



# **What I'll cover today- 25 years of land stewardship practice at:**

- **Columbia Land Conservancy, Chatham, New York**
- **The Nature Conservancy, New Hampshire and New York State Chapters**
- **Mass Audubon, Lincoln, Massachusetts**
- **Tierra Austral Land Trust, Santiago and Patagonia, Chile**

# Land Stewardship practice at the Columbia Land Conservancy in the early years (1986-94)

- **Emphasis on conservation easements more than fee acquisition of conservation areas/nature preserves.**
- **Largely reactive to active inquiries from conservation-minded landowners.**
- **Broad land protection/easement acceptance criteria, based on good common sense, e.g. protecting adjacent parcels, working farmland, riverfront, wetlands, etc.**
- **Conservation easements contained significant detail about land management practices of easement donors.**
- **Easements permitted and included limited development, subject to approval, monitoring and enforcement by CLC.**

## **Land Stewardship practice at the Columbia Land Conservancy in the early years (1986-94), continued:**

- **CLC took need for creating Easement Monitoring & Enforcement funds seriously from the beginning– success in securing funds from easement donors.**
- **Baselines created and easements monitored from the beginning, but...**
- **Minimal capacity, or investments in technical land planning (pre-GIS era)– eg. few surveys, hand-drawn maps, homemade baselines, etc.**
- **Minimal involvement in land use planning, zoning issues.**

# Evolution of Land Stewardship at CLC (1994-present)

- Greater mix of conservation easements and fee acquisition (Public Conservation Areas), with accompanying increase in land stewardship responsibilities and expertise.
- Continued reactive but increasingly proactive protection activity, based on knowledge of county land base, commitment to farmland protection, large swaths of connected protected land.
- Easement language simpler and clearer.
- Limited development areas still included in easements.
- *Much* greater technical land planning capacity.
- Farsighted engagement in land use planning.

# Land Protection and Stewardship at The Nature Conservancy in New Hampshire and New York- 1995-2008

- **Importance of ecological factors in land protection criteria.**
- **Evolution from species-scale to ecosystem/landscape-scale land conservation strategies.**
- **In NYS, from 1997-2007, five forest conservation projects in Northern Forest, totaling 400,000 acres.**
- **Depended on complex public-private partnerships**
- **Mix of fee and conservation easements.**



*Sable Highlands/Domtar  
Adirondacks, TNC-NY  
106,000 acres (2005)*

## **Land Protection and Stewardship at TNC-NH and NY, continued:**

- **Size and scale of projects created huge stewardship challenges, which led in part to...**
- **TNC in NY, NH and nationally doing fewer local land conservation projects, and land trusts filling this niche.**
- **National trend of carving limited development out of easements because of monitoring and enforcement challenges.**
- **Side agreements (eg. timber management plans) also developed.**

# Land Stewardship at Mass Audubon

- ***Mass Audubon* at a glance:**
  - **Founded in 1893.**
  - **Has always been independent from Audubon Society.**
  - **Purchased first sanctuary in 1922.**
  - **Mission is to protect the nature of MA for people and nature, through three strategies-- conservation, environmental education and advocacy.**
  - **Now has 210 staff persons, 100,000 members, \$22M operating budget.**



# Land Stewardship at Mass Audubon, continued:

- Mass Audubon's conservation assets at a glance:

-Currently owns and manages 35,600 acres statewide, 30,000 acres in fee, 5,600 acres in 117 conservation easements.

