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Strategies for the Future of Conservation: 2006 Workshop Summary and Background Materials

Pocantico Conference Center, Tarrytown, New York, June 8-10, 2006
Hosted by the Land Trust Alliance and the Yale School of Forestry
& Environmental Studies

Bradford Gentry, Rebecca Sanborn, and Gordon Clark



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YALE PROGRAM ON STRATEGIES FOR THE FUTURE OF CONSERVATION

Strategies for the Future of Conservation: 2006 Workshop Summary and Background Materials

**Potantico Conference Center, Tarrytown, New York, June 8-10, 2006
Hosted by The Land Trust Alliance and the Yale School of Forestry
& Environmental Studies**

*Bradford Gentry, Rebecca Sanborn, and Gordon Clark
Yale School of Forestry & Environmental Studies*

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Part One: Workshop Summary and Potential Next Steps¹

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¹This summary is not intended to provide a verbatim transcript of the proceedings, rather the author's impressions of the main themes and examples discussed, as well as the major potential areas for further work by Yale F&ES, LTA and other participating organizations. As such, the opinions expressed herein are solely the author's and do not necessarily reflect the views of Yale University, LTA, the Rockefeller Brothers Fund or any of the other attendees. In addition to thanking the participants and the Pocantico staff for making the workshop such a success, the author would like to offer special thanks to: Forrest Berkley and Marcie Tyre for making the workshop possible; Rand Wentworth, John Bernstein and Fraser Rothenberg at LTA for being such great co-sponsors; Rebecca Sanborn and Gordon Clark at F&ES for preparing such a high quality background paper for the meeting; and Marc Smiley for keeping us on point.

I. Background and Introduction

The U.S. land trust community has a remarkable record of success, particularly in the past few decades – over six million acres of land have been protected by negotiating voluntary agreements with landowners to buy or receive permanent interests in land. Charitable and government monies – either tax deductions for gifts or grants for purchases – have been the main sources of funds for these transactions.

However, severe challenges now face these efforts, including steep increases in land prices in many parts of the U.S., decreases in the federal and state funds available for land acquisition, as well as media reports raising questions about the public value of some conservation transactions. Taken together, these developments have led many to wonder whether the traditional model of “bucks and acres” (i.e. conservation through the simple purchase or donation of land or easements) is running out of steam or at least needs to be supplemented with other approaches.

The purpose of the Yale/Land Trust Alliance (LTA) Workshop on Strategies for the Future of Conservation was to step back from the day-to-day effort to protect land and to examine some of the potential responses to these challenges. If tax deductible conservation easements were the last major innovation in private land conservation, what might be the next?

The workshop was made possible by a generous gift from Forrest Berkley and Marcie Tyre establishing the Yale Program on Strategies for the Future of Conservation. The Program has two parts:

- Sponsoring research internships for Yale graduate students to provide a virtual R&D department for the U.S. conservation community.
- Bringing innovative minds together to develop new strategies for ensuring effective U.S. land conservation efforts into the future.

Working with an informal advisory group,² Yale and LTA brought leaders from LTA’s member organizations together with creative individuals from other sectors that work with land – for-profit investors, groups working in lower-income urban areas, marketing specialists, and others³ – to identify key issues, success stories and areas for further work around three topics:

- engaging new communities.
- expanding the conservation toolkit.
- ensuring the permanence of conservation gains.

² Initially consisting of Jay Espy, Maine Coast Heritage Trust; Rand Wentworth, LTA; Darby Bradley, Vermont Land Trust; Kathy Blaha, Trust for Public Land; and Judy Anderson, formerly of the Columbia Land Conservancy.

³ The list of participants is provided in the Appendix.

⁴ See Part Two of this volume for background materials.

A background paper on these and related issues was prepared by Rebecca Sanborn and Gordon Clark at Yale and distributed to the participants in advance of the meeting.⁴ The meeting itself was facilitated by Marc Smiley.

The resulting conversation was rich, diverse and provocative – epitomizing the “drinking from a fire hose” analogy. Participants were able to step away from their day-to-day efforts to put out the latest fire and enter into frank conversations about subjects they care about deeply. Inspiring stories were told of new approaches to addressing the issues raised and new connections were made across traditional institutional boundaries.

The purpose of this report is to provide one participant’s summary of the key themes of the discussions, some of the success stories/examples provided, and thoughts on areas for future work. The results of the workshop will be used by the Yale Program on Strategies for the Future of Conservation to inform both its research and convening functions, as well as by LTA to inform its work. The hope is that other workshop participants will also be able to build from the experience through the new ideas sparked and connections made.

1.1 ENGAGING NEW COMMUNITIES

“Of all the forms of human communication, those based on logic (“logos”) are the weakest, those based on passion (“pathos”) are the shortest-lived, while those based on “ethos” – credibility, integrity and goodwill – are the most effective.”

Marc Smiley, adapted from Aristotle

One of the great strengths of the land trust community is its ability to do conservation deals with a small number of players – the land trust, the landowner, and the funder(s). If the agreement to acquire land or a conservation easement is acceptable to them on the terms they think are appropriate, the deal can proceed. A small group of players means that deals take shape relatively quietly and quickly compared to the normal rough and tumble of local political processes.

This strength, however, can also mask major weaknesses: from a lack of experience listening to and forming effective partnerships with other groups that care about land to a perception that land trusts are secretive, elitist organizations pursuing their own values, not those of the larger community. Such weaknesses can be a major impediment to efforts to broaden the base of support for land conservation efforts – whether that be financial, political or other critical support.

Questions considered during this part of the workshop included:

- Who else cares about/works with the land?
- What do we know about their values, interests, and goals?
- What success stories do participants have for partnering with one or more of these other communities/organizations?
- What are the most important motivations for these communities to partner in conservation efforts? What are the most significant barriers?

- What traditional and non-traditional marketing approaches can help engage these broader constituencies?

How can conservation groups promote their relevance to the broader interests of the entire local community?

1.2 EVERYONE CARES ABOUT LAND: KEY THEMES FROM THE DISCUSSION

Virtually everyone cares about land. In addition to the wealthy landowners normally associated with private land conservation, a host of other individuals and organizations who care were identified, including: affordable housing advocates; smart growth advocates; low-income communities; communities of color; faith-based organizations; environmental justice advocates; artists; real estate developers; ranchers; foresters; farmers; renters; educators; climate change advocates; electric power companies; automobile companies; pension fund investors; foundation/university endowments; media outlets; community development groups; hunters; anglers; snow machiners; local governments; resort owners; transportation agencies; financial rating agencies; and many others. Each of these groups has its own set of values and goals for its interactions with land.

Given that virtually everyone cares about land, the questions then become when and how land trusts might best engage with a particular group(s), as well as which “cross-border” contacts will be the most productive? There are two aspects to the question of “when to engage” with other organizations:

- First, the traditional answer – only occasionally, when it helps the land trust achieve its goals on a particular project, for example, acquiring an interest in a particular piece of land.
- But, also increasingly a second answer – all the time, as the land trust builds its credibility and stature as a valued institution within the local community.

While project-based partnerships have a long history in land conservation, the relative youth of many land trusts means that they are still building their institutional base. These longer-term engagement issues will be addressed in the permanence discussion below.

Choosing the communities or organizations with which to engage will also reflect the values of the conservation organization. Some will work with communities of color in an effort to diversify the base of support for conservation as the demographics of the United States change. Others will work with developers and private investors as they change the use of large parcels of land in various locations. Being able to articulate clearly the conservation organization’s own goals – what it will pursue, what it will not and why – is a critical part of any such partnering effort.

How is it best to engage other organizations? And what will induce them to share their strengths and connections with the land trust community? Understanding their needs and bringing value to them is the first step. **Listening is a key skill when forging partnerships – and not an area of strength in much of the environmental**

community. It is critical to understand the hopes and dreams of the other communities involved with the land – demographic, advocacy, business – by asking them what they want and respecting their answers. This may include an acceptance that conservation is not always the best use of a piece of land – for example, in the face of community wishes expressed as part of a credible master planning process.

For a large part of the land conservation community, this means bringing human values more directly into the equation – **sharing the benefits of green space with the broader community.** This too will require a difficult self-analysis for many organizations. They will have to articulate clearly to both themselves and potential partners the human uses they find acceptable or unacceptable on specific properties due to the impact on conservation values.

It will also mean seeking out multiple points of engagement over time. This is a matter for long-term cultivation, not occasional contact. Regular demonstrations of the value of open space in general, and individual parcels in particular, to a wide range of interested groups will help build the credibility, integrity and goodwill (“ethos”) needed to be an effective communicator. Similarly, engaging the community in a conversation about conservation and development before a crisis hits is key. Having local landowners talk about local conservation projects will strip away some of the myths that currently exist about conservation easements and land trusts, making it easier to engage with local communities. On the other hand, if a land trust is already working with a landowner on an easement, the landowner may already be deeply committed before the project becomes public knowledge. It is then too late to ask the community if this is an appropriate place for land conservation or whether the property is more appropriate for accommodating future development. As Darby Bradley from the Vermont Land Trust put it: “If you conserve land in the wrong location, you promote sprawl, you do not limit it” (see discussions below on smart growth and permanence as well).

Finally, the ability of land trusts to engage with other communities will be enhanced considerably if they focus on finding credible messengers within those communities to help carry the message. Business people tend to listen to other business people, church goers to other people of faith. Convincing members to invite you into their community and stand with you while you seek their engagement will increase the effectiveness of the message tremendously.

1.3 SUCCESS STORIES AND EXAMPLES

Some of the success stories participants told about listening to and engaging with new communities/partners included:

- Conducting surveys in laundromats when trying to understand the hopes and fears of lower-income urban communities and their relationships with green spaces.
- Adding to the biophysical data typically found in GIS conservation mapping layers data on people’s special places, political giving, and other human values.

