# BRAUN & GRESHAM ATTORNEYS AT LAW



#### Ecolab & Wildlife Management: A Compelling Alternative to Traditional Agricultural Exemption

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#### **HELLO AND WELCOME!**

#### **Cassie Gresham**

Braun & Gresham, Attorney and Counselor



#### **Tim Milligan** Plateau Land & Wildlife, Landowner Services







## **OBJECTIVES**

#### We'll cover:

- 1. An overview of The Texas Ecolab Program
  - a. Benefits
  - b. Qualifications
- 2. Next Steps After Your Property has Qualified
  - a. The Importance of a Plateau Habitat Assessment
- Transitioning to a Wildlife Management Tax Valuation After
  5 Years of Hosting Research



# What is an Ecolab?

#### WHAT EXACTLY IS AN ECOLAB?

- The Texas Tax Code Section 23.51
- Similar to an Agricultural or Wildlife Management Valuation
- Landowners partner with universities to host confidential research
- Alternative for landowners
  interested in Wildlife Management
- Research must be in furtherance of farming, ranching or wildlife management







# **ADVANTAGES**

- Perfect for properties that are paying market value taxes and land is not conducive to traditional Ag
- Reduce property taxes in year 6 after establishing a 5-year "history of research"
- Transition to Wildlife Management in year 7
- Landowner provides grant money to fund research
- Grants are tax deductible







#### QUALIFICATIONS

- Properties larger than 20 acres work best
- Land must be contiguous if more than one owner
- Property must be principally used for research by a college and/or university
- Landowner commits to funding and accommodating research projects for 6 year period
- Property needs at least three researchers per year



## My property qualifies for Ecolab. What next?

## HOW IS THE LAND USED?

- Landowners choose which research to host and fund
- Study of grasses, insects, birds, soil sampling, small mammals, fish
- Research must be in furtherance of farming, ranching or wildlife management
- Landowners can use property recreationally







#### **IMPORTANCE OF A PLATEAU HABITAT ASSESSMENT**



- A Plateau biologist will conduct an on-site visit
- Determines the ecological studies that would be appropriate
- Designed to attract researchers to your property





#### **OUR ECOLAB SERVICES**

- Evaluate the property to determine appropriate ecological studies
- Identify specific, highly-qualified research scientists www.texasecolab.org
- Evaluate research proposals
- Negotiate and draft an agreement between landowner and universities
- Coordinate and manage all activities of the researchers
- Obtain liability waivers
- Apply and report to Appraisal District for appraisal of the land as an Ecological Laboratory.





## **OUR TRACK RECORD**

- Program started in 2004
- Successfully achieved Ecolab status for over 390 clients on approx. 60,600 acres
- Our clients have made grants in excess of \$4M for 16 state universities and colleges
- Worked with 51 different appraisal districts







# Transitioning to Wildlife Management

### HOW TO TRANSITION TO WILDLIFE MANAGEMENT AFTER ECOLAB

- Once the Open Space Valuation is established you can transition Wildlife Management
- Next Step: File WLM plan/application
- Plateau offers customized 5-year Wildlife Management Plans that detail activities suited for managing the native wildlife on your property, and satisfy legal requirements of your Appraisal District.
- A Wildlife Management Plan starts with an on-site assessment by a wildlife biologist for wildlife management and restoration potential.
  - This site visit includes a discussion of your goals for your land, sound management options, and professional advice to aid your decisions.



#### PLATEAU WILDLIFE MANAGEMENT PLAN INCLUDES:

- Consult with CAD & confirm tax status
- Site visit with a Plateau biologist
- Detailed discussion of WM activities & goals
- 5-year Wildlife Management Plan
- Three custom property maps
- Professional representation to the CAD
  - Filed and tracked
- Resource notebook





#### **MINIMUM REQUIREMENTS:** Must Complete 3 of 7 Activities

- 1. Habitat control
- 2. Erosion control
- 3. Predator control
- 4. Supplemental food
- 5. Supplemental water
- 6. Supplemental shelter
- 7. Census

Land & Wildlife

Management







## HABITAT CONTROL

#### Game population management Brush management Riparian management









## **EROSION CONTROL**

#### Pond/tank construction Streamside, pond, wetland re-vegetation Dam construction/repair

10 Year Wildlife Management Activity \*\*

- \*\* Enhanced recreational value
- \*\* Increased property value







#### **PREDATOR CONTROL**

Feral animals (hogs, cats, etc. Imported Red Fire Ant control Native predators (skunks, raccoons)







#### SUPPLEMENTAL FOOD

#### Grazing management Food plots Feeders & mineral supplementation









#### **SUPPLEMENTAL WATER**

Wildlife rain collectors Wells, troughs, windmill overflow Spring development/enhancement









#### **SUPPLEMENTAL SHELTER**

Nest boxes, bat boxes Brush piles & slash retention Pasture management (strip mowing)

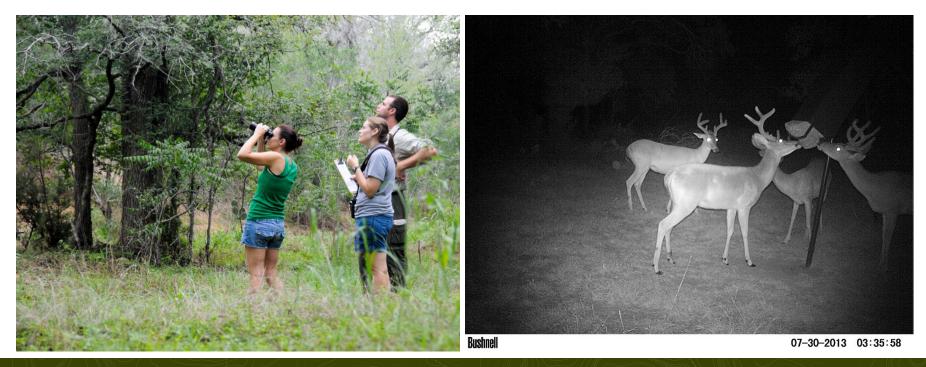






#### CENSUS

#### Spotlight counts Harvest data collection Songbird count







## **APPLICATION PROCESS**

- Filing deadlines January 1 April 30
- Written Wildlife Management Plan
- Required county forms
- Documentation of active management
- Documentation of previous activities





# **Questions?**

#### **THANK YOU!**

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