



Overview

Over [60% of land](#) in the United States is in private ownership. These lands support over [two-thirds](#) of the species listed under the Endangered Species Act, with 10% of listed species occurring only on private lands. Many landowners feel proud to have endangered species on their land, and are eager to steward and recover listed species and help prevent future listings. Options for supporting private landowners to engage in endangered species stewardship include management agreements, financial payments, and tax incentives.

Key Points

- Protecting America's undeveloped, privately held lands could push all of the country's endangered mammals, birds, amphibians, and reptiles past a crucial habitat threshold needed for their survival. ([Nature](#))
- Over 75% of remaining wetlands and 80% of remaining grasslands in the United States are located on private land. ([The Wildlife Society](#)).
- Private landowners have been essential to the recovery of many endangered species including the Red-Cockaded Woodpecker, the Greater Sage Grouse, and the Karner Blue Butterfly. ([PERC](#), [NCEL](#))



Image: Greater Sage Grouse

Key Terms

- **Habitat Conservation Plans:** A plan developed by a landowner, and typically approved by a state wildlife agency, to reduce overall habitat and species loss while allowing for limited incidental take of listed species.
- **Pre-Listing and Candidate Conservation Agreements:** Voluntary agreements that incentivize landowners to conserve unlisted species that are likely to become endangered in the future.
- **Safe Harbor Agreements:** In exchange for actions that contribute to the recovery of listed species, landowners receive assurances that they will not be required to take any additional or different management activities.
- **Financial Payments:** Direct payments to landowners for taking actions that help conserve threatened or endangered species on their property.
- **Conservation Banks:** A market enterprise that sells habitat or species credits to parties whose actions must compensate for adverse impacts to endangered species elsewhere.
- **Tax Incentives:** Tax credits or write-offs for actions that help maintain or enhance critical habitat for endangered species.
- **Incidental Take Permits:** While not technically an incentive, incidental take permits allow for authorized incidental take of endangered species under limited circumstances if an acceptable mitigation plan is crafted, helping provide certainty and regulatory flexibility for landowners.



Policy Options

Management Agreements:

- **Kansas §32-962:** Allows the state to enter into prelisting conservation agreements, safe harbor agreements, and no take agreements with private landowners.
- **Hawaii §195 D-21-23:** Authorizes the creation of voluntary habitat conservation plans or safe harbor agreements and prohibits state agencies from imposing new requirements on a landowner who has entered such an agreement or plan.

Financial Payments:

- **Oklahoma §29-3-312:** Authorizes the Department of Wildlife Conservation to establish contracts with private landowners, including incentives, to encourage wildlife habitat conservation.
- **Hawaii S.B.2472/S.B.3162 (Introduced, 2024):** Authorizes the creation of a conservation bank and conservation in-lieu mitigation program to enhance the recovery and survival of T & E species. Provides compensatory mitigation for projects where there are unavoidable impacts to T & E species.

Tax Incentives:

- **North Carolina §105-277.15:** Creates the Wildlife Conservation Land Program which gives a tax break to landowners for conserving habitat for rare species.
- **South Carolina §50-15-50:** Requires the Department to create criteria for designating land as a certified management area for endangered species in order to qualify a taxpayer for an income tax credit.
- **Washington §84.36.255:** Exempts improvements to real and personal property that benefit fish and wildlife habitat, water quality, or water quantity from taxation if the improvements are included in a plan approved by a conservation district.
- **Colorado §39-22-522:** Provides a tax credit incentive for up to 90 percent of the donated value of a landowner's conservation easement.
- **Vermont §32-3752:** Establishes a "reserve forestland" category within the state's property tax incentives under which qualifying parcels can be enrolled if the land is managed to attain older forest values and functions.

More Resources

- [*A Natural Legacy for the Future: Strengthening State Laws for Threatened and Endangered Species*](#) | NCEL
- [*Incentives for Biodiversity Conservation: An Ecological and Economic Assessment*](#) | Defenders of Wildlife
- [*State Policy Leadership to Conserve Nature*](#) | CAP and NCEL
- [*Income Tax Incentives for Land Conservation*](#) | Land Trust Alliance
- [*Conservation Banking: Incentives for Stewardship*](#) | USFWS
- [*Texas Landowner Incentives Program*](#) | Texas Parks & Wildlife