- Using local green spaces to provide nature/science programs for local children in daycare or public schools.
- Going to polling places to collect email addresses from voters interested in land conservation and using them to distribute regular updates/invitations to events.
- Agreeing on criteria for “conservation developments” with local realtors and posting joint signage on qualifying properties.
- Asking members of focus groups to write hypothetical obituaries as a way to help understand their core hopes and fears (what they will miss, what they will not), such as, when trying to promote renewable energy, asking for an obituary for oil or when trying to promote land protection, asking for one on local farms.
- Combining conservation and affordable housing goals into individual projects.
- Collaborating with snow machiners on major timberland conservation projects.
- Starting conversations about conservation and development with what the town’s residents have in common (such as geologic, natural and cultural history) and moving from there to what the community wants in the future.
- Using existing grassroots networks to engage with new communities, such as through churches, parent-teacher associations, chambers of commerce, and similar local groups.

1.4 AREAS FOR FURTHER WORK

Some of the areas for further work suggested by participants included:

- Developing and disseminating tools for building the capacity of conservation organizations to listen to and engage new communities (techniques/processes, success story case studies, mentoring services, etc.).
- Understanding and overcoming the barriers to engaging new communities:
 - o Internally: selling out; loss of control; ethics; culture/class/ethnicity.
 - o Externally: how to identify and touch the core passions of other communities (racial, economic, financial, political, etc.); how to overcome the perverse incentives for land development.
- Connecting conservation to local people’s priorities – health, clean water, recreation, etc. (i.e., meeting them where they are).
- Teaching land trusts how to create messages that connect to a broader array of key actors.
- Developing ways to filter opportunities for engagement – how does one identify the key leverage points in any particular situation and does the land trust community need to broaden its measures of success?

- Exploring the international aspects of land conservation, including examples from other countries and the power of “old country” networks for land use in the United States.
- Sponsoring exchange programs for land conservation professionals to work in another community – business, government, NGO – in order to learn more about their goals, languages, tools and networks.
- Understanding the regional and global trends affecting land use – the whos and the whys behind land use patterns – and finding ways to turn them to the advantage of land conservation.
- Linking land preservation to deep currents in American thought, such as patriotism, American strength, and homeland security.

II. Expanding the Conservation Toolkit

*“If you are not at the table,
you are on the menu.”*

Anon

The traditional “bucks and acres” approach to land conservation is built on a fairly small set of tools: acquiring permanent legal rights to real property (in full or in part through an easement), by gift (partially supported by tax deductions) or purchase (paid for with charitable or government funds). As the price of land increases and the funds available decrease, the scope for using these traditional tools narrows still further. This leads to a search for additional tools to use in pursuit of conservation goals.

The sets of tools under discussion may take some land trusts into foreign territory. However, an increasing number of organizations are already exploring these methods and are willing to share their experience. Two major areas were discussed during the workshop, namely, cooperation with:

- developers and other private investors to find profitable land uses providing both significant conservation and financial value.
- smart growth and other land use planning advocates to promote the use of regulatory and other policy tools for controlling/directing land use.

Each of these areas were discussed during the workshop and the results are summarized below.

2.1 FOR-PROFIT INVESTMENTS IN LAND

Harnessing for-profit market forces can greatly increase the power of land conservation work – if the right balance is found. For-profit investors are the dominant force in changing patterns of land ownership – vastly outstripping new acquisitions by either public bodies or private conservation organizations. As such, they are sometimes viewed as the enemy. Increasingly, however, common ground is being found between for-profit investors and the conservation community – allowing transactions to go forward using combined resources to capture both financial and conservation values. Finding the right balance between tapping into large, new sources of finance for conservation and “selling out to the enemy” is an extremely tricky task.

Questions considered during this part of the workshop included:

- How do we bring the power of the private market to bear on conservation goals?
- Who has relevant experience?
- What changes in organizational culture will be necessary to help conservation groups embrace new financial approaches and measures (such as limited development, working lands, ecosystem services, etc.)?
- What are the possible unintended consequences of additional for-profit involvement in conservation?
- What are the criteria for success in this area and how do we deal with the “slippery slope” of compromise?
- How can non-profits ensure that projects with a for-profit component continue to create significant public benefit?

2.2 MARKET OPPORTUNITIES AND RISKS: KEY THEMES FROM THE DISCUSSIONS

While many new efforts are underway to bring more for-profit investment into conservation, private investors in land remain both a huge risk to and opportunity for the land trust community. For example, workshop participants reported that while the amount of pension fund investment in forestlands has grown from approximately \$1 billion in the 1980s to over \$25 billion today,⁵ for every \$100.00 spent on development approximately \$0.30 is spent on land conservation.⁶

For-profit money – either debt (loans) or equity (ownership) – is the most expensive money available for a conservation transaction. Gifts of land or public/charitable grants to buy land only require that the time be invested to obtain them – they do not need to be paid back. Loans or equity investments must provide the private investors with an adequate, risk-adjusted return in a timely fashion. This means that either the land transaction must spin out extra cash to pay back the investment up front or that the land/land trust itself must generate sufficient revenues over time to pay back the investment in a manner consistent with conservation values. Neither is part of the transactions traditionally done by land trusts.

As such, for-profit investment will not be available or appropriate for all conservation transactions. Alternatively, not all for-profit land investments will be able to support a significant land conservation/restoration component. However, there does appear to be a fairly large, relatively unexplored area between these two extremes worthy of further work.

For-profit investment is also complicated to use. Most land conservation professionals have scientific or non-profit backgrounds and are not familiar with the language, concepts or tools used by private investors. The ultimate goals of the two groups are quite different and it can be difficult to find common ground. Sorting out

⁵ Data on estimated amounts provided by Peter Stein, Lyme Timber.

⁶ Data provided by Richard Rockefeller, MCHT Board Member.

the reputational impacts of such for-profit/land trust collaborations on charitable donors, environmental agencies and other environmental groups can also be quite tricky.

The limited experience with and capacity for negotiating such for-profit arrangements in most land trusts poses a serious “make or buy” question. Should a conservation organization make itself into a competent partner for private developers/investors by coming up to speed on the language and concepts? Or should it in essence buy such capacity from the growing number of hybrid, for-profit conservation funds/firms now coming into existence (such as the Sustainable Land Fund⁷ and others)? The answer will vary across different organizations depending on their goals and resources.

⁷ <http://www.slfusa.com/>

Even if a land trust is ready and able to make use of for-profit investments to help meet its goals, it will need to ensure that it articulates the public benefits of this private profit. This is true both to retain the tax-exempt status enjoyed by most land trusts, as well as to maintain its credibility in the broader communities in which it operates. Limited-development projects in particular continue to pose great opportunities and risks.

2.3 SUCCESS STORIES AND EXAMPLES

Projects involving many different types of for-profit investors were mentioned, including⁸:

- Forestland investments paired with either or both working forest easements and sale of ecosystem services (carbon sequestration, water conservation, biodiversity protection).
- Brownfields restoration/infill developments with significant green space components (such as U.S. Military Base Realignment and Closure projects involving both high density town centers and low density open areas).
- Limited developments on farms (sometimes including affordable housing projects) or other types of conservation properties.
- Conservation lenders providing tax-advantaged bridge loans for land acquisitions.
- Investors in infrastructure projects needing to mitigate environmental impacts through investments in land conservation/restoration.
- Sale or lease of hunting, fishing or other recreational rights on conservation properties.
- “Charitable investors” who are willing to lower their expectations of return, yet require some profit.
- Preservation of land tracts financed by sales of “transferable development rights”⁹ or transferable tax credits.¹⁰

⁸ For more detailed case studies of such projects see Levitt, James, ed. 2005. *From Walden to Wall Street: Frontiers of Conservation Finance*. Washington, D.C.: Island Press and Ginn, William J. 2005. *Investing in Nature: Case Studies of Land Conservation in Collaboration with Business*. Washington, D.C.: Island Press.

⁹ Such as the program in Montgomery County, Maryland.

¹⁰ Such as those in Colorado and Virginia.

- Land preservation deals that preserve traditional economies, sometimes using “new market” tax credits.

2.4 AREAS FOR FURTHER WORK

Some of the areas for further work suggested by participants included:

- Starting a finance sub-group, perhaps within LTA, to share experiences and lessons learned from working with for-profit investors.
- Developing capacity-building programs for the land trust community on the language, concepts and tools used by private investors.
- Offering “executive education” type programs on for-profit conservation with land trust leaders.
- Starting a financial services organization for the land trust community or providing a clearinghouse of information on those that are now coming into existence.
- Convening a series of discussions with different types of private investors (pension fund managers, family offices, foundation/university endowments; developers; land managers/users) to understand their goals and explore areas of shared interest.
- Developing and supporting the adoption of policies that make conservation/smart growth investments more financially attractive (such as the rules for carbon offsets generated from forests).
- Taking advantage of the opportunities to include green space as part of in-fill developments of brownfield sites, particularly in economically stressed communities.
- Finding “conservation buyers”, not only of properties, but also of the goods produced from some protected lands (such as sustainably harvested timber products).
- Developing a process to help land trusts articulate clear guidelines for evaluating the benefits and drawbacks of individual for-profit conservation projects.

III. Regulatory Possibilities and Smart Growth

Land trusts are not the only groups working for better land use, including land conservation and restoration. Smart growth advocates and traditional planners are doing so as well, but using a different set of tools – regional land use planning and political advocacy for better development policies (both regulatory controls and fiscal incentives). Traditionally, land trusts have been more opportunistic in their work and hesitant to become politically engaged. As the search for new conservation tools expands, however, so do the questions about whether land trusts should consider doing more with smart growth advocates and the tools they use.

Further, as land trusts conserve significant amounts of land in certain jurisdictions, it becomes more and more important to work with existing planning efforts. In some areas of the country, such cooperation has become routine – witness the significant swaths of easement-protected land in areas protected from growth by regulation in the Mid-Atlantic, New England, and California.

Questions considered during this part of the workshop included:

- Should land trusts consider partnering more with smart growth advocates?
- What are the opportunities? What are the risks?
- What are the regulatory activities that are consistent with the land trust mission?
- What advocacy will our constituencies expect us to lead?
- What activities are “on the edge” and may have negative impacts on the future work of land trusts?
- When are private voluntary conservation easements most effective vs. when is land use regulation most effective?
- How can each approach better support the goals of the other?
- Can we distinguish between geographic areas where the approaches are synergistic vs. where they may be mutually destructive?

3.1 A DIFFICULT, BUT NECESSARY TRANSITION? KEY THEMES FROM THE DISCUSSIONS

Policy frameworks affect everything land trusts do. Property law defines the legal “permanence” of their holdings. Tax codes help underwrite the operating income of their organizations and the gifts of land they receive. Zoning and other regulatory controls on land use affect the price of the land they seek to acquire and the overall effectiveness of the conservation work they do.

Further, as land trusts and their work come to play a more important role in shaping the future of entire communities, their land preservation activities become of interest to all citizens as they play an increasingly quasi-governmental role. For example, the Vermont Land Trust has permanently preserved approximately 8% of the entire land mass of the State, and far greater percentages of the land in certain smaller townships. This new responsibility is difficult for some land trusts and increasingly conflicts with the traditional view of these organizations as being far removed from public discourse. This expanded role for land trusts also has begun to engender opposition from certain community groups, lending a further urgency to the need for land trusts to connect with the broader public and government officials.

Land trusts need at least to understand, communicate and be ready to help influence key policy decisions affecting their work – “if you are not at the table, you are on the menu.” The recent recommendation of the Congressional Joint Tax Committee (“JTC”) to cut back on the deductibility of donated conservation easements is an example of what can happen if one’s interests are not heard in political debates.

The effectiveness of the land trust community’s response to the JTC report opened a lot of politicians’ eyes – not only to the benefits of private land conservation efforts, but also to the political connections and influence of the land trust community. Such connections have proved to be surprisingly wide-ranging. As community-level, mostly volunteer organizations working to reach agreements with land owners to hold lands for public benefit, land trusts reach across political parties in ways few other environmental groups do. This gives them a credibility and non-partisan perspective that can be of enormous political value.

However, land trusts have little experience with – and many reasons to be cautious about – using their political influence. In many ways, the traditional role for land trusts – using private agreements to preserve land – is designed to operate separately from the political debates over zoning and other land use controls, as a way to bypass governmental delays and gridlock. Many believe that the political credibility of land trusts – volunteer organizations drawing from all parts of the political spectrum doing good in the community – in fact derives from their relative lack of involvement in local political activities.

While there have been relatively few connections between the broader land trust and smart growth communities, they appear to be growing. While LTA representatives have attended many smart growth events in the past, an effective working relationship has not developed to date. At the same time, a growing number

of organizations (such as the Piedmont Environmental Council, Society for the Protection of New Hampshire Forests, New Jersey Conservation Foundation, Tall Timbers Research Station and Land Conservancy, Marin Agricultural Land Trust, Vermont Land Trust and others) are advocating for both more concentrated urban/village development and more protection of green space using whatever tools are available – from local/regional planning to advocacy for improved fiscal incentives and zoning to private conservation agreements. LTA has also increasingly included teaching about regulatory matters in its conferences and teaching materials.

Since the work of land trusts and smart growth advocates are usually mutually reinforcing – protecting land under a policy framework that encourages better development – more efforts should be made to find ways to optimize their efforts. This could range from “good cop, bad cop” strategies that emphasize the separateness of the groups to the types of hybrid organizations described above.

3.2 SUCCESS STORIES AND EXAMPLES

Some of the success stories participants told about using the tools of or working with smart growth groups included:

- “Visioning,” “greenprinting” and similar local/regional planning processes, reflecting both biophysical and human features, to help guide development and conservation efforts.
- More coordinated use of the different tools, such as private conservation agreements along urban growth boundaries.
- Integrated private land conservation and regulatory strategies, such as those encouraging more compact development in urban areas, while compensating rural areas for land conservation projects.
- Assembling “SWAT” communications teams to be ready to help respond to new initiatives for unsustainable development.
- Deliberately targeting areas set aside for preservation in local master plans for easement outreach work.
- Assembling large tracts of easement-protected lands in areas also protected by regulation, such as the Adirondacks, the Chesapeake Bay, and the Columbia Gorge.

3.3 AREAS FOR FURTHER WORK

Some of the areas for further work on regulatory/smart growth tools suggested by participants included:

- Expanding the conversation within the land trust community about engagement on policy matters – how to preserve the key tools of private land conservation, while building the capacity to engage on broader policy issues affecting land use.

- Re-energizing the dialogue between the land trust and smart growth communities about tools for integrating green space into local and regional planning and policy frameworks (particularly including financial and other incentives affecting land use, from tax credits, to “McMansion” taxes, to tradable development rights, to patterns of public investment).
- Understanding and articulating better the financial and physical relationships between development and conservation, such as through cost of community services studies on developed vs. conserved land, etc.
- Building more public-private partnerships involving land trusts and local governments to improve both the overall quality of land use planning, as well as the identification of lands that should be preserved and those that should be developed (with the result of more buy-in from the general public for land preservation efforts).
- Researching areas where easements and regulation can best work together.

IV. Ensuring the Permanence of Conservation Gains

“The only constant is change.”

Heraclitus/Asimov

One of the key selling points of private land conservation is that it is “permanent” – involving the irrevocable transfer of a landowner’s right to develop land to a conservation organization. As more land is protected and the efforts of more land trusts shift from acquiring to managing land over time, however, ever more questions arise about “permanence” given changes in the broader biophysical, legal, economic, social and ethical contexts affecting the use of the land.

Questions considered during this part of the workshop included:

- What is the land trust community selling with “permanence”?
- What do people think they are buying?
- What is the reality of permanence?
- What can permanence mean?
- Can permanence ever be detrimental?
- Can easements be “too permanent”?

4.1 EXPANDING THE CONCEPT OF PERMANENCE: KEY THEMES FROM THE DISCUSSION

At its core, the land trust community is about permanent transfers of legal interests in land. Such private control over land use appears more certain than the changing policy frameworks for zoning or land use incentives.¹¹ It also allows control to stay in private, not government hands, a key selling point for many landowners/donors. With stewardship endowments and effective internal governance, land trusts can rightly say that they are offering more permanent protection than virtually any other land conservation program except outright ownership by responsible governments.

However, many donors think they are buying even more – no development or change in use of the land ever. They do so for a variety of reasons. Some are hoping

¹¹ Some zoning frameworks have been consistently enforced for as long as or longer than most conservation easements. For example, several Maryland, Pennsylvania, and California counties have had strict agricultural zoning in place since the 1970s, a time when very few conservation easements existed. The Adirondacks have been protected by zoning for over a century. The frameworks in these areas have proven to be complementary to and synergistic with conservation easements.

to enhance community stability by reducing the pace of change. Others are looking to fill an emotional need by controlling the use of a place they love once they are gone. Still others are looking to fill a spiritual need to connect to something bigger by protecting a natural area from human destruction.

In reality, all things change. Biophysically, many believe that climate change will bring great shifts in the distribution of plants and animals across the US. Technologically, humans' abilities to monitor and manipulate the natural environment will continue to grow – for both good and ill. Legally, the ownership of land under easement will change, often bringing different views on the importance of conservation values. Easements may be amended to reflect the wishes of both landowners and land trusts. Protected land may be “taken” by governments for public purposes ranging from jails, to infrastructure corridors, to more “publicly valuable” private development. Institutionally, land trusts may come and go. Economically, major shifts in global production and consumption patterns will continue to occur. Socially, the make-up of communities will change and with it, their attitudes toward nature. Politically, elected official and civil servants will take all of these changes into account when promoting what they believe to be the “best” land uses in their communities.

As such, land trusts must offer both the use of “permanent” legal tools, as well as an appropriately flexible process for enhancing conservation values in the face of change over the longer term. The core of this process is building and maintaining the “ethos” mentioned earlier so as to turn land trusts into valued community institutions over time. Doing so has both internal and external aspects.

Internally, land trusts need to make sure that they are durable and credible institutions with a track record of bringing value – public benefit – to both their donors and the broader community. Stable funding, stewardship endowments/ programs, high quality internal governance, a breadth of perspectives on a committed board, a clear mission and quality staff are all essentials. Navigating the conflicts that can arise among a land trust's obligations to its donors, the individual landowners with which it works and the broader community in which resides requires particular care. Finding compatible, continuing revenue streams from protected areas – from user fees to sales of ecosystem services – will also help land trusts endure over time.

Externally, land trusts need to build and maintain a dense web of relationships that will help sustain their missions in the long term. This means expanding the focus to include both donors of unprotected land *and* users of protected land – making sure that local communities share in the benefits of conservation land so that they will fight for its continued protection in the future, whether that be from easement violations, improper amendments or threatened takings.

As discussed above, making the case for conservation requires that land trusts listen to affected communities and then connect the message to their most deeply held values, such as:

- Healthy communities – economically, environmentally and socially.
- Safe places for kids to play.

- Clean, safe drinking water.
- Habitat for wildlife.

There are also social justice and political support aspects to this longer-term process that land trusts will need to consider. As more land is protected through private conservation agreements, the need to demonstrate public benefits to the local community increases. Particularly in lower-income rural areas, if only the wealthy benefit from land conservation, there will be little local political support over time. Addressing issues of public access, affordable housing, working lands and similar issues will be critical to ensuring the permanence of the local political support for conservation efforts. Even more broadly, this suggests that land trusts need to shrug off their traditional standoffishness and enter more directly into local and regional land use planning/priority setting processes. Thus, achieving permanence hinges on just the sort of “bridge-building” activities with new communities discussed in the first section.

Private land conservation is, therefore, probably best viewed as a set of longer-term tools and processes – legal, institutional, political – to respond to changes in the local, regional, national and global factors influencing land use, such as:

- Large scale development financing (including government subsidies for housing).
- Transportation networks (particularly for automobiles).
- Energy prices (affecting transportation and production patterns)
- Population growth and movements.
- Global markets and subsidies for food production.
- Climate change.

Viewing permanence in this way – as a resilient set of strategies for enhancing healthy land use over generations – should allow the land trust community to fulfill its commitments to both its private and public supporters.

4.2 SUCCESS STORIES AND EXAMPLES

Some of the success stories participants told about tools for helping to ensure the permanence of conservation gains included:

- Selling memorial sites in protected viewsheds as both a way to raise money for further protection, as well as to link future generations to a particular location.
- Participating in the organization of political opposition to sales of state parks or takings in conservation corridors.
- Building institutional credibility and a track record in land conservation for over 100 years (Society for the Protection of New Hampshire Forests).