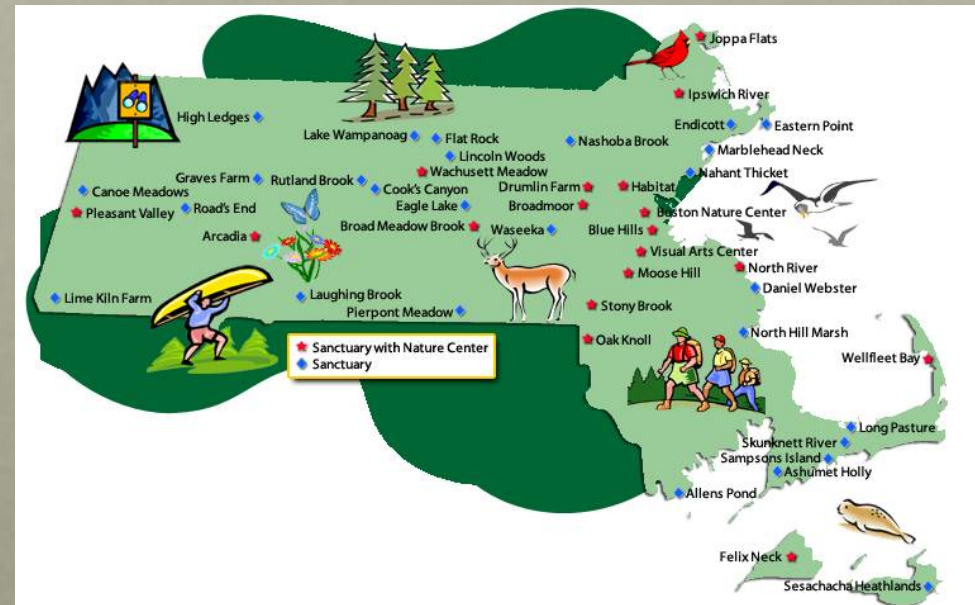
-97 wildlife sanctuaries, 65 open to the public.

-21 staffed nature centers.

-500,000 annual visitors, 250,000 program participants.

-20 nature days camps and 1 overnight nature camp.

-14,000 volunteers.



# Overview of Land Stewardship practice and issues at Mass Audubon

- **Founding and early years pre-dated widespread use of conservation easements, so long-standing focus on fee ownership of nature preserves open to public.**
- **Focus for most of its history was on “protect land now, get it out of harm’s way, worry about stewardship later.”**
- **Segmented approach has made meeting subsequent land stewardship responsibilities costly and challenging.**
- **Came late to professionalizing land stewardship (last 15-20 years); has made rapid progress since.**

# Overview of Land Stewardship practice and issues at Mass Audubon, continued:

- Because of requirements by State of MA and influence of Land Trust Alliance, better stewardship of conservation easements than fee lands.
- Organization has continued to acquire new lands in fee, because of interest in environmental education/public visitation and ecological management.
- Developed a formula for calculating conservation easement and fee lands stewardship costs *before* Land Trust Accreditation.
- Both numbers in addition to all other costs– eg. transaction, purchase price, start-up, improvements, etc

# Overview of Land Stewardship practice and issues at Mass Audubon, continued:

- **As with TNC, land conservation at MAS has evolved from species-scale to landscape scale, which has now become a critical climate change strategy.**
- **Funds for stewardship challenging to raise.**
- **Mass Audubon now actively raises funds for this purpose as part of all new acquisitions– didn't used to.**
- **Stewardship, monitoring and enforcement funds at Mass Audubon are mingled with restricted sanctuary endowments.**
- **Some successful efforts at collaborative stewardship, especially through co-holding easements; also use of volunteers.**

# Some Land Stewardship challenges at Mass Audubon

- **High cost of managing staffed nature centers and public sanctuaries.**
- **Lack of records, surveys, boundaries, other information about older fee lands.**
- **Recognition that both fee and conservation easement lands present substantial stewardship costs and challenges.**
- **Addressing even modest encroachments have been costly and time-consuming.**

# Some Land Stewardship, Take Away Messages, Lessons Learned, Conclusions

- Land conservation is *not* a two-step process– it's imperative for all new project budgets to include and address *both* acquisition and long-term stewardship costs.
- Land Trust Accreditation will have profound but necessary impacts on both small and large land trusts– eg. Mass Audubon estimates that it will need to spend hundreds of thousands of dollars in survey costs alone for its older fee properties as a result of the “Expectations for Improvement” as part of Accreditation.

