

SPRING 2020



TALTnews

Conserving the Texas heritage of agricultural lands, wildlife habitats, and natural resources.

Building Resilient Landscapes: Our best defense is right beneath our feet

Climate change is an overly politicized phrase that isn't going away anytime soon. TALT is not alone as we wrestle with how best to navigate this highly charged subject. Scientists tell us that the Earth's temperature is increasing,



sea levels are rising, and more severe storms and droughts are predicted in the future. It is our belief that the conservation of our nation's vast working lands offers one of the most viable and cost-effective solutions.

Working lands are the privately owned farms, ranches, and forests that make up about 70% of our nation's lands and 83% of Texas. Working lands provide a variety of public services including food, fiber, and energy production, recreational opportunities, fish and wildlife habitat, groundwater recharge and infiltration, erosion and runoff control, flood mitigation, and carbon

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Loss of Working Lands is Accelerating in Texas

By Lorie A. Woodward

According to *Texas Land Trends: Status Update and Trends of Texas Working Lands 1997-2017*, the rate at which Texas is losing open working lands is accelerating.

"Between 1997 and 2012, the state lost about one million acres of its working lands," said Dr. Roel Lopez, Director of the Texas A&M Natural Resources Institute, which published the report. "In contrast, in the past five years Texas' loss totaled about 1.2 million acres. The trends are not only continuing but accelerating."

The report also noted that in the top 25 fastest growing counties population grew by 86 percent and of total land conversion statewide, 56 percent occurred in those same fast-growing counties. Land values in those counties reflected increased

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To conserve the Texas heritage of agricultural lands, natural resources, and wildlife habitats.

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CEO'S LETTER



Time flies when you're planting seeds.

Thirteen years ago when we founded TALT, the Board and I embraced a simple concept: create an ag land trust run by landowners for landowners.

Executing on that concept wasn't nearly as easy. Texas was losing open space faster than any other state in the nation, but Texas landowners weren't sure they needed what TALT offered. Conservation easements for most people were, at best, foreign and, at worst, a subversive plot.

The soil needed preparation. First, we recognized that the person on the ground knows best how to manage that ground. We developed guiding principles that articulated respect for private property rights and voluntary stewardship.

Next came iron-willed discipline. Avoiding "mission creep," we focused on being an agricultural land trust, "created by landowners, for landowners." The Board brought their talents to bear as we figured out how to make the conservation easement – a tool created for environmental purposes – work for working lands.

Then we planted seeds. Lots of them. Roughly half of the annual budget went to outreach. Through workshops, presentations, articles and meetings, we shared the pros and cons of conservation easements. We never told anyone to do an easement or put targets on maps. Instead we vowed to be a trusted resource.

Today, TALT holds over 234,000 acres in conservation easements across Texas. By staying true to our constituents and our mission, TALT helped to change attitudes in the farming, ranching, and hunting worlds towards conservation easements. We worked with policy makers and others to shape federal and state easement programs so that they would work for working lands.

Looking back on TALT's accomplishments over the past 13 years, I'm humbled and grateful. So many exceptional people—donors, board members, and staff—have come together to help make Texas better forever. It's been an honor to work alongside you all.

But this is not the time to slow down. The recent Land Trends Study from the Natural Resources Institute shows that fragmentation is accelerating. Every five years, Texas loses five million acres of rural land. TALT is ready for the challenge.

There is truth in the adage, "You reap what you sow." Under the leadership of my successor Chad Ellis, who will bring new ideas and new energy to the task, TALT will rise to the challenge. I look forward to seeing what fruit those seeds will bear.

See you down the road.

Blair Fitzsimons, Chief Executive Officer
bfitzsimons@txaglandtrust.org



Chad Ellis selected as new TALT CEO

The Texas Agricultural Land Trust's Board of Directors has selected Chad Ellis to succeed Blair Fitzsimons as CEO.

Ellis brings a wealth of land conservation experience, most recently in his work for the Noble Research Institute, the largest nonprofit agricultural research organization in the U.S. Ellis brings deep connections and experience with USDA's Natural Resources Conservation Service, where he served in increasingly responsible roles for a decade. He also currently serves on an advisory board to the U.S. Secretary of Agriculture.

"This is an exciting new chapter for TALT," said TALT Board Chair Charles Davidson. "Thanks to Blair Fitzsimons and our team, the organization continues to make great strides in helping landowners conserve their working lands. Chad brings new ideas, new contacts, and a wealth of land conservation experience to lead the organization to the next level."

Under Fitzsimons' leadership, TALT has partnered with landowners to place over 234,000 acres of land under conservation easements and is the recognized leader in working lands conservation in Texas. Ellis will officially join the organization on May 26.

"TALT's mission brings together my passion for working lands, conservation and most importantly the stewards of those lands," said Ellis. "I am honored to lead TALT into the next chapter, and I look forward to building upon Blair's incredible work and passion." ☆

POLICY UPDATE

Increased funding for the Texas Farm & Ranch Lands Conservation Program (TFRLCP) is at the top of the list of policy priorities approved by the TALT Board at its February meeting.

Created by the Texas Legislature in 2005, TFRLCP makes grants to land trusts to purchase conservation easements from willing landowners. With a \$2 million biennial appropriation for the past six years, TFRLCP has helped protect 28,776 acres throughout Texas.

"This important program helps landowners who want to protect their farm or ranch for the benefit of future generations, but are not able to use the donated conservation easement," said TALT CEO Blair Fitzsimons. "And with Texas losing her working lands at such a rapid rate, landowners need viable alternatives to selling out. The Texas Farm & Ranch Lands Conservation Program is one of those alternatives."

TALT will be working with our partners, land trusts and other conservation organizations to advocate for increased funding in the 2021 legislative session. Stay tuned for more information.



Profile

Miller Land Cattle Company-Santa Anna Ranch

Fifth generation ranchers Mike and Tara Miller, who along with their sons and grandsons own Miller Land and Cattle Co. based in Wyoming and Texas, rely on conservation easements to deliver financial options and peace of mind.

“As a financial tool, conservation easements have helped us expand our holdings and increase our cattle numbers,” said Tara, noting the family has placed three conservation easements including its most recent on their Santa Anna Ranch in Texas. “After our donation, we re-invest the conservation money in our ranching operation. Because conservation easements protect our land from development, we have peace of mind knowing our ranchland will be open and productive forever.”

The Millers’ primary operation is in Sublette County in the mountains near Big Piney, Wyoming.

“Our ranch is on the site of the first homesteads in Sublette County—and the land has been used for ranching since 1876,” Tara said. “At heart, we’re cowboys, who love the land, the livestock, the wildlife, and the lifestyle—and we want it to continue for generations to come.”

In 2013, they purchased the Santa Anna Ranch in Coleman County, Texas, which encompasses 3,562 acres and includes about a half-mile of Colorado River frontage. Historically, the Santa Anna has been used for both grazing and dryland wheat farming. Committed to maintaining the land’s plant diversity, the family plans to reinvigorate the native grasslands through well-managed grazing and selective brush clearing.

The property’s elevation gradually rises from 1,300 feet to 1,450 feet and includes some brush cover providing habitat for native game species such as white-tailed deer, feral hogs, dove and turkey. The property also has plentiful fish and habitat for the Concho water snake, a threatened species.

“We love having a lot of wildlife habitat and diverse wildlife on our property, so we consider what is best for the wildlife as we make our ranching decisions,” Tara said. “In our experience, what is good for rangelands and cattle generally benefits wildlife, too—and a conservation easement fits that bill.”

Sublette County, home to the Millers’ Wyoming ranch, abuts Teton County, home to Jackson Hole, so the Millers are not strangers to land fragmentation. They have witnessed large properties being sub-divided into 35-acre tracts with river access and marketed as “fishing ranches.”

“When you love open spaces, it’s hard to see that happen, so we’re doing what we can to protect our own property,” Tara said.

In Texas, Coleman County is not immune to the forces of fragmentation and change.

“At heart, we’re cowboys, who love the land, the livestock, the wildlife, and the lifestyle—and we want it to continue for generations to come.”

– Tara Miller



“Because conservation easements protect our land from development, we have peace of mind knowing our ranchland will be open and productive forever.”

– Tara Miller



Demand for land along the Colorado River is high. In fact, the Texas A&M Institute of Renewable Natural Resources found an increase of 258 percent in median price per acre between 1997 and 2012. The number of smaller tracts in vicinity of the Santa Anna also increased significantly.