- Offering experiential connections for community members to protected sites through educational programs and recreational access.
- Using Houston social networks to enforce conservation restrictions on property in Wyoming.
- Integrating farm preservation and affordable housing goals into the same project, thereby strengthening the local community over the longer-term.
- Supporting the work of town-owned forests where stewardship is governed by democratic processes.
- Educating government officials and local “pillars of the community” by touring them through protected lands, especially those with dedicated public access.
- Emphasizing landowner relationship for land trusts as protected lands turn over to new owners.

4.3 AREAS FOR FURTHER WORK

In addition to the work on engaging new communities outlined above, some of the areas for further work suggested by participants included:

- LTA’s work on guidelines for amending conservation easements.
- LTA’s work on accreditation for land trusts.
- Teaching land trusts how to optimize relationships with landowners in the long term.
- Developing legal techniques for improving the defense of conservation easements.
- Understanding and developing guidance on responding to threatened takings of protected land.
- Developing tools for engaging and sharing the benefits of private land conservation with lower-income communities.
- Contributing actively to a broader suite of local and regional initiatives to define and work toward sustainable communities.

V. Potential Next Steps

Many pressing areas for future work were identified during the discussions. Hopefully, all of them will be taken up over time. In the near term, however, the following specific actions will be taken by the Yale Program on Strategies for the Future of Conservation and LTA:

5.1 AT YALE

Graduate student research: During the 2006-2007 school year, Yale students will be assigned to many of the topics above, both as paid interns (as part of the Berkley Scholars Program) and as clinical projects (through the course on Conservation Strategies, the Environmental Protection Clinic, other courses and independent projects). Wherever possible, organizational “clients” will be sought for these projects, including from the workshop participants. Specific topics will be chosen in consultation with those organizations and the informal advisory committee for the Yale Program. The results of the research will be disseminated through the Yale and LTA networks.

Capacity building on business and environment: As more Yale students express interest in trying to link better environmental performance with profitable investments, the University has been expanding its programs in these areas. This includes offering more courses in the basics of business and finance, as well as more clinical projects and specialized courses. In addition, the Deans of the Environment and Management Schools have agreed to invest even further by creating a joint Center for Business and the Environment, including support for new research, joint programs, executive courses and other activities. Profitable investments in more sustainable land use will be an important part of these activities. The results of this workshop will be fed directly into this process at Yale.

Future workshops: Having now co-sponsored this broad “drinking from a fire hose” dialogue across the range of issues facing land conservation in the US, the Yale Program will need to decide where future conferences will generate the most value by taking a “deep dive” into a particular topic. The topics currently under consideration include the following:

- Understanding land conservation activities in communities of color.
- Engaging lower-income communities in private land conservation efforts.
- Engaging financial institutions (pension funds, family offices, university/foundation endowments) in conservation transactions.
- Enhancing the green space conservation/restoration aspects of brownfields/infill redevelopment.
- Deepening the connections between the land trust and smart growth communities.
- Understanding the mega-trends driving land use and developing new approaches for using them to help achieve conservation goals.

Future plans will be discussed with the informal advisory group to the Yale Program. The intent is to host or co-host another workshop in May/June 2007.

5.2 AT THE LAND TRUST ALLIANCE

LTA's work program reflects the themes of the workshop in many different ways, including the following:

Engaging New Communities

- Targeting new sectors (regulators, government agencies, forest and ranch-land owners, professionals) for LTA's regional and national conferences.
- Advocating for new tax incentives designed to appeal to farmers and ranchers.
- Creating special outreach material for the agricultural community.
- Designing a new teaching curriculum emphasizing the importance of community outreach for land trusts, including media and public policy work.

Expanding the Conservation Toolkit

- Highlighting success stories of for-profit conservation deals at LTA events.
- Beginning a research project on "conservation buyer deals."
- Considering research on limited development, its constraints and pitfalls.
- Considering a research project on state tax credits to elucidate best practices for those states that may design tax credits in the future.

Regulatory Possibilities and Smart Growth

- Dedicating a complete "track" to these issues at the LTA Rally.

- Contingent on funding, preparing publications for land trusts on the successful interaction of regulation and conservation easements, using success stories from six key geographic areas.
- Bringing together experts on public-private partnerships to explore how best to increase their use within the land trust community.

Ensuring the Permanence of Conservation Gains

- Planning a suite of “easement defense” activities, including a national network of attorneys experienced in conservation easements.
- Designing a curriculum for land trusts on long-term easement stewardship to reduce violations and disputes with landowners, as well as to build local public support.
- Teaching land trusts about working with governments and the media.
- Revising courses on easement drafting so as to increase the flexibility in their monitoring and enforcement over time.
- Convening a work group to create guidance on amending easements.

5.3 OTHER PARTICIPANTS

The co-sponsors’ hope is that, in addition to the follow-up we do, all of the other participants in the workshop will take away ideas or connections that they will pursue in their own work. The extent to which this happens will be the true measure of the success of this event.

Part Two: Background Materials

Rebecca Sanborn and Gordon Clark
Yale School of Forestry & Environmental Studies

I. Broadening the Base of Support

1.1 Overview

INTRODUCTION

With more than 1500 individual non-profit land trusts operating across the country today, the land conservation movement has grown dramatically in the last quarter century. Maps of these land trusts show, however, that they tend to be located on the east coast and in relatively wealthy areas. While conserved lands have some benefits for all people regardless of location, it is clear that land conservation efforts are not equitably distributed among states, landscapes, or communities. A significant initiative of the land conservation movement now is to widen its circle of support by including groups and areas that have traditionally had little access to conserved land or open space, and perhaps to broaden the definition of conservation itself.

At the same time, rates of development continue to increase in many parts of the country. Traditional financing and land protection methods will not allow land trusts to keep pace with developers, while rising property values and taxes also increase the financial pressures on landowners. Some of the most important new developments in financing, planning, and securing conservation lands now come in partnership with corporations, builders, the military, or local governments. Significant challenges for the land trust community lie ahead, as we seek to strengthen relationships with these partners and develop new connections as well.

LOCAL COMMUNITIES

Land trusts in the past have frequently operated on the mandates of their members or boards of directors, but resulting conservation decisions have not always aligned with community values and needs. Today, conservation groups are branching out to include communities in the planning processes from the outset, to broaden the scope of conservation to include important community lands, and to focus efforts in inner cities, agricultural regions, and others areas typically underserved by conservation.

PARTNERSHIPS

Partnerships with myriad organizations and companies are proving to be critical resources for a changing movement. The involvement of businesses in conservation

lends money and resources; partnerships with the military break down cultural barriers and help to restore damaged lands; a greater understanding of what government can offer, both on the funding and on the regulatory side, helps increase the pace of conservation; working with religious organizations or tribes helps to attract individuals who have never been involved in conservation.

MARKETING

One of the most important steps in gaining and maintaining support is marketing. The land trust community sends messages to the public with every action or decision, and the community is also affected by perceptions of related environmental groups. Marketing research today focuses on new strategies to attract attention and support, as well as to build campaigns around the values that people share.

PROFESSIONALISM

Recent public attention to land trusts has been relatively negative, due in large part to tax issues with a few land trusts that operate illegally or unethically. Marketing will certainly help to reverse negative public opinions, but land trusts must also build up their professionalism. The LTA Standards and Practices were an important step in that direction, as is LTA's new accreditation and education initiative; other developments include similar strategies to unify and organize trusts across the country.

1.2 Local Communities

WHY IT'S IMPORTANT

The land conservation movement is rooted in dramatic landscapes and charismatic advocates like John Muir and Teddy Roosevelt, traditionally protecting wildlife, water quality, rural landscapes, or recreation areas. While small land trusts have significantly democratized the conservation field, the majority of land-trust based conservation still occurs in wealthy areas with predominantly white residents. Conservation and property values cycle in a positive feedback loop as well: land prices rise as conservation increases, forcing out local and middle-income residents and opening the door to wealthy landowners who can afford even more conservation. Communities with large amounts of conserved land are starting to recognize the pitfalls of this pattern, while communities underserved by conservation are starting to advocate for their own open spaces. The conservation movement in the future will need to include new areas and new people, new forms and new ideas.

Innovation today focuses on inclusion of under-represented groups and new communities; expanding the definition of land conservation; and pairing traditional conservation efforts with other social or environmental needs. Groups across the country are infusing land conservation with affordable housing initiatives to ensure longevity of diverse communities. Other organizations are working to improve markets and support for working lands, so that conserved land may continue to be a

part of the local economic base. Finally, there is a strong emphasis on bringing conservation to urban areas and minority communities where there is traditionally a lack of open space.

SOME QUESTIONS FOR DISCUSSION

1. What role should community decision-making play in land trust decisions?
2. How much traditional land protection is enough?
3. How can trusts begin incorporating other community needs like affordable housing?
4. How can the land conservation movement attract non-traditional supporters?
5. How is community-based conservation different than typical land trust activities?
6. How can land trusts overcome the challenge of bringing the big picture down to the small scale (i.e., getting local communities to care about land conservation)?

AMONG THOSE DOING GOOD WORK ON THIS ISSUE

- **Prince George's County Greenway Project (Maryland).** Green Infrastructure initiative incorporating charrettes and decision-making strategies. Community-Based Collaboratives Research Consortium publishes journal and database on conservation partnerships and innovative collaboratives. www.cbrc.org
- **The Federation of Southern Cooperatives Land Assistance Fund (Mississippi and Alabama).** NGO focused on keeping agricultural lands in production and in the hands of low-income and minority owners. www.federation.southerncoop.com
- **Institute for Community Economics.** Community loan fund financing community-based conservation and development projects. www.iceclt.org
- **PlaceMatters.** NGO focused on technology and strategies to help communities make informed, consensual decisions about land uses and planning. www.placematters.org
- **Project for Public Spaces.** Organization providing technical assistance to communities trying to create public open spaces. www.pps.org
- **Southside Community Land Trust (Providence, Rhode Island).** Urban land trust focused on community supported agriculture, neighborhood revitalization, and land conservation. www.southsideclt.org

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- Hart, Brian and Dorothy Tripp Taylor. 2002. "Saving Special Places: Community Funding for Land Conservation." Society for the Protection of New Hampshire Forests and Center for Land Conservation Assistance. www.spnhf.org/pdf/saving-places.pdf
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- Trust for Public Land. 1999. *The Economic Benefits of Parks and Open Space: How Land Conservation Helps Communities Grow Smart and Protect the Bottom Line*. San Francisco, CA: Trust for Public Land.
- Weigel, Lori (interview). 2005. "Where do Americans Stand on Protecting Land?" *Wilderness* Dec. 2005/2006.

