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A MISSING TOOL FOR LAND CONSERVATION

by Chuck Roe

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A multi-purpose tool is missing from the “tool boxes” of most land trusts, and that tool could be a most valuable means in our quest to engage a broader community of interest and participation in the conservation of land and environmental resources. That “missing” tool could also serve as strategic means of communication and outreach to a larger public. It could be the “pliers” and “lever” in our land conservation “tool box” by which to gain commitment of many more landowners to protect special natural places, to be responsible and knowledgeable stewards of important and vulnerable natural resources, and it could be a means to broaden the environmental education and awareness of our wider communities. And it may be used to build a stronger foundation to convince more landowners eventually to feel more comfortable in entering into permanent deed restrictions with conservation easements.

Nearly all land conservation organizations now rely narrowly on using only two “tools” – equivalent to using habitually only the tools of a hammer and screw driver – either by arranging permanently-binding conservation easements with landowners, or by acquiring properties in fee-simple title ownership of the land trust or by another public agency. But most craftsmen use more than only two tools. Or to resort to another analogy, few musical bands play only two instruments.

Prior to my eleven years of service to land trusts across the southeastern states as the regional program director for the Land Trust Alliance, and prior to founding and directing a statewide land conservation organization in North Carolina, I was for fifteen years the initial director of the State of North Carolina’s natural heritage program. In that position we developed and employed the state’s Registry of Natural Heritage Areas, which was based on a landowner recognition program originated by the Society of American Foresters. Ultimately other states established similar programs that recognized and encouraged private and public agency landowners for conservation stewardship of important natural areas. Over the years, in North Carolina hundreds of landowners entered into voluntary, non-binding conservation management agreements by which they pledged to maintain and safeguard the natural areas and biological resources in their possession. We decided to ask for a signed conservation pledge from a landowner, rather than only an informal “handshake” agreement, because landowners treated their signed agreement as a real and serious commitment. Frequently the landowners had no previous idea that they possessed a natural area or rare species habitat of any uniqueness or consequence. They were thrilled to know. Often their signed conservation management agreements were long-term bonds. They proudly displayed their framed certificates of recognition in a prominent place in their living room or over the mantel place. The emblazoned aluminum plaque declaring their ownership of a voluntarily

protected North Carolina Natural Heritage Area was often displayed on their property's gateway or mailbox pillar. One might see in their homes or offices a laminated copy of the local newspaper article with photograph celebrating the presentation of the certificate of recognition signed by a state official. These landowners and their families felt honor bound to conserve and protect the treasured natural area, at least for the lifetime of the committed owner. Especially in rural America the landowner's pledge was a lasting bond, nearly as secure as an actual legally-binding agreement.

These "registry agreements" were additionally popular with the local public media – serving as a "good news" story that local newspaper editors loved to feature. A local citizen and family have been recognized by the State as possessing a unique and special place notable as one of the finest natural areas or habitat for some exceptional species (with description of why the larger community should also be proud of having such a great natural area near their homes) and that our honored fellow community member has publicly pledged to do all they can to safeguard and steward this wonderful place. Often accompanying the article would be a photograph with the smiling landowner and proud family receiving a framed certificate of recognition. The landowner would continue to receive annual newsletters describing the growth of the registry program with other landowners joining and committing to conserve their special places. Consequently, landowners are encouraged and cultivated, and the wider community is informed and educated. The cost of administering the natural areas registry and landowner recognition program were minimal.

Occasionally a voluntary natural area registration will lead eventually to a landowner entering into a permanent conservation easement agreement, or donating the property for continued preservation beyond their lifetime. For instance, Hugh Morton, the owner of Grandfather Mountain in the Blue Ridge mountains of North Carolina first registered much of that renowned place as a North Carolina Natural Heritage Area and then as a UN World Heritage Area and Biological Reserve, before donating a conservation easement over several thousand acres to The Nature Conservancy, and later entering into a combination land donation and bargain sale as a State Park adjacent to the Blue Ridge Parkway.

There seem to be very few private land trusts using similar programs that recognize and honor landowners for good conservation stewardship of their properties. Why not? Why don't land trusts use this simple tool? Why don't we see such a means of landowner recognition and community awareness as important in building the foundation for greater sense of responsible stewardship and care for environmental protection?

Certainly a recognition program requires time expenditure beyond working each year on a few conservation easements or acquisitions of tracts of land. But if we are concerned about broadening our community outreach and engagement, and demonstrating our relevancy to the broader public, should we not be adding new tools to our limited array of land conservation "equipment"?

