



INTERNATIONAL
LAND CONSERVATION
NETWORK

PROCEEDINGS OF THE FIRST CONGRESS OF THE



Patagonia, Chile, Antonio Vizcaino | America Natural

INTERNATIONAL LAND CONSERVATION NETWORK

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Proceedings of the First Congress of the International Land Conservation Network Berlin, Germany 2015

Introduction

In recognition of the growing importance of private and civic land conservation around the globe, conservationists from six continents joined together to mark the public launch of the International Land Conservation Network (ILCN) at the Network's First Congress in Berlin, Germany on October 19-21, 2015. This new network is devoted to connecting people and nongovernmental organizations, building capacity, and sharing ideas to promote the more rapid and effective use of civic and private land conservation strategies.

At the Congress, approximately 90 participants from 27 countries considered initiatives to advance land conservation projects in places around the globe - from New Zealand and New England, South Africa and Spain, China and Argentina, Ghana and Germany, as well as Myanmar, Belize and Armenia. Participants benefitted from ideas shared by distinguished guests, such as Christof Schenck (Executive Director of the Frankfurt Zoological Society), Heinrich Bottermann (Secretary General of the German Federal Environmental Foundation), and, via videotape, Rand Wentworth (President of the Land Trust Alliance in the United States).



Evidence of the need for better coordination of international private land conservation is emerging from many sources. For example, the International Union for the Conservation of Nature (IUCN) considered the role of private land conservation in global conservation efforts at its November 2014 *World Parks Congress* held in Sydney, Australia. An IUCN-commissioned report released at that conference found that “privately protected areas deserve far greater recognition and support than is the case at the moment...we therefore believe that (this report) will help bring the private conservation movement fully into the mainstream of global conservation practice, and request governments, the international community and other actors to work together to implement the recommendations herein.”

One key recommendation is to develop relevant training and to improve knowledge sharing and information, and such efforts have already begun. For example, for the past few years, international participants have joined the Land Trust Alliance’s annual Rally. Throughout the world, private land conservation organizations are developing, such as the Nationales Netzwerk Natur (National Network for Nature, based in Germany) that describes itself (roughly translated) as “an association of non-profit and public land owners that have made permanent land protection a priority.” In a similar fashion, in Central and South America, there is a continent-wide association—the Latin American Congress of Private and Indigenous Nature Reserves—that meets every two years to share best practices and emerging innovations. Within Australia, the creation of the Australian Land Conservation Alliance (ALCA) has increased communication and collaboration amongst private land conservation organizations throughout Australia. Among European Union member countries, there is a very new effort to create a European Land

Stewardship Network, which grew out of a conference held in the fall of 2014, in Barcelona, Spain (note that as a result of the Congress, this effort has expanded to become a potential European Land Conservation Network (ELCN)).

All of these efforts strengthen the premise that practitioners are anxious to create mechanisms for a systematic and ongoing exchange of information and best practices that would increase the momentum of land conservation and management, and allow conservationists to work together across sectors, jurisdictions, national boundaries, and continents. However, there is currently no unified leadership internationally, nor is there any formal system in place for sharing best practices, model documents, technology, case studies, or professional development/career training opportunities from country to country, or continent to continent, in order to address many identified challenges.

In 20 different sessions held during the Congress, participants explored financial, legal, and organizational strategies that help to create and maintain privately protected land in different countries and settings. Congress participants coming from large, well-established, multinational organizations, such as The Nature Conservancy, as well as from much smaller and newer groups, such as Fundacion Tierra Austral in Chile, were all fully engaged in sharing relevant strategies and insights.

The Congress was held with the support of major international policymakers, who sent video greetings to conference participants. "In these times of great challenges for nature conservation, such as climate change and biodiversity loss, it is becoming even more important to unite our efforts across borders, across continents and across the world to strengthen the protection and management of our natural capital," said Daniel Calleja Crespo, European Commission Director-General for Environment. "If we don't work together, we risk irreversible changes in our environment, which will in turn undermine our economic development and the resilience of our societies." Calleja's urgings were taken seriously at the Congress. A highlight of the Congress was a dialogue among participants who are considering how to work together even more effectively in order to advance private and civic land conservation in the European Union.



Congress participants, ILCN Staff Photo

Similar policymaker support came from many regions, including Australia, Chile, and the United States. "I want to commend the ILCN for their leadership in the global land conservation movement," said United States Senator Tim Kaine of Virginia. "By connecting and empowering nonprofit and private land conservationists around the world, you have the power to make a major impact."

Workshop Proceedings

(NOTE – There were four streams across the two days of workshops – 1) Financial; 2) Legal and Organizational; 3) Stewardship and Working Landscapes; 4) Capacity and Facilitation. These proceedings are organized so that all the stream sessions are grouped together)

FINANCIAL STREAM:

Session 1A: Traditional Tools to Finance Land Conservation

This session included outlines of a large number of traditional tools of conservation financing in the US, Puerto Rico, and Spain.