The Miller family negotiated a conservation easement on 950 acres, which included the river frontage of the Santa Anna, and selected TALT to hold the easement. The Millers discovered TALT through their working relationship with the Wyoming Stock Growers Land Trust, the organization that holds their Wyoming conservation easements.

“We chose TALT because, like the Wyoming Stock Growers Land Trust, they are for ranching,” Tara said. “From the

950 acres

beginning, it was apparent that the people at TALT took their responsibility seriously and really cared about the land, about our family and about helping us create an easement that our children their children and all of the succeeding generations could live with, work with and be proud of.”

In a testament to the Santa Anna’s ecological value, the easement was TALT’s first to be funded using the Natural Resources Conservation Service’s Agricultural Conservation Easement Program (ACEP) and the Texas Parks and Wildlife Department’s Texas Farm and Ranchlands Conservation Program to purchase a majority of the development rights. The Millers donated the remainder.

“The money we have gotten from the sale of our development rights has gone back into acquiring more land and cattle,” Tara said. “Having our land protected by a conservation easement makes us comfortable because we know it will be available for ranching forever, which in our opinion conserves land better than anything else.”

True to their tradition, the Millers used the proceeds from the sale of their development rights on the Santa Anna to purchase an additional 200 acres of riparian river frontage that adjoins the ranch.

Because conservation easements have worked so well for them, the family plans to continue transacting them as opportunities arise and encourage other landowners to seriously consider using the tool in their own operations.

“When we fulfill our responsibility to be good stewards, we leave the land better than we found it and enhance the productivity of our open spaces,” Tara said. “A conservation easement allows that good stewardship to continue forever—and that’s a win now and in the future.” ☆

Texas Agricultural Land Trust staff finished 2019 with a bang.

“We closed three easements in December, bringing our 2019 total to six,” said TALT Land Transaction Manager William Thompson.

The December closings included the 192-acre Moulton Waring Ranch in Kendall County, the 305-acre Cor-Jul Ranch in Blanco County, and 1,433 acres of the Windrose Ranch in Zavala County.

All of the recent easements are within one hour of fast-sprawling San Antonio. The Moulton Waring and the Cor-Jul ranches, which both include significant water sources, are located in high-growth areas of the Hill Country where development pressure is intense. The Windrose Ranch, in the Frio River watershed, is TALT’s first conservation easement in Zavala County.

“Zavala County doesn’t automatically come to mind when people think of fragmentation, but it’s happening,” Thompson said.

As the first conservation easement in Zavala County,

the Windrose Ranch can also serve as an example for other landowners in the county, who are looking for conservation tools to use as part of their estate or succession planning.

Every conservation easement represents a landowner’s legacy. No two are exactly alike. In the case of the Cor-Jul Ranch, four grandchildren reassembled the ranch originally purchased by their grandfather and donated a conservation easement to keep the land intact forever. Protecting the Moulton Waring Ranch in perpetuity serves as a mother’s memorial to her sons, who learned to appreciate nature alongside her on the property. The Windrose Ranch easement is the landowner’s second, marking another step in his conservation journey and providing a useful tool for his estate plan.

“Here are three good examples of the different motivations that prompt landowners to donate conservation easements,” Oliver said. “In the end though, they all achieve the same goals: conserving their heritage and preserving their legacies by keeping their land intact forever.” ☆

Building Resilient Landscapes

continued

sequestration – all while supporting rural communities and imposing a smaller tax burden on public services compared to residential development.

These “ecosystem services” will become more important because they bolster our land’s resiliency. To be resilient is to be adaptable and recover quickly from challenges. But to be resilient, the land has to remain open and undeveloped. We need to keep our working lands working and our open spaces open. Texas has lost at least 2.2 million acres of working lands since 1997 – one of the fastest rates in the nation. We need to provide incentives for farmers and ranchers to continue their conservation practices. Continued public and private funding for land conservation and agriculture cost-share programs is a must. Private sector solutions known as voluntary ecosystem services markets are blazing the trail for agriculture to lead, rather than be the brunt of, climate

change policy decisions. By providing payments to farmers and ranchers for carbon sequestration, ground-water infiltration, or water quality improvements, these voluntary markets are tapping into the solution right beneath our feet.