1.3 *Partnerships*

WHY IT'S IMPORTANT

Traditional conservation partnerships have bridged natural resource organizations and agencies, communities, and interest groups, but conservation has often opposed business, development, and market forces. Today, conservation groups recognize that corporate entities can in fact be important conservation partners by providing financial or other resources, in exchange for the political or environmental capital provided by land conservation.

Recent partnerships have superseded philosophical and managerial divides, taking advantage of complementary resources held by military branches, corporations, conservation organizations, banks, developers and other special interest groups. While traditionally focused on funding mechanisms, partnerships today include agreements in stewardship, legal work, ongoing financing, and ownership patterns. As the conservation movement needs to reach out and incorporate new communities, it also needs to reach out to new and unusual partners to support conservation work.

SOME QUESTIONS FOR DISCUSSION

1. How should land conservation organizations integrate efforts with other land trusts, ecoregional planning efforts, smart growth, or other complementary conservation projects?
2. In what new aspects of conservation can organizations develop partnerships (funding, stewardship, planning, acquisitions, etc.)?
3. How should responsibilities and power balances be determined in partnerships?
4. How broadly should conservation organizations look in partnerships (in geography, scope, or philosophy)?
5. When should trusts work outside the wishes of local communities or other groups?
6. How can land trusts more effectively address class issues (as well as race)?

AMONG THOSE DOING GOOD WORK ON THIS ISSUE

- **Association of Partners for Public Lands (APPL).** Organization increasing public participation in stewardship and conservation planning. www.appl.org
- **Center for Land Use Education (CLUE).** University of Wisconsin Cooperative Extension program working on increasing partnerships and coordination in regional natural resources planning.
- **Conservation Land Network (Greater Yellowstone Region).** Partnership of brokers, land trusts, conservation groups, and scientists working to protect land in the northern Rockies. www.conservationlandnetwork.org
- **Conservation Realty Program, West Wisconsin Land Trust.** Program matching conservation buyers with sellers seeking conservation-minded buyers. www.wwlt.org/realty.shtml
- **Conservation Resources Inc. (New Jersey).** Organization providing technical financial assistance, fund management, facilitating partnerships and advancing innovative conservation methods like carbon sequestration and mitigation funds. www.conservationresourcesinc.org
- **Institute for Environmental Negotiation, U. Virginia** Research program increasing communications and negotiations that lead to environmental partnerships. www.virginia.edu/ien/IEN_home.htm
- **Maine Woods Initiative (Appalachian Mountain Club).** AMC strategy to protect the 100 mile wilderness includes recreation, resource protection, sustainable forestry and community partnerships. www.outdoors.org/conservation/wherework/mainen/index.cfm

- **Minnesota Environmental Partnership.** Network of 90 conservation organizations working to protect, restore, and use Minnesota open spaces. www.mepartnership.org
- **New England Land Link (Small Farm Institute).** Project helping farmers link up to agricultural land in an effort to maintain working landscapes and rural economies. www.smallfarm.org/nell/index.htm
- **NRCS Cooperative Conservation.** Branch of Natural Resources Conservation Service dedicated to promoting partnerships with a wide variety of public and private entities. www.nrcs.usda.gov/partners/

SOME USEFUL READINGS

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- Milne, G.,W. Gooding and E. Iyer. 1996. "Environmental Organization Alliance Relationships Within and Across Nonprofit, Business, and Government Sectors." Journal of Public Policy and Marketing 15: 203.
- Vermont Housing and Conservation Board. 2003. "The Economic Benefits of Investments by the Vermont Housing and Conservation Board. Report. www.vhcb.org/pdfs/economicbenefit03.pdf

1.4 Marketing

WHY IT'S IMPORTANT

Land trusts are operating in an environment where the importance of marketing and messaging continues to grow. There are more voices and more messages bombarding the American public. Developing messages and messengers that resonate with the public is a key to advancing the agenda of any company or organization.

Land conservation marketing focuses on how land trusts promote their work externally amidst this climate. Land trusts need to assess their current marketing efforts, including the messages that they craft and the media that they use to disseminate those messages. Strategies to market the benefits of land conservation should do so in compelling and innovative ways, but should remain true to the virtues and scientific foundations of land conservation. Perhaps just as important as the message is the messenger, especially in delivering messages to members of the public whom land trusts have so far been unable to reach.

SOME QUESTIONS FOR DISCUSSION

1. How can land trusts improve upon marketing the benefits of land conservation? What are the top five firms specializing in environmental marketing and messaging?
2. Have land trusts evaluated – either formally or informally – the impacts of their marketing efforts? If so, what have they discovered?
3. What arguments have been used most effectively against land conservation?
4. What are the most compelling reasons why people should support land conservation?
5. What marketing efforts in other sectors have worked/not worked?
6. How should conservation marketing messages be framed, based upon the audience?
7. How can land trusts appeal more to young people?
8. How can land trusts bring sound science to bear on their marketing approaches?
9. What do current trends indicate to be the most effective media for marketing?
10. If voters strongly support borrowing land for conservation locally, how can conservation be marketed to ensure it retains its significance at higher levels of government?
11. How should trusts respond to the false premise of needing to ‘balance’ economic development and the environment?

AMONG THOSE DOING GOOD WORK ON THIS ISSUE

- **Cross Current Productions.** Documentary production company, designs and produces innovative environmental education, outreach and training programs. www.crosscurrentproductions.com
- **Fenton Communications.** Specializes in media relations, advertising campaigns, coalition building, event planning, research, communications plans, and public affairs and advocacy. www.fenton.com
- **Green Media Toolshed.** Provides an extensive media contact directory to its members to reduce the barriers in communicating with the public through the media. www.greenmediatoolshed.org
- **Green Order.** Works on strategic planning and business development to improve market research, sustainability, competitive analysis, and marketing and brand strategy. www.greenorder.com/?ID=About

- **Smartpower.** Promotes clean energy by using innovative and traditional marketing techniques to create effective messages that resonate with the general consumer. www.smartpower.org
- **Sustain.** Creates print ads for environmental groups, partners with public and private to encourage sustainable economic development that creates jobs and revitalizes communities in an environmentally sound manner. www.sustainusa.org

SOME USEFUL READINGS

Andreasen, Alan R. and Philip Kotler. 2003. *Strategic Marketing for Non Profit Organizations*, 6th ed. Upper Saddle River, NJ: Prentice Hall.

Brinkerhoff, Peter C. 2003. *Mission-based Marketing: Positioning your not-for-profit in an Increasingly Competitive World*. 2nd ed. Hoboken, NJ.: Wiley

Mackenzie-Mohr, Doug and William Smith. 1999. *Fostering Sustainable Behavior: An Introduction to Community-Based Social Marketing*. British Columbia: New Society Publishers.

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Wymer, Walter Jr. and Sridhar Samu. 2003. *Nonprofit and Business Sector Collaboration: Social Enterprises, Cause-Related Marketing, Sponsorships, and other Corporate-Nonprofit Dealings*. New York: Best Business Books.

1.5 *Professionalism*

WHY IT'S IMPORTANT

Those in the land trust community are well aware that land trusts have come under criticism in recent years. In 2003, the Washington Post published a series of articles that revealed evidence of suspect practices among a small number of land trusts including The Nature Conservancy. Since then, the land trust community has worked to restore its reputation among the public by demonstrating their commitment to

serving the public good, while seeking ways to address those “rogue” land trusts implicated in the types of dealings that the Post article uncovered.

Land trusts are therefore increasingly seeking to build capacity to ensure the quality and public acceptance of their conservation efforts. Doing so suggests the need to evaluate their programs, policies, and general function in the context of the community/communities in which they work. A significant tool to enhance land trust professionalism is the accreditation program that the Land Trust Alliance (LTA) released in early 2006 as a means to identify land trusts that are upholding the public good and those that aren't. In this first year, a thirteen member independent commission will develop the policies to provide a fair and transparent review of applications and the procedures for granting a seal of accreditation to successful applicants. LTA will begin testing the accreditation system by 2007 and expects the program to be fully operational by 2008. More than 1,000 land trusts may be eligible for accreditation.¹

SOME QUESTIONS FOR DISCUSSION

1. How can land trusts build their capacity to overcome current challenges so that they can more proactively address challenges in the upcoming years?
2. How narrow or broad can a land trust's mission (and scope) be?
3. How will small land trusts meet the requirements of LTA's accreditation process?
4. In which areas of operations are land trusts generally most understaffed, and how can that be improved?
5. How do land trusts gauge – either formally or informally – how their communities (i.e., constituents) perceive them?
6. Should LTA's accreditation program certify only lands trusts, or could it also certify individuals, as do some other professional certification programs?
7. How should land trusts address ethics and credibility?

AMONG THOSE DOING GOOD WORK ON THIS ISSUE

- **Conservation Study Institute (National Park Service).** Partners with non-profits, communities, and other agencies to publicize and research conservation strategies. www.nps.gov/mabi/csi/
- **Lincoln Institute of Land Policy** Works to increase public debate and decisions on land management issues. www.lincolnst.edu/aboutlincoln/index.asp
- **Trust for Conservation Innovation.** Provides administrative support for innovative conservation start-ups. www.trustforconservationinnovation.org/

- **National Conservation Training Center (USFWS).** Trains federal employees and other conservation workers in new techniques and programs. <http://training.fws.gov/>
- **Program on Conservation Innovation at the Harvard Forest.** Builds knowledge and research base on conservation innovations and communicates that information to the public. <http://harvardforest.fas.harvard.edu/research/pci/About.htm>

SOME USEFUL READINGS

Diamant, Rolf, J. Glenn Eugster, and Nora J. Mitchell. 2003. "Reinventing Conservation: A Practitioner's View." Chapter 19 in *Reconstructing Conservation: Finding Common Ground*. Ben A. Minteer and Robert E. Manning, eds. Washington, D.C.: Island Press. www.nps.gov/mabi/csi/pdf/chap19.pdf

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II. Expanding the Conservation Toolkit

2.1 Overview

INTRODUCTION

According to the Trust for Public Land, 3 million acres of land are developed in the United States each year. This represents an area roughly the size of Connecticut. Nationally, the rate of developed acreage is growing seven times faster than the rate of population growth.² Currently, land trusts are protecting 500,000 acres of land each year.³ Only one state, Maryland, has ever conserved land at a rate matching the local pace of development, for even a few consecutive years.⁴ The need to expand the land conservation toolkit is self-evident: even though land trusts have been responsible for the conservation of 34 million acres nationwide, their current tools are not enabling them to keep up with the pace of development.⁵ Exploring new partnerships (the first theme) therefore feeds into utilizing new tools to conserve land.