Presenters:

Philip Tabas, The Nature Conservancy, US

Miquel Rafa, Fundacio Catalunya La Pedrera, Spain

Fernando Lloveras, Para la Naturaleza, Puerto Rico

[Philip Tabas: Traditional Finance Tools for Land Conservation in the US – an Overview](#)

Tabas provided an overview of the major land conservation institutions in the US and briefly explained traditional sources of funding for private land conservation. Traditional income sources were categorized by funding coming from the public, private and non-profit sectors, ranging from conservation easement transactions to capital from limited developments.

[Miquel Rafa: How to Self-Finance a Network of Private Reserves – A Practical Case from Catalunya la Pedrera](#)

The land trust Catalunya la Pedrera was founded by a non-profit savings bank that closed during the economic crisis in Catalonia. The land trust had only a few years to completely change its mix of income sources for its operations. It was able to do so, thereby providing a good example of resilience and resourcefulness. Today, the land trust generates revenues by charging an entrance fee for visitors to their famous headquarters building in Barcelona. Additional revenues are made through parking fees charged at educational centers and from shops and services located at their conservation sites. There is no entrance fee for the conservation sites, following a decision by the land trust that entrance itself should remain accessible to all. Explaining to visitors that their parking fee is used for conservation also helps to increase its acceptance by most visitors.

[Fernando Lloveras: The Benefits and Challenges of Fundraising for Land Conservation](#)

Para la Naturaleza, a unit of the Nature Trust of Puerto Rico, is the one of the largest NGOs doing land conservation in the Caribbean. At present, it manages about 24,000 acres of land with about 160 employees and some 1,500 volunteers a year. Para la Naturaleza receives some funding from the government of Puerto Rico, but it depends on endowments for about 60% of its

income, which is a great benefit, as fundraising is constantly a challenge. Additional sources of income come from entrance fees at nature reserves, gift shop sales, event rentals, coffee plantations, and fees for the operation of reforestation projects. Given the financial situation of the Puerto Rican government, additional sources of income and endowment funding are being evaluated. This includes the operation of eco-lodges, mitigation funding, partnerships with the government for conservation easements around watersheds, the ability for a non-profit in Puerto Rico to arbitrage on tax free bonds, and the potential for debt-for-nature swaps. The potential of “green taxes” is also being investigated in cooperation with the University of Vermont. There are a large array of options outside traditional financing for land conservation, as demonstrated by Para la Naturaleza. In exploring these alternatives, however, it is imperative that a land trust maintains its credibility with the public and financial markets. Without such credibility, it would not be possible to consider pursuing such alternative financing mechanisms.

Discussion

Financing conservation is like looking for small slices of revenue and putting them together into a big cake over time. No single source of revenue is likely to support an entire project over its life cycle. Small organizations tend to have more limited financing options. When exploring new options, it is very important to stay true to the organization’s mission.

The ability to use different financing options will vary in the context of different social, political and economic systems in each country. Ongoing challenges will include:

- Gaining the trust and support of politicians and potential philanthropic donors; and
- Proving to potential lenders and impact investors that the organization can manage steady revenue streams, repay debt obligations, and provide acceptable financial returns.

Session 2A – Giving Money and Giving Time: Philanthropy and Volunteers

This session highlighted the importance of volunteers and philanthropy that can help to protect and steward small and large parcels of land.

Presenters:

John Lounds, Nature Conservancy of Canada

Noah Janssen, Natuurpunt, Belgium

Liliana Jauregui, Purchase Of Nature Program, International Union for Conservation of Nature, National Committee of the Netherlands (IUCN NL)

[John Lounds: A Force for Nature: The Nature Conservancy of Canada's Conservation Campaign](#)

The presentation focused on the use of campaigns to achieve strategic conservation goals. The Nature Conservancy of Canada (NCC) raises money from governments, as well as private individuals, foundations, and companies in order to fund private land conservation activities. NCC has recently managed two campaigns to advance their programs – one for land acquisition and conservation planning and science and one called “A Force for Nature” – in order to build up the NCC’s stewardship capacity. The next five-year campaign, which is in planning at the time of this Congress, aims at engaging more volunteers to take care of conservation properties. It is

important to point out that volunteers, working alongside professional staff, are key to the success of a large, national organization, such as NCC. One group of volunteers that NCC works with is high profile campaign leaders. It is a truism used when referring to such individuals that if you want advice, ask for money, and if you want money, then ask for advice. In NCC's case, high-profile individuals, who had helped the organization with both money and advice, were key ambassadors for NCC as it approached the Canadian government for large, long-term matching funding. For campaigns, long-term plans (five years) are recommended in order to highlight significance of the plan. It is also important to aim at practical, achievable dreams so that leadership is able to eventually show that these goals have been achieved.

[Liliana Jauregui: Purchase of Nature Program: Small Grants for the Purchase of Nature](#)

The International Union for the Conservation of Nature, Netherlands (IUCN NL), with funds from the National Postcode Lottery in the Netherlands, gives small amounts of money to NGOs in several locations around the world so that these NGOs can protect important pieces of land. Many projects are associated with conservation corridors that help to connect key wildlife habitats. Unfortunately, IUCN NