

Fracking vs. Conservation

Several landowners in Lapeer and surrounding counties are being pressured to lease their mineral rights to companies interested in drilling for natural gas. Since the new high-volume, hydro-fracturing technologies now being used by these companies, called fracking, is potentially harmful to water resources, air quality and human health, the Lapeer Land Conservancy would like local landowners to know that there are conservation alternatives available to them that could both protect their land and offer substantial financial rewards.

Clark Tibbits is one of the landowners who was recently approached by a gas company and refused their offer. He spoke at the April 26th gathering of 260 people at the Pix Theater about his family's past experience with a leasing company, and then he explained how they were able to protect their land from exploitation in the future through the use of a conservation easement. Here is a summary of his talk:

Clark's father signed a 10 year oil and gas leasing contract in the mid 1970s after the Arab oil embargo. The company did not drill on their property because of unfavorable markets trends. The Tibbits were relieved when the lease expired. It turned out that the 9 wells drilled in the Columbiaville area had a high sulphur content and the odor plagued neighbors for years. The Tibbits vowed to never put their beautiful land at risk again and created a permanent conservation easement that would ensure that their farm would never be developed or exploited in the future.

Conservation Easements

Under the terms of their conservation easement the Tibbits family continues to own and live on the land and retains the right to sell it, but Clark and all future owners could use it only for agricultural purposes or maintain it as open space. Their conservation easement resulted in a federal income tax deduction of \$78,000 which was many times more valuable than the mineral rights lease, including the royalties if drilling had occurred. More information about conservation easements and help in creating one can be provided by the Lapeer Land Conservancy.

Farmland Protection Program

The Tibbits land also qualified for the Michigan Farmland Protection Program under which landowners agree not to develop or exploit their land for terms of 10 years or more in exchange for annual property tax credits. Under this program the amount of property taxes Clark pays is limited to 3% of his income. An application form for enrollment in the Farmland Protection Program can be obtained from any local township office.

Conservation Reserve Program

Because the Tibbits farmland was hilly and highly erodible, it was also eligible for support under a number of Department of Agriculture programs that encourage good conservation practices and protect water resources. Clark receives annual payments of \$50-60 per acre for the conservation practices he has implemented, including planting 17,000 mixed conifer/hardwood trees, maintaining grass cover and wetlands as erosion filters, and planting native tall grasses as animal habitat. Help with applying for conservation reserve programs can be obtained from the regional USDA Farm Service Center in Lapeer.

Happy Conclusion

The Lapeer Land Conservancy would like to encourage all local landowners to consider these conservation options and practices as alternatives to leasing their land to oil and gas companies. For Clark Tibbits these alternatives were financially rewarding and led to an outcome that is emotionally rewarding as well. Over the past 25 years Clark has used his conservation program income to create and maintain a private nature sanctuary on his land, named the Hilton and Marjorie Tibbits Nature Sanctuary to honor his parents.

Good stewardship practices have resulted in a return to the sanctuary of most of the local indigenous animals that once lived there, including, most recently, the return of otter, beaver and trumpeter swans. In 2013 Clark gave 42 acres of his sanctuary to the Lapeer Land Conservancy and a new public entrance was established across from 4090 Columbiaville Road. Visitors are welcome to tour and enjoy the sanctuary for nature study and appreciation from dusk to dawn any day.