To date, TALT has partnered with landowners to place over 234,000 acres in Texas under conservation easement. TALT will continue to work towards an open, productive rural landscape and to help families not only stay, but thrive, on the land they’ve worked so hard to conserve. We will work with our founding organizations, our Advisory Board and the other ag land trusts to explore what our role is in the climate change debate and how our landowner partners can benefit from the increasing amount of money available to address related issues. Because at least one thing is certain: Healthy, conserved working lands are our best line of defense. ☆

ACEP Now More Useful to Texas Landowners *by Lorie A. Woodward*

Because of recent rule changes, the Agricultural Conservation Easement Program (ACEP), administered by the Natural Resources Conservation Service, will be more useful to Texas landowners.

“Texas landowners interested in enrolling their land in a conservation easement will now have access to federal money that has previously been inaccessible,” said TALT’s Land Conservation Director James Oliver, who was part of the nationwide team that influenced Congress to change relevant provisions in the 2018 Farm Bill, enabling the new rules.



Under ACEP’s Agricultural Land Easements component, the NRCS may contribute up to 50 percent of the fair market value of the agricultural land easement with the landowner donating the remaining 50 percent in value. Grasslands, farms and ranches are eligible; there is a second component dedicated to wetlands.

“Previously, ACEP required a non-federal cash match of at least 25 percent to qualify for federal funding,” Oliver said. “The new rules do not require a cash match.”

While Texas has the Texas Farm and Ranchlands Conservation Program, it has not been funded at a level that allowed sizable matches. In fact, TALT has only closed one easement using ACEP funds to date.

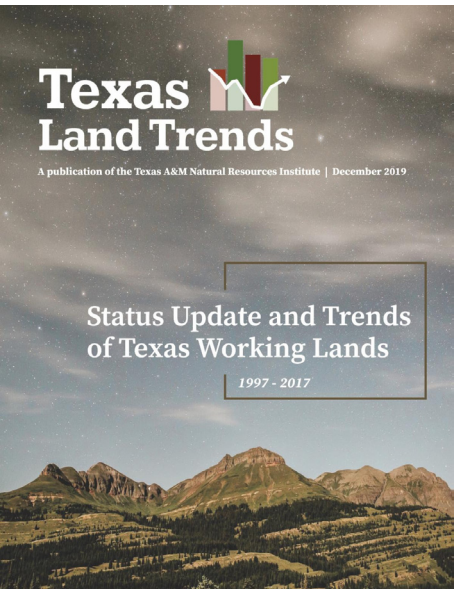
“Prior to the change, the largest working lands state in the nation didn’t have access to ACEP or its funds,” Oliver said. “Not every landowner can afford to donate a conservation easement, so the funding makes the land management tool more widely accessible.”

Congress designated \$450 million to the program beginning this fiscal year. The new rules also clarify the language regarding mineral production.

“Mineral production is allowable under a conservation easement,” Oliver said. “In the new rules, we clarified the language, so there is no mistake that mineral production is an acceptable practice.” ☆

Loss of Working Lands

continued



demand in proximity to metropolitan areas.

“The average land value, for example, within the top 25 highest total population growth counties was \$6,312/acre in 2017, compared to the remaining 229 county average of \$1,649/acre,” Lopez said.

As the drivers of land loss and fragmentation accelerate, land conservation becomes even more imperative.

“Working lands provide the state’s natural infrastructure that produce clean air, clean water, habitat, as well as food, fiber, and timber,” said Lopez, who also serves on the TALT Board of Directors. “If we dismantle our natural infrastructure through fragmentation and conversion, we put those vital, life-giving public benefits in jeopardy.”

Because of its focus on working lands, TALT’s work is increasingly important.

“In the world of land trusts, TALT is unique because it concentrates on working lands,” Lopez said. “The organization’s conservation easement portfolio is broad and deep encompassing farms, ranches and family forests, which are the critical building blocks of our natural infrastructure that often get ignored.”

In addition to its hands-on conservation, TALT is a force for education and awareness, which can be a key for slowing land conversion.

“I think the first step in slowing land conversion is enabling people to recognize the issue and understand the importance of the problem,” Lopez said. “Once people, regardless of where they live, understand and appreciate the value of these lands in our lives, it will prompt creative solutions.”