## **Take Away Messages, Lessons, Conclusions, continued:**

- **These new stewardship costs will influence and may constrain some future new activities by land trusts (opportunity costs).**
- **Encroachment, boundary, easement violation issues are costly, time consuming, and likely to be ever-present.**
- **This should strengthen our resolve to create state-of-the-art baselines, to be disciplined about monitoring, and to not low-ball estimates of monitoring and enforcement funds.**
- **We still don't know the full scope of what will happen as protected lands are passed to the next generation of owners.**

# Take Away Messages, Lessons, and Conclusions

-- In the case of conservation easements, keep it simple— consider carving out limited development, and include only what the land trust can realistically expect to be able to monitor and enforce.



-- Government agencies, funders, landowners, and land trusts should unite and collaborate to increase funding for long-term land stewardship!



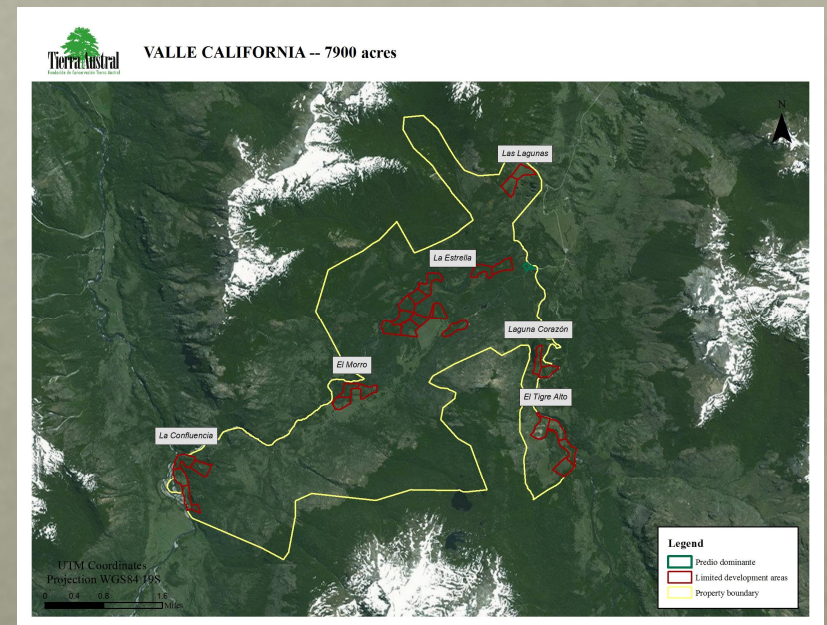
# Postscript: A Chilean Land Trust Experience—Adventures in a thin country

- **Tierra Austral Land Trust formed in 2012.**
- **Helped introduce Enabling Legislation for Conservation Easements in the Chilean Congress (pending), the *Derecho Real de Conservacion*.**
- **Created a conservation easement that was adapted from English Common Law to Chilean Napoleonic Law, the *Servidumbre Voluntaria*.**



# A Chilean Land Trust Experience, continued:

- Tierra Austral Land Trust has protected the 8,000-acre Valle California property in Chilean Patagonia, using the *Servidumbre Voluntaria* conservation easement, which closed in 2012.
- 6,000 miles from the NE US and 1,200 miles from Santiago, where land trust is based.
- Servidumbre/Conservation Easement has created 6 Limited Development Areas permitting the construction of up to 25 new houses.
- Tierra Austral has now monitored the easement for two years running, preparing for third monitoring cycle.



# A Chilean Land Trust Experience, continued

- Modest monitoring and enforcement raised in advance.
- Strong, detailed baseline records created in advance.
- Remoteness and size of property makes physical monitoring a challenge.
- Second year monitoring showed near-violations of the easement because of impacts of permitted road construction for limited development.



# A Chilean Land Trust Experience, continued

- **Clear communications between land trust and landowners challenged by distance, language, culture.**
- **Monitoring and enforcement of the Servidumbre/easement may be made more efficient if limited development areas were carved out.**
- **Land trust is considering amending the document to streamline and simplify it.**
- **Sound familiar?**



# Questions & Comments?

