

# WHY PROTECT LAND?

**L**and reflects our community - it echoes our quality of life. Our natural landscapes are treasures that provide important recreational, environmental, economic, and cultural benefits.

Unfortunately, sprawl, or poorly planned development, is having a devastating effect on our community, resulting in the paving over of land and other valuable resources. Sprawl spreads out from urban areas, destroying green space and causing poor water quality, increased flooding, and traffic congestion. Clearly, as this rapid, unmanaged growth continues, there is a small window of opportunity to save what makes southeast Louisiana so unique.

Communities across the United States are using various approaches to protect land and other natural areas. Protecting land helps to balance development and green space while providing areas to recreate, appreciate, and enjoy for generations to come.



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**Our community  
doesn't have to  
choose - we can  
grow our economy  
and protect  
environmental  
resources.**

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*Several studies have shown that permanently protected land tends to increase the value of nearby private land by 10-20%.*

# LAND PROTECTION OPTIONS

## Land Trust

A land trust is a non-profit organization that, as all or part of its mission, actively works to protect land by initiating or assisting direct land transactions - primarily purchasing or accepting donations of land or conservation easements.

## Conservation Easements

A conservation easement or conservation servitude is a legal agreement between a landowner and a land trust or government agency that limits uses of the land in order to protect its conservation values. Easements can be permanent or for a specified period of time.

Under an easement the landowner continues to own and use the land and can sell it or pass it on to heirs. An easement may apply to just a portion of the property, and need not require public access. Donating a permanent easement can result in reduced income tax and estate tax for the landowner.



## Land Donation

Donating land for conservation purposes is an effective way to ensure its protection and share its beauty with future generations. It releases the landowner from the responsibility of managing the land and it can provide substantial income tax deductions and estate tax benefits. Also the donation can be arranged in a way that allows the landowner to continue to live on the land or to receive a life income.

## Bargain Sale of Land

In a bargain sale, land is sold to a land trust or government agency for less than its fair market value. This makes the deal more affordable for the land trust. A bargain sale also helps the landowner avoid some capital gains tax and obtain a charitable income tax deduction based on the difference between the land's fair market value and its sale price.

## Transfer of Development Rights (TDRs)

The transfer of development rights is often used to protect culturally or historically significant properties such as farms, important buildings, or scenic views, in perpetuity. This is accomplished through the sale of "development rights". Typically, landowners in development restricted areas called "sending" districts transfer the development rights from their property and sell those rights to property owners in identified "receiving" districts.

*In the long run, protecting land can end up costing residents less than they would pay to provide public services to developed land.*

## Land Use Regulations and Zoning

The land use policies, plans, and zoning regulations adopted by a municipality serve to guide its environmental, social, economic, and cultural well-being, and they direct the community's future vision. These policies are the primary tools to help promote compact, mixed-use developments, and protect green space. Communities can use land use policies as tools to protect valuable environmental lands and resources by directing development toward less significant, more appropriate areas.

## Deed Restrictions

Deed restrictions can be used to control development areas on privately owned properties in order to protect green space or natural resource features. They also may limit the further subdividing of properties.



## Greenways and Trails

Greenways and trails are an excellent way to provide access to special landscapes and create linkages within and between communities. They are linear green space areas that run along woods, fields, highways, rail and utility corridors, and waterways. Though trails usually provide for public access, greenways may or may not. Both can link residential areas with schools, parks, and retail/commercial districts.

## FIND MORE INFORMATION AT:

**Land Trust Alliance**  
Southeast Regional Program  
P.O. Box 33355, Raleigh, NC 27636-3355  
(919) 424-4427 or lta.org

**Local Government Environmental Assistance Network**  
lgean.org (Check out *Tools & Resources*)

**National Park Service - Rivers, Trails, & Conservation Assistance Program Field Office**  
419 Decatur St., New Orleans, LA 70130  
(504) 589-3882 or nps.gov/sero/rtca

**Nonpoint Education for Municipal Officials**  
nemo.uconn.edu/index.htm

**The Nature Conservancy**  
Northshore Field Office  
P.O. Box 1497, Covington, LA 70434  
(985) 809-1414 or nature.org

**The Trust for Public Land**  
New Orleans Office  
1137 Baronne St., New Orleans, LA 70113  
(504) 620-5142 or tpl.org

**U.S. Environmental Protection Agency**  
epa.gov/owow/NPS/ordinance  
(Model ordinances)  
and  
cfpub2.epa.gov/sgpdb/sgdb.cfm  
(Land use regulations & policies)

*BIG BRANCH MARSH NATIONAL WILDLIFE REFUGE:  
Before it was a 17,000-acre public green space, it was a proposed 24-lot subdivision.*