



Western Governors' Association Policy Resolution 08-21

Open Spaces

A. BACKGROUND

1. Open space contributes much to the prairies, forests, mountain valleys, rugged sage, and vast grasslands we currently enjoy in the Western states. It provides for important wildlife habitat, recreational opportunities, scenic values, agricultural and range lands. Open space is also vital in the urban and urbanizing areas of the West. Open space maintains a quality of life that is unequivocally treasured in the West.
2. Economic vitality is also a major concern. Open space provides for a viable production base to accommodate worldwide food and fiber demands. Agriculture is a major contributor to our Western economy and provides for the wise use of our land and water resources so that future generations may also prosper and enjoy. Our vast open spaces also attract millions of tourists, sportsmen, and outdoor enthusiasts each year, boosting local and state economies.
3. Recent trends in Western states indicate a rising rate of land fragmentation due to dispersed residential and commercial development. This trend has important consequences for agricultural/forest lands and for wildlife migration corridors and seasonal habitat. We recognize that the Western states' economic diversity, our wildlife and natural resources, and the culture that defines the West will be jeopardized unless open space is part of our future.
4. Western states will continue to grow, and should. But how that growth is guided will impact the viability of future generations. We all have a stake in the future of our natural resources and we must share in efforts to be good stewards of the land.
5. Using easements to protect land accomplishes land conservation at a fraction of the price of purchasing the land with public funds. Enforcing conservation easements require a small fraction of the management costs and responsibilities associated with outright public ownership. Land protected by easements remains in private hands and does not require public funds for maintenance or ownership liability, which also allows land to remain on county tax roles. Easements have a significant role in bringing landowners together around a common vision for the future of important areas. The process of obtaining easements entails an assessment of the value of natural resources on the land in question and the threats they face. Thus encouraging landowners to come together to voluntarily limit their own uses of land for the greater good. This happens much less often when the tool at hand is government regulation.

B. GOVERNORS' POLICY STATEMENT

1. The Western Governors realize that states and local communities face choices with regard to open spaces and the use of lands in residential, commercial, and industrial development. These choices should be made in the context of sustainable natural resource management and sustainable economic growth for community residents. Open space values and policy options should be explored while the resource remains relatively abundant. Where appropriate and to the maximum extent possible, decisions on protection of open space should be initiated at the local level. Western Governors recognize the significant expertise of state agencies in working with local communities. Western Governors support the efforts of local government and are committed to see that local people have the necessary tools and options to make effective decisions.
2. In recognition of private property rights, the Western Governors support voluntary incentive-based methods for preserving open space, maintaining land and water for agricultural and timber production, wildlife and other values. The Western Governors also recognize the role of state trust lands in providing open space values. States should determine how they can contribute to open space and other natural resource values.
3. The Western Governors will provide assistance, as requested, to local units of government that are examining the trends, causes, and consequences of open space conversion and the development of recommendations for action. Voluntary methods and policy options based upon recommendations will be distributed to interested organizations, and local, state and federal agencies to enhance local planning efforts in balancing economic development with open space values.
4. The Western Governors also encourage federal agencies to work with states and local communities to affect land exchanges and other partnership efforts designed to preserve open space in urban settings. This should include a willingness to sell lands no longer necessary for a federal agency's mission and using the proceeds to contribute to locally initiated efforts to preserve urban open spaces.
5. The Western Governors oppose any effort to reduce or eliminate the federal income tax deduction for conservation easements. Over the past decade, easements have facilitated protection for millions of acres of land across the country, which are important historically, recreationally and environmentally.
6. The Governors support establishment of a system of review to ensure that easement appraisals are accurate rather than simply eliminating this effective mechanism for achieving voluntary and private conservation.

C. GOVERNORS' MANAGEMENT DIRECTIVE

1. The Western Governors' Association (WGA) shall post this resolution to its Web site to be referred to and transmitted as necessary.

2. WGA staff is instructed to act as a clearinghouse and to coordinate open space activities with all Western states requesting assistance. Staff will also keep all interested Governors updated on the progress.
3. WGA staff will examine the potential to increase federal tax incentives in order to use “conservation easements” or “development rights” as a tool to effectively protect agricultural and forest lands. Staff is further instructed to identify congressional leadership to review and possibly introduce legislation to modify current tax laws.
4. WGA staff will develop a list of potential options and strategies that states and local units of government may consider in their respective planning efforts regarding open space. This list will be developed using a process that seeks input from all interests.

This resolution was originally adopted in 1999 as WGA Policy Resolution 99-024, and was readopted in 2002 as Policy Resolution 02-12.

F:\08resos\OpenSpaces.doc