PROPERTY RIGHTS

Because of the perpetuity of most agreements between land trusts and landowners, property rights are an important component of land trust operations. Property rights relate to the implications of these long-term conservation agreements between land trusts and landowners, as well as the current best practices to provide effective protection to conserved properties. Opportunities may lie in land trusts assessing how they use fee ownership and easements for conservation.

FINANCE

The ability of land trusts to leverage more public and private money to support their work is increasingly critical to their success. Not only are land trusts challenged to keep up with the current pace of development nationwide, but land trust dollars are not currently enough to generate the level of conservation that trusts seek. As one land trust leader offered, “land trusts are certainly winning battles, but they are losing the war.” A key to “winning the war” is expanding financing options, which include conservation buyer programs, tax incentives at local, state and federal levels, real estate investment vehicles, and appraisals as tools to expand the reach and impact of land trust efforts.

² For more information, please visit: <http://mlui.org/growth-management/fullarticle.asp?fileid=16761>.

³ Land Trust Alliance.

⁴ During the administration of Governor Parris Glendening, when funding for preservation was at an all-time high. www.dnr.state.md.us/rurallegacy

⁵ Land Trust Alliance www.lta.org.

REGULATORY

The regulatory and legal aspects of the toolkit address “Growth Centers” legislation for housing in cities, urban growth boundaries, and other anti-sprawl tools that land trusts can explore in order to learn how these tools use to add value to their work. These regulatory tools also include strategies to use local zoning regulations (such as agricultural preservation zoning) to benefit land conservation. In some areas, regulation and conservation easements have played complementary roles, one strengthening the other.

TECHNOLOGY

Technology, through GIS, remote sensing, spatial analysis, and databases, can help land trusts boost the efficiency of their stewardship. Community visioning programs and software can also help demonstrate spatial patterns and the effects of conservation. In general, technology can help land trusts access and utilize current and future land monitoring technologies to manage more land with a relatively finite staff.

2.2 Property Rights

WHY IT’S IMPORTANT

As the last major innovation in conservation frameworks, conservation easements have transformed the way land is protected across the United States. Rising land prices and development pressures are making it increasingly difficult for land trusts to secure ownership even of development rights, however, and continued conservation work will require new methods of approaching this problem. Discussion now must include ways to support conservation values without funding from citizens or private organizations.

Funding for ecosystem services, or further division of the “bundle of rights,” are the most promising examples of innovative conservation frameworks today. Landowners across the country may now be compensated to maintain conserved watersheds or species habitat, which may eliminate the need for a traditional easement or purchase. Local communities are also seeking ways to design planning and zoning initiatives that encourage conservation.

SOME QUESTIONS FOR DISCUSSION

1. What new frameworks could ensure the protection of conservation values (aside from fee simple purchase or traditional conservation easements)?
2. How can the bundle of property rights further be divided?
3. How can markets for ecosystem services be expanded to benefit small landowners or land trusts?
4. How permanent should property rights be?

AMONG THOSE DOING GOOD WORK ON THIS ISSUE

- **Center for Conservation Incentives (Environmental Defense Fund).** Publishes site with farm conservation toolkit, Conservation Incentives Library, and Conservation Incentives newsletter. www.edf.org/cci.cfm?page=about
- **Growing Greener by Design (Pennsylvania).** Collaborative project among land trust and state agencies to encourage conservation developments and limited development subdivisions. www.natlands.org/categories/subcategory.asp?fldSubCategoryId=26
- **RoTo Architects (California).** Architecture firm specializing in community design and the integration of conservation and development. www.rotoark.com/
- **Watershed Agricultural Council.** NGO promoting sustainable forestry and agriculture through watershed protection in the NYC watershed. www.nycwatershed.org

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2.3 Finance

WHY IT'S IMPORTANT

Not only are land trusts struggling to keep up with the pace of development nationwide, but they are also increasingly challenged by working in areas where property values are rising dramatically. For many land trusts, this reality is daunting. As the pace of development and value of real estate continue to rise, land trusts need to find ways to leverage more money into their conservation work.

Financing options that could play key roles in the future of land conservation include conservation buyer deals, and tax incentives from unlikely sources (e.g., economic development, affordable housing, and transportation) from local, state, and federal levels of government, and appraisals and how land trusts can use them more effectively, but perhaps acquire them at a lesser cost. Financing options also encompass hybrid real estate investment vehicles, such as REITs (Real Estate Investment Trusts), as well as the feasibility of land trades and limited development as tools to enhance conservation.

SOME QUESTIONS FOR DISCUSSION

1. How can land trusts better access all the potential financing mechanisms – both public and private – to enhance land conservation?
2. Where does the business sector stand on supporting land conservation initiatives?
3. Foundations are key players in conservation financing. Some are investigating program-related investments, revolving funds, landscape-scale joint support, training, and grants to land trusts for capacity building. How can these areas be further explored and enhanced?
4. How have equity and debt markets boosted conservation, and how can their use be enhanced?
5. What is being done within tax exempt bonds, REITs, state-sponsored land bonds, bank loans, and mitigation land banks, and limited conservation development projects, and where are possibilities for success?
6. What should be the role of conservation buyer programs, given the IRS's recent probe of whether they should be tax deductible?
7. How can land trusts encourage the allocation of federal and state money?

8. What should be the role of conservation finance intermediaries (e.g., Colorado Conservation Trust, Conservation Resources, Inc.) that don't actually do land deals?
9. How can land trusts address the growing gap between the market value for land and the amount of funding available for conservation?

AMONG THOSE DOING GOOD WORK ON THIS ISSUE

- **Conservation Finance Expert Team, Trust for Public Land.** Advises state and local governments on conservation funding and helps to design, pass, and implement measures that dedicate new public funds for parks and land conservation. www.tpl.org/tier2_pa.cfm?folder_id=3132
- **Open Space Institute.** Protects land in New England and New York through land acquisition, conservation easements, loan programs, and creative partnerships. www.osiny.org/home.asp
- **Land and Water Conservation Fund.** Provides matching grants to State and local governments for the land acquisition and development of public outdoor recreation areas. www.nps.gov/lwcf/
- **Forest Service, Forest Legacy Program.** Designed to encourage protection of privately owned forest lands, supports acquisition of conservation easements. www.fs.fed.us/spf/coop/programs/loa/flp.shtml
- **Natural Resources Conservation Service.** Provides technical and financial assistance through a diversity of programs that focus water resources, agricultural lands, conservation easements, etc. www.nrcs.usda.gov/

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2.4 Regulatory Strategies

WHY IT'S IMPORTANT

Laws and policies at the federal, state, and local levels helped to protect conservation values for over 200 years, but they are just beginning to be regarded by land trusts as a significant tool in land protection. Most early regulatory statutes operated at the federal level to protect landowners from private nuisance infractions, but expanded dramatically in the 1970s to include sweeping protections of water, air, and biological resources. Throughout this time, states and counties have moved forward to protect locally important features or to extend protection further than the national limits. Federal and state authorizations for the purchase and protection of lands from national parks to wilderness areas and state forests established the country's greatest assemblage of preserved lands, but cannot be relied upon for other conservation needs.

Today, the most promising regulatory strategies are local zoning and other ordinances at the level of local communities. Common examples around the country protect agriculture, prohibit development in riparian areas or along ridge tops, protect historic resources, and limit intensive land uses in sensitive areas. They have been repeatedly upheld by the courts. Innovative regulations protect certain species, offer incentives for conservation management, or establish aggressive programs for land acquisition. Collaboration with planners and Smart Growth organizations may provide a bridge between land trusts and governments.

The Land Trust Alliance and others have recently begun to explore the possible synergies between government regulation and conservation easements, long held to be antithetical. In fact, some communities have found their land protection efforts strengthened by a combination of both tools.

SOME QUESTIONS FOR DISCUSSION

1. How can local zoning and planning efforts accomplish conservation goals?
2. Can local zoning and planning strengthen preservation by conservation easements?
3. How much regulation can exist before property rights are severely limited?
4. Are regulatory strategies best enacted at federal, state, or local levels?

AMONG THOSE DOING GOOD WORK ON THIS ISSUE

- **Funders Network for Smart Growth and Livable Communities.** Association linking philanthropic organizations with opportunities to further sustainable development and growth that supports communities and the environment. www.fundersnetwork.org/
- **Smart Growth Tools (Orton Family Foundation and PlaceMatters).** Tools and processes for communities to plan and design livable spaces and smart growth. www.smartgrowthtools.org
- **Gaining Ground Information Database (Pace University Land Use Law Center).** Database of model ordinances from around the country relating to land use law and conservation <http://landuse.law.pace.edu/>
- **Center for the New American Dream.** Non-profit organization encouraging individuals to live consciously and sustainably and to plan communities that do the same. www.newdream.org/
- **Land Policy Program, Michigan State University.** Program providing effective, science-based information and solutions to inform regulations and policy. Administers the LPP Grant Initiative, which funds land use research across the country. www.landpolicy.msu.edu
- **Lincoln Institute of Land Policy.** Educational and research organization improving the quality of information and debate around land use policies and issues. www.lincolnst.edu
- **Piedmont Environmental Council.** A land trust that is heavily, and successfully, involved in zoning and planning work. www.pecva.org
- **Smart Growth Online.** A subset of the Sustainable Communities Initiative, Smart Growth Online is a clearinghouse of organizations, tools, and research on smart growth successes and failures. www.smartgrowth.org
- **American Farmland Trust.** Publishes research reports and advocates for regulatory regimes to support farmland preservation. www.aft.org
- **Maryland Institute for Agro-Ecology.** Publishes research reports on the effect of zoning and planning on land value. www.umd.edu/agroecology

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2.5 *Technology*

WHY IT’S IMPORTANT

For many years we have relied upon topographical maps to identify land, field visits to inspect their health, and gut feelings to identify new conservation projects. Technological advancements are quickly changing all aspects of conservation the conservation process. Identification of projects, public involvement, stewardship and monitoring, and restoration all benefit from technology and methods that improve efficiency, transparency, participation, accuracy, and precision. The advance of GIS, remote sensing and other spatial technology has the potential to revolutionize the way we plan for conservation and track changes on the land, while other technologies dramatically improve the efficiency or effectiveness of monitoring, reaching out to the public, and presenting alternative scenarios.