With existing information available from state natural heritage inventories and natural areas conservation programs, and easily accessible from local universities, there is little problem for a land trust to know the locations and ownership of multiple "special places" that could be candidates for such a recognition program. These existing inventories will serve as the "architectural plan" for a land trust to implement a recognition program for voluntarily conserved natural areas. A registry program begins with identification of the special, environmentally important places in the region of interest for a land

trust. From that plan of action, we can proceed in educating the owners of those special places, entering into voluntary, non-binding conservation agreements and pledges, culminating with public recognition and then long-term peer exchange and relationship cultivation among the owners of the registered natural areas.

A voluntary landowner recognition and natural area registry program could be readily managed by volunteer members of land trust organizations. Such a recognition program does not demand the legal expertise and vigilance to detail comparable to permanent conservation easements or acquisition of properties. Volunteers assisting the land trust can contribute the arrangement of voluntary conservation pledges by willing landowners, design and production of the instruments of recognition and signage, managing associated publicity and public education, maintenance of relationships with the landowners over time, and even preparation of conservation management plans for participating landowners. We see the success and benefits of similar public recognition programs all around us and commonly used by numerous other community civic groups – from Rotary Clubs to Boy and Girl Scouts. People love to be publicly recognized and honored. As the internet and our websites have evolved, a registry program would readily lend itself to expanded public communication and education. And think of the visual and educational impact of having many more identified “protected areas” shown on a land trust’s public display maps of conserved places.

I imagine that a landowner recognition program may be especially well suited for use by smaller land trusts, who are trying to maximize their conservation impact, and more efficiently and strategically communicate with their communities. Wording for a certificate of recognition might be something like this.

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| Registry Award for Voluntarily Protected Natural Area |
| Land Trust name and logo or image |
| Whereas _____ is/are the owner(s) of the _____ [place name] which is recognized by the _____ [name of land trust] as a place of exceptional environmental value and place of natural beauty and community benefit, and Whereas the owner(s) has/have voluntarily pledged to protect and safeguard the important conservation values and environmental attributes of this natural area, Therefore this Certificate of Recognition is awarded and this natural area and its owners are registered as a voluntarily protected Natural Heritage Area. |
| Signatures |

I have found very few land trusts operating such landowner “honor roll” recognition programs. One of the few examples is the Tug Hill Tomorrow Land Trust in upstate New York (which works to conserve rural landscapes and natural areas between Lake Ontario and the Adirondack mountains). Tug Hill Land Trust does not employ signed conservation pledges with landowners participating in its registry program, but uses a “handshake agreement” between the landowner and the land trust. Owners promise to continue to be good stewards of their land. Tug Hill Tomorrow and the landowner work

together to create an informal baseline documentation report using maps, photographs, and verbal description of current land uses, special natural features and wildlife on the property. Tug Hill Tomorrow finds that for many landowners this is the first step toward more permanent means of assuring land protection. Its website quotes one landowner saying, "Because of my love for the land, partnering with Tug Hill Tomorrow's Land Registry program made so much sense. I want to see the wild and rural character of my land maintained in the future. This is one way for me to help."

Tug Hill Tomorrow Land Trust executive director Linda Garrett says, "The registry program allows us to keep the conversation going with a landowner instead of closing the door if they are not yet ready to take the 'forever plunge' of an easement. It allows us to build a relationship, build trust and work with a variety of landowners. Many times we have referred landowners to other assistance programs, such as NRCS cost-share programs. We are a resource for these landowners, and our registry is another way for us to fulfill our mission of educating the public about the region and hopefully fostering more good stewards of the land. In our twenty-two years of using this as a tool, about 70% of the landowners eventually protected their property permanently with a conservation easement." [See www.tughilltomorrowlandtrust.org].

The Virginia-focused 500-Year Forest Foundation operates another example of a landowner recognition and assistance program. That organization is dedicated to conserving old-growth forests and the biologically diverse species those forests nurture. The 500-Year Forest Foundation since 2004 has entered into voluntary conservation management agreements with owners of seven tracts of old-growth forests in Virginia. This land trust relies entirely on the tool of landowner recognition and conservation management assistance, and it does not own properties or hold easements. Most of the properties are under permanent conservation easements held by the state's Virginia Outdoors Foundation, the Piedmont Environmental Council, or on land owned by the Commonwealth itself. The Foundation enters into a forest management agreement with the landowners and provides them with annual consulting advisory and financial assistance (often to control invasive exotic species or to clean and restore from storm damage). By annual agreement with each landowner, the Foundation provides matching cost-share grants to reimburse approved forest management expenses or pay for contracted horticultural and silvicultural professionals, and steers landowners to other sources of public and technical assistance. The 500-Year Forest Foundation sees itself as a partner with landowners. [See www.500yearforest.org].

Addition of voluntary registry and recognition programs (combined with direct land and natural resource management advisory assistance) into our land conservation "tool kit" will fit nicely with other land conservation strategies and can be especially valuable as we expand the "community conservation" dimensions of our land trusts, and refine our community engagement and strategic public communications activities.