Texas Land Trends is published every five years following the release of the USDA Census of Agriculture data. It provides public and private decision makers with the information needed to plan for the conservation of Texas’ working lands. TALT is a long-time supporter of the ongoing work. ☆

IN MEMORIAM



Clayton Williams, Jr.
1931-2020

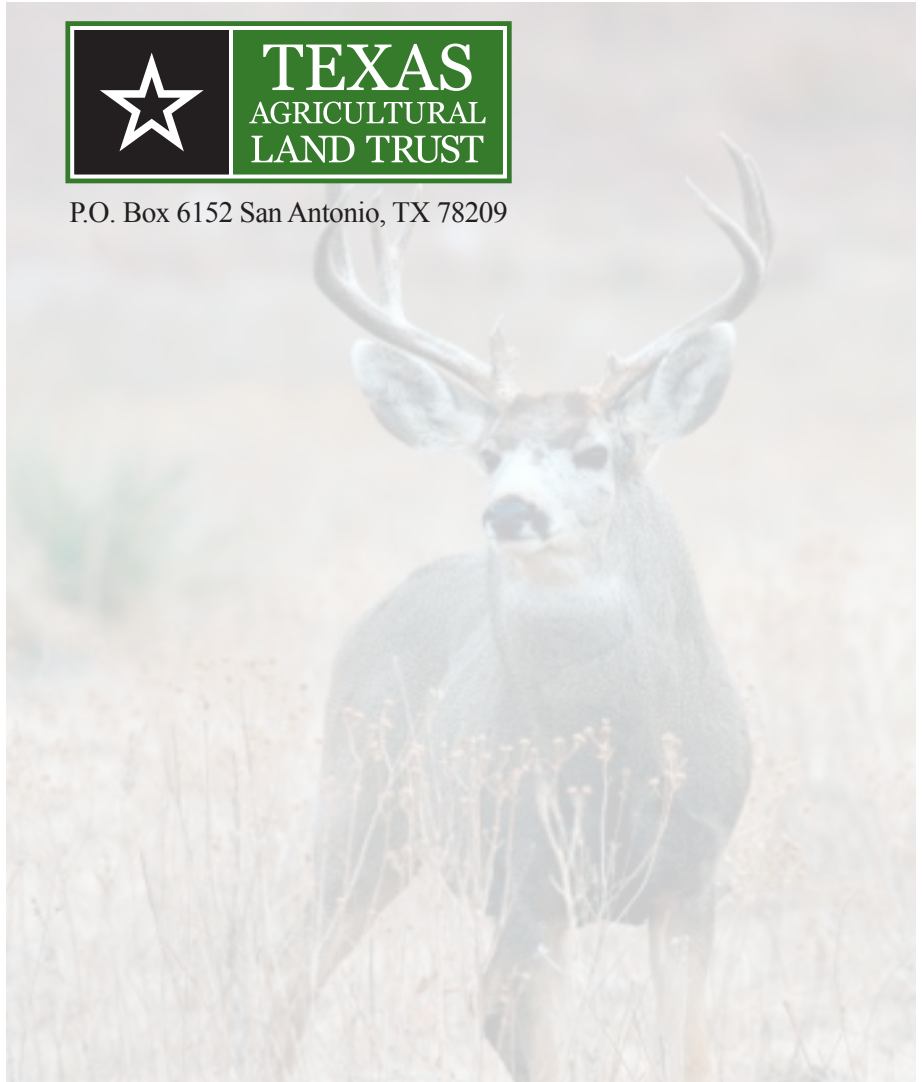
Clayton “Claytie” Williams, Jr. loved the lands and waters of his home state. A lifetime hunter and conservationist, Claytie and his wife Modesta were the first landowners in Texas to close two conservation easements with TALT. The easements forever protect more than 74,000 acres in far West Texas. Because the Williamses were known for both their unsurpassed conservation ethic and their fierce independence, their choice of the conservation easement as a tool to preserve their family’s legacy reverberated throughout the landowning community. Their actions helped legitimize the conservation easement as a land management tool and launched TALT as a land trust.

Houston Harte
1927 - 2019

Houston Harte’s commitment to conservation was well-known throughout his life. In the 1980’s, Houston and his brother Ed donated the family’s North Rosillos Mountain Ranch to expand Big Bend National Park. Some 20 years later, Houston and his family donated a conservation easement to TALT for another West Texas property, the Decie Ranch in Brewster County.



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in conserving Texas’ working lands. Please consider using the enclosed envelope to make a gift today. Together we can make an impact by keeping working lands productive for years to come through conservation, advocacy and education.