Innovations range from dynamic computer modeling systems to rubrics for evaluating the success of projects. The increased availability of remotely sensed imagery is dramatically changing our ability to understand the land from afar. Other tools—developed to fill the need for sound record-keeping, financial analysis, and political strategy—now make it easier to reach out to citizens and make a convincing case for conservation initiatives.

SOME QUESTIONS FOR DISCUSSIONS

1. How can we use technology to communicate ideas and receive feedback from communities?
2. How can we improve baseline knowledge of lands and long-term ability to track changes?

3. What types of innovations can improve the way we manage and restore properties?
4. What types of new information will be accessible with new technology?

AMONG THOSE DOING GOOD WORK ON THIS ISSUE

- **Colorado Open Lands.** Strategic process of recordkeeping and selection of projects, documenting and quantifying conservation value.
- **Conservation Technical Assistance Program (NRCS).** Department provides resources, assistance, and new technology to landowners and decision makers working on conservation of natural resources. www.nrcs.usda.gov/programs/cta/
- **GEOMOD (in IDRISI Kilimanjaro).** GIS program that can be used to measure rates of land use change and predict areas most susceptible to future development. Relies on remotely sensed images. Free image processing software, maps, aerial photos and satellite photos for most areas of the country.
- **Google Earth GreenInfo Network.** Non-profit organization providing mapping and information to community groups with the goal of solving public interest programs. www.greeninfo.org/
- **Information Center for the Environment (UC Davis).** Program of the Department of Environmental Studies dedicated to providing natural resources data and technology to organizations across the country. <http://ice.ucdavis.edu/>
- **Land Conservation and Protection Program (US Army Corps of Engineers).** Program at the Construction Engineering Research Laboratory to develop new technologies that reduce the impact of military training exercises, resources extraction, and other intensive land uses. www.cecer.army.mil/td/tips/product/details.cfm?ID=414&TOP=1
- **Option Technologies.** Company specializing in Keypad Polling, interactive meeting techniques, and other technology to advance community participation. www.optiontechnologies.com
- **Society for Conservation GIS.** Non-profit organization assisting communities and developing techniques to improve conservation work with Geographic Information Systems. www.scgis.org/

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III. Ensuring the Permanence of Conservation Gains

3.1 Overview

INTRODUCTION

Once land trusts have successfully conserved land (perhaps through creative partnerships and innovative tools), how can they ensure the permanence of their victories, while working to win more? Given current and projected rapid rates of development, this question seems especially critical. It relates not only to the importance of maintaining conserved land for aesthetic, recreational, and biological purposes – traditional land trust values – but also increasingly to global climate change. According to the Intergovernmental Panel on Climate Change, nearly twenty-five percent of the carbon dioxide released into the atmosphere comes from deforestation and land use changes. This statistic demonstrates the importance of maintaining conservation gains, on a global scale (the local scale notwithstanding) by preventing conserved lands from being developed.

SCIENTIFIC STEWARDSHIP

There are opportunities for land trusts to turn to scientific tools to help strike a balance between maintaining the ecological integrity of conserved spaces while providing opportunities for humans to use those lands. Among these tools are resilience studies to determine the appropriate human carrying capacity on protected lands, as well as models to project the impacts of climate change on terrestrial ecosystems, and the implications of those impacts for conservation work. Other topics for exploration include for how land trusts can use ecological mapping to ensure that the land they conserve is serving a larger connected ecological function, and how they can bring sound science to bear on ongoing biological challenges that they face in stewardship (e.g., invasive species).

LEGAL

Legal permanence relates to issues such as the fate of easement amendment cases in the courts, and how this debate will impact land trust stewardship efforts. In

addition, it addresses other potential challenges relating to land transactions and changes in ownership of conserved land, as well as potential encroachments on land trust activities from among property rights advocates and property rights legislation.

ORGANIZATIONAL

Many land trusts face significant challenges to ensuring organizational permanence. A key aspect of these challenges is securing adequate staffing for stewardship, especially field staff to conduct easement monitoring. Other staffing challenges include the need for (and relative shortage of) legal advice and staffing to oversee enforcement and compliance in land trust-landowner agreements. Organizational permanence also seeks to find creative ways to manage lands through partnering with local communities or even landowners to share this responsibility. Additionally, it explores the feasibility of land trusts partnering with each other and other entities on long term monitoring to share stewardship costs.

FINANCIAL

A key question that lies at the crux of the future of land conservation is: how can undeveloped land generate revenue in order to increase the probability of its permanent protection from development? To answer this question, land trusts need to find ways to boost rural incomes through forestry, agriculture, and ecosystem services. But it is sometimes tricky to maintain conservation values in this process.

POLITICAL

Political permanence addresses how land trusts can work to ensure sustainable, effective partnerships with their communities. To boost their capacity externally, land trusts should explore how to identify local community leaders and champions for land conservation. Community partnerships not only boost general support for and awareness of conservation locally, but they also enlist community members to help steward and manage land trust holdings and create a base of support for local (and statewide) conservation ballot measures.

3.2 Science and Ecology

WHY IT'S IMPORTANT

Even if land is permanently protected in a legal sense, there are many scientific and ecological threats to the long-term existence of healthy ecosystems. Climate change, invasive species, and even natural cycles of change can interrupt and destroy the ecosystem services and other characteristics we value in conserved land. Humans' use of conserved land poses another threat as well: whether land is set aside for passive recreation only or used for working forestry or agriculture, our use can potentially jeopardize the conservation values we strive to protect.

Innovations in the scientific arena focus on better methods of taking inventories and understanding baseline states of properties, and technology for monitoring change over time. These methods are applied to research questions on resilience and restoration, and stewardship methods and policy decisions. Much of the scientific research today does not focus on how to maintain certain landscape states, but how to accommodate the changes that are certain to occur. There is also a strong focus on systems science today – understanding the biological, geological, chemical, and physical properties of land, rather than communities or species.

SOME QUESTIONS FOR DISCUSSION

1. How can conservation projects today accommodate future environmental and social changes? (climate change, demographic transitions, etc.)
2. What level and types of human uses/development are acceptable on protected lands?
3. How much ecological restoration is efficient and necessary on protected lands?
4. Can we use proxy species or communities in conservation selection and/or management and still capture wider conservation values?

AMONG THOSE DOING GOOD WORK ON THIS ISSUE

- **Ecosystem Management Consultants.** Consulting firm specializing in Rapid Ecological Assessments (REA) to quickly identify important biological features of properties.
- **GEOMOD (in IDRISI Kilimanjaro).** GIS program that can be used to measure rates of land use change and predict areas most susceptible to future development. Relies on remotely sensed images for projections.
- **New England Forestry Foundation and Maine Image Analysis Lab.** Developing procedures for monitoring conservation easements by remote sensing. www.neforestry.org
- **Measures of Health (TPL).** Rubric created by the Trust for Public Land and collaborators to evaluate the effectiveness of land conservation strategies and to push conservation in new directions. www.wholecommunities.org/downloads/MOH.pdf
- **Resilience Alliance.** NGO working on resilience research for social-ecological systems (SEs). www.resalliance.org

SOME USEFUL READINGS

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3.3 *Legal Issues*

WHY IT'S IMPORTANT

Two conflicting legal needs are increasingly important now that conservation easements are a well-established part of the conservation toolkit. Land trusts and donors want to ensure legal permanence of conservation, along with robust protection of the ecological and social values it provides, but they also want to maintain flexibility in management and stewardship. Legal permanence is relatively simple with single, long-term landowners, but the situation is complicated by successor transactions involving eased land, wills and trusts that confer land through families, and joint ownerships. There are also conceivably situations in which land trusts might want to remove protection from certain lands or significantly change its structure, but they are complicated by legal issues of donor intent and tax benefits.

Research in legal permanence today focuses on amendments and other changes to conservation agreements, legality of dissolving conservation status, enforcement mechanisms, and the legal responsibilities or liabilities that go along with owning land or easements. Other legal programs investigate local or state regulations that can accomplish conservation goals, new legal frameworks for conservation, and policies for the conservation process and long-term land ownership.

SOME QUESTIONS FOR DISCUSSION

1. How can land trusts evaluate and assure the quality of appraisals?
2. What are the legal issues with joint easement holdings, transferring easements or development rights, or partnering with other organizations?
3. In what new ways can the bundle of property rights be divided?

4. What is required of monitoring and enforcement to meet legal requirements and effectively manage the land?
5. How permanent should conservation easements be? What are the legal issues in amending them?
6. How can traditional land conservation techniques integrate with zoning and other local regulations?

AMONG THOSE DOING GOOD WORK ON THIS ISSUE

- **Conservation Law, P.C. (Rocky Mountains).** Conservation NGO providing legal resources to landowners and land trusts seeking new ways to conserve land. <http://conservationlaw.org/index.html>
- **Nancy McLaughlin (University of Utah).** Professor of Law focusing on conservation easements, tax incentives, and long-term conservation of protected lands. www.law.utah.edu/faculty/bios/mclaughlinn.html

SOME USEFUL READINGS

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3.4 Organizations

WHY IT'S IMPORTANT

It's no surprise that there is and will likely continue to be a growing demand for land conservation work. As real estate values rise and rapid development continues, land trusts are seeking ways to leverage new sources of capital to conserve more land, while

at the same time expanding their staffing capabilities to handle this need for conservation.

