



# BLUE PAPER

## Conservancy Terminology 101

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### **The Issue:**

Three terms can be used to describe land conservation organizations. This Blue Paper describes the differences and similarities for “land trust”, “land conservancy” and “conservancy or conservation district”.

**What is a “land trust” and how does it differ from a “land conservancy”?** Most sources define a “land trust” (LT) as “A nonprofit organization that, as all or part of its mission, actively works to conserve land by acquiring land or conservation easements (or assisting with their acquisition) and / or stewarding / managing land or conservation easements.” (Wikipedia). “Land Conservancy” (LC) is typically listed as a synonym.

**Is there a value for an organization to use one name rather than the other?** While the terms share the same meaning, a research survey of 1,202 U.S. adults in January 2018 commissioned by The Land Trust Alliance (LTA) found that the terms generate different reactions in the public.

Adam Davis of DHM Research reported the findings in a 4/2/2018 post on the LTA “The Dirt” Blog ([landtrustalliance.org](http://landtrustalliance.org)). He reports that 86% of respondents have a favorable impression of a LC vs. 58% favorable impression of a LT.

In explaining the gap, Davis reports that respondents felt that “trusts” can hide the real ownership of property to shield actions taken with the property or to cause people to take actions that weren’t really “voluntary” had the complete background of ownership been known. Examples given included financial institutions, banks, absentee landlords and even Disney’s acquisition (by trustees) of Florida land for construction of Disney World.

**Is there a lesson for CLTLC?** Our name is a benefit. We should continue to emphasize the voluntary nature of the decisions individuals make in protecting property forever through the Conservancy and continue to demonstrate open communications and the transparency of the CLTLC operations.

**How is a “conservation or conservancy district” different than a “land conservancy”?** A conservation district is a governmental entity created by state law to provide technical assistance and tools to manage land and water resources in a state. There are around 3,000 conservation districts in the U.S.

In some states, the conservation district is called a “Soil and Water Conservation District” (SWCD) and has borders that coincide with county borders. This is the case in Indiana, which has 92 SWCDs, one per county, to help Indiana residents to “conserve land, water, forests, wildlife and related natural resources”. These Districts operate under the Indiana State Department of Agriculture. ([IN.gov/ISDA](http://IN.gov/ISDA)).

The purpose of each Indiana SWCD is to coordinate assistance from available resources—public, private, local, state and federal—to develop locally-driven solutions to natural resources concerns.

Indiana also has legislation (Indiana Code 14-33) that authorizes landowners to create a **special taxing district** (a Conservancy District) through a circuit court process to solve specific local issues related to water resource management. Issues may include flood prevention and control, drainage, irrigation, water

supply, sewage treatment, topsoil loss, stream flow or recreational purposes related to beneficial water management. These special taxing districts are under the jurisdiction of the Indiana Department of Natural Resources (IN.gov/dnr).

A special taxing district is being formed at nearby Lake George through the Steuben County Circuit Court to repair and maintain a dam for flood control and to control invasive species on Lake George ([lakegeorgein.org](http://lakegeorgein.org)). The formation of the Lake George Conservancy District was spearheaded by the Lake George Cottagers Association. A significant percentage of landowner approval is required under the extensive process. (Because Lake George covers two states, a separate process was required in Michigan.)

No such special taxing district exists in Clear Lake Township or Watershed and no purpose for setting one up has been identified to date.