservation easement in northwest Montana, held by Montana Fish, Wildlife and Parks as part of its Habitat Montana program. From the mid-1990s the rate of growth increased and stabilized at an average annual growth rate of 6.5% and roughly 1,000,000 acres per decade have been placed under easements.

### Cumulative Acres by Year



The majority of conservation easements in Montana are held by non-profits, roughly 1.9 million acres or 63%. However, the state and federal government also each hold an appreciable amount, with the federal government holding 558,000 acres or 18%, and the State of Montana holding 563,000 acres or 19% of all easements. Less than 1% of easements are held by tribes and local governments.

Montana has a total of approximately 2,600 conservation easements at an average of 1,200 acres and a median of 300 acres. The average county has 55,000 acres of land under conservation. The chart to the right lists the top ten easement holders by acres conserved. Most conserved land is vacant property, followed by farmstead land, which is taxed on its production value. The total taxable value of all land under conservation easements in the state is \$16.2 million dollars in FY 2021.

### Top 10 Easement holders by Acres

Montana Land Reliance	1,174,532
Montana Fish, Wildlife, and Parks	561,739
The Nature Conservancy	481,994
US Fish and Wildlife Service	466,226
Five Valleys Land Trust	71,490
Rocky Mountain Elk Foundation	49,474
Gallatin Valley Land Trust	49,537
US Dept of Agriculture	43,668
US Forest Service	32,212
The Conservation Fund	23,640
All others	67,839
<b>Total</b>	<b>3,022,350</b>

Acres	County
274,341.42	MADISON, MT
222,273.58	PHILLIPS, MT
178,185.90	POWELL, MT
173,058.04	LEWIS AND CLARK, MT
166,414.43	BEAVERHEAD, MT
154,260.36	TETON, MT
130,221.26	GALLATIN, MT
115,219.53	LINCOLN, MT
108,557.58	PARK, MT
100,031.19	MEAGHER, MT

Currently the two counties with the most acres under easement are Madison and Phillips. Between these two counties nearly half a million acres are conserved.

In Madison county, 91% of easements are held by non-profits and are mostly private ranches. There are 170 easements in the county ranging from the Turner property and the Sun Ranch all the way down to small easements of 1 acre.

In Phillips county, 76% of the easements are held by the federal government. Non-profits hold 21% and roughly 3% is held by the state. Of the 222,000 acres conserved in Phillips county, the two largest owners

of land with easements are the Nature Conservancy with 26,000 acres and the American Prairie Foundation with 13,000 acres. In Phillips county these two entities own 35,000 and 57,000 acres respectively, not all of which have easements. The total county area is 3.3 million acres.

Compared to neighboring states Montana has similar percentages of public land and easement acreage to Colorado. When compared with Idaho and Wyoming, Montana has a greater share of land under easements. However, Idaho and Wyoming each have a much larger proportion of public land than Montana, leaving less land available for easements. In Idaho a large portion of the easements are held federally and by the state. In Wyoming the Stockgrowers Land Trust holds more than a third of all easements. In South Dakota and North Dakota, it appears that most easements are held federally for wetlands, waterfowl and prairie land, though the data for these states is less reliable. Utah is not in the chart, but is similar to Idaho, as it is more than 70% public land and data sources indicate it has less than 200,000 acres under easement.

Summary statistics of Montana and Neighboring States by Acres							
	Total land area (acres)	Public land	Conservation easements	Easement Statistics			Of Note
				Median	Mean	Max	
Montana	94 million	33 million	3.1 million	302	1174	141,600	Non-profits hold more than half of all easements
Idaho	53 million	35 million	350,000	46	845	56,000	State and federal hold majority of easements
Wyoming	62 million	34 million	718,000	310	2917	247,445	Stockgrowers hold the most acres of easements over one non-contiguous site
Colorado	66 million	26 million	2.7 million	80	980	170,000	Easements largely owned by non-profits and local governments
*South Dakota	49 million	3.7 million	960,000	161	1,360	121,600	Mostly federal
*North Dakota	44 million	2.2 million	670,000	845	198	115,000	Majority federal

Data source: National Conservation Easements Database (NCED)  
 \*The data provider indicated that data for the Dakotas is partially incomplete

Although all states are vastly different regarding conservation easements, Montana is not dis-similar from its neighbors. Growth in easements over the past 30 years has been steady and stable.