Given that half of the nation's land trusts are staffed by volunteers, organizational permanence probes strategies to ensure the sustainability of land trusts, large and small, to the extent that they are doing effective work. Other related issues therefore concern addressing the future of land trusts that do not have the organizational capacity to sustain themselves, and may be doing work that other, more stable land trusts are already doing. A key here is striking a balance between encouraging community activism and support for land conservation, yet channeling that energy and passion in ways that will generate an effective means for conserving land.

SOME QUESTIONS FOR DISCUSSION

1. How can land trusts sustain their presence in the communities in which they work and conserve land in increasingly challenging settings?
2. How can land trusts strike a balance between traditional open space, community properties, and other land uses? Are there any generic lessons to be gleaned from this question, or can it only be answered on the basis of context?
3. Given the passion that land trust leaders and staff bring to their profession, the amount of work that there is to be done, and the amount of money that land trust leaders are trying to raise, how can these individuals avoid burnout?
4. How should stewardship plans change with changing environmental and social circumstances?
5. What are the most significant staffing challenges that land trusts foresee facing in the next 10-20 years?
6. Are there opportunities for land trusts to assist government agencies, and thereby improve the government's stewardship and monitoring capacity?"
7. How can land trusts maintain "community relevance" so that people retain their connection to place, or "treasure its presence and mourn its loss"?
8. It may be possible for local land trusts to be absorbed by larger land trusts, to increase the "pace, capacity, and quality of land conservation and to eliminate ineffective land trusts while also incorporating the energy, vision, and local touch of the local land trusts." What are the lessons from this? How can it be done effectively?
9. How can land trusts balance between "the possible and the ideal"?
10. What is the future of easements in general, as well as monitoring, defending, and amending them?
11. How confident are land trusts that their work is leading to the impacts that they seek?

AMONG THOSE DOING GOOD WORK ON THIS ISSUE

- **Conservation Measures Partnership.** Collective of NGOs working for conservation innovation – especially in monitoring and evaluation. <http://conservationmeasures.org/CMP/>
- **USDA, National Agricultural Statistics Service.** Taken on some outsourcing projects, which involve paying outside firms or other organizations to handle monitoring and stewardship costs. www.nass.usda.gov/index.asp#top
- **Conservation Connections TM.** Custom designed advanced relational database developed cooperatively by The Society for the Protection of NH Forests and Ewarenow.com LLC. <http://ewarenow.com/content/homepage.htm>
- **Erler's LandSteward.** Browser-based document tracking program that allows land trusts to better manage the complex information needed to ensure effective stewardship and permanent protection of conserved land. www.lta.org/resources/landsteward.htm
- **Mayes Wilson & Associates, LLC.** Conservation consultancy firm, assists land trusts, agencies, and communities on purchases, easements, board development, land protection and stewardship, and communications and membership programs. www.mayeswilsonassociates.com/

SOME USEFUL READINGS

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3.5 *Finances*

WHY IT'S IMPORTANT

Not only are the land trusts challenged to keep up with the pace of development and compete with market real estate prices, but they face additional challenges in covering

the ongoing costs of stewardship. In the last five or so years, there has been increasing recognition of the roles that ecosystems play in sustaining life on this planet, and markets are beginning to emerge given that value of these services.

Financial permanence addresses how land trusts can generate revenue from conserved land, especially in rural agricultural or forested areas. Included in this discussion are topics such as forest certification and ecosystem services, which include the provision of clean water, the maintenance of livable climates and atmospheres (through carbon sequestration, the provision of long term storage of carbon in forests to reduce the buildup of carbon dioxide in the atmosphere), the pollination of crops and native vegetation, the fulfillment of people's cultural, spiritual, intellectual needs, and the maintenance of biodiversity.⁶

⁶ For more information, please visit www.ecosystemserviceproject.org.

SOME QUESTIONS FOR DISCUSSION

1. How can land trusts secure and sustain traditional and new forms of capital from private and public sources to enhance their work and how can the land that they conserve generate its own revenues to support further conservation?
2. When should land trusts raise money collaboratively, especially if their programs overlap?
3. How can ongoing stewardship tasks be funded?
4. Would mergers between small trusts increase efficiency?
5. What are the most appealing ecosystem services, financially speaking?
6. When and how will there be a viable market for carbon credits? What are the emerging rules of engagement for carbon trading?
7. Most TIMOs invest in timberlands for only ten years. Are there opportunities for land trusts and other conservation organizations to help TIMOs extend that time period by providing financial incentives for FSC-certified forestry practices, right of first refusal, etc.?
8. What roles can land trusts play in developing "accumulator organizations," which some argue are necessary given the disconnect that exists between the scale of those seeking to sell carbon (mostly small landowners) and those seeking to buy (mostly to offset carbon at large scales)? How can they help make this bridge from "little to big"?
9. What are the most cost effective ways to monitor large and small easements?
10. How can we "test the reality of ecosystem services?" Where have they worked/not worked?

AMONG THOSE DOING GOOD WORK ON THIS ISSUE

- **Forest Trends.** Promotes incentives to diversify trade in the forest sector from wood products to a broader range of services and products. www.forest-trends.org/index.php
- **Forest Stewardship Council.** Non-profit that sets standards to ensure that forestry is practiced in an environmentally responsible, socially beneficial, and economically viable way. www.fscus.org
- **Sustainable Forest Initiative.** Non-profit that promotes principles and performance measures that combine the growing and harvesting of trees with the protection of wildlife, plants, soil and water quality. www.aboutsfi.org
- **The Forestland Group, LLC.** TIMO that acquires and manages timberland investments for institutions, families, and individuals in the eastern U.S. www.forestlandgroup.com/intro.html.

SOME USEFUL READINGS

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3.6 Politics and Support

WHY IT'S IMPORTANT

In building their internal capacity and exploring new and innovative ways to support the management and monitoring of conserved lands, land trusts must also work to retain their community support base. Without voices in the community advocating their work, their effectiveness will be minimal, for they will fail to connect to the people whom their work aims to benefit.

The political permanence of conservation gains addresses how land trusts can sustain partnerships with communities, individuals, other land trusts, conservation organizations, and public agencies. Sustaining their presence calls for new and appealing forms of marketing and outreach to foster community support for land trust projects and lands. Politically, land trusts need to expand their network of allies (i.e., broaden their base of support at the outset). Political permanence also relates to how land trusts can lobby legislatures effectively to gain favorable legislation that will support their missions.

SOME QUESTIONS FOR DISCUSSION

1. How can land trusts expand and retain political support for their work from local, state, and national levels, among citizens and legislators, and maintain a favorable view of themselves from among their constituents?
2. How do trusts define or measure the conservation value and benefit of their work to the public good?
3. What are the impacts of the current political climate in Washington on conservation finance opportunities? Are there opportunities that land trusts have not yet, but could take advantage of?
4. Where are the lessons to learn from land trusts that have successfully identified legislative sponsors, and helped to win ballot measures with large political support?
5. What separates those campaigns that have succeeded from those that haven't?
6. How can land trusts identify and attract the next generation of political partners and supporters?
7. How should land trusts work for legislation without lobbying?
8. Who are land trusts' most reliable supporters? How can those supporters help them expand their reliable support base?

AMONG THOSE DOING GOOD WORK ON THIS ISSUE

- **Center for Whole Communities (Vermont).** Farm and organization hosting workshops, courses, and encouraging discussions to explore and deepen connections between people and the land. www.wholecommunities.org/
- **National Association of Conservation Districts.** Works to enhance partnerships among the nation's 3,000 conservation districts, as well as with landowners, other organizations, and agencies. www.nacdnet.org
- **National Forest Foundation.** Supports partner organizations and raises funds to effectively enhance the total contribution to numerous local conservation initiatives. www.natlforests.org/conservation_partnerships.html
- **Theodore Roosevelt Conservation Partnership.** Works to build partnerships between hunting, fishing, and conservation organizations. www.trcp.org.
- **USDA, Natural Resources Conservation Service, Conservation Partnership Initiative.** Supports partnerships that focus technical and financial resources on conservation priorities in watersheds of special significance; funds State and local agencies and NGO's. www.nrcs.usda.gov/Programs/cpi/
- **USF&WS, Division of Conservation Partnerships.** Promotes working with the public through partnerships, outreach, and public information, helps develop national partnership agreements to further the Service's conservation mission. www.fws.gov/conservationpartnerships/

SOME USEFUL READINGS

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- Shutkin, William A. 2001. *The Land that Could Be: Environmentalism and Democracy in the Twenty-First Century*. Cambridge, MA: MIT Press.
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ABOUT THIS DOCUMENT

These materials are meant to serve as an overview of the issues, resources, and current work that apply to innovation in land conservation. They are by no means a comprehensive list of all interesting programs, readings, or questions. The document was a component of coursework for a masters-level course, Strategies for Land Conservation, and was compiled in the spring of 2006 to serve as background information for participants in the Workshop on Strategies for the Future of Conservation, held June 8-10, 2006 at the Pocantico Conference Center in Tarrytown, New York.

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Yale Program on Strategies for the Future of Conservation

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The purpose of the Yale Program on Strategies for the Future of Conservation is:

- To support the efforts of the Maine Coast Heritage Trust, the Land Trust Alliance and similar private organizations to develop and apply new, innovative strategies for land conservation by linking the convening, research, and teaching activities at the Yale School of Forestry & Environmental Studies ever more closely to the needs of the land conservation community.

Established by a gift from Forrest Berkley and Marcie Tyre, the Program has two parts:

- Sponsoring student internships and research projects (through the Berkley Conservation Scholars program), to bring the passion, experience and creativity of Yale graduate students to bear on these issues; and
- Convening workshops and other conversations across sectors and perspectives in the search for new approaches to expanding the resources applied to land conservation in the United States.

Berkley Conservation Scholars are students of high potential who receive funding for their research and professional experiences at the cutting edge of land conservation. Support is available during both the school year and the summer, creating a virtual “R&D Department” for the U.S. land conservation community. The Berkley Conservation Scholars play a critical role in helping to bring together practitioners and academics in the search for new conservation tools.

The Yale Program on Strategies for the Future of Conservation is a major extension of the Yale School of Forestry & Environmental Studies’ continuing efforts to enhance the effectiveness of land conservation. Working with an advisory group of land conservation leaders, the program hosts workshops, training programs and other activities around the themes of engaging new communities in conservation, expanding the conservation toolkit, and ensuring the permanence of conservation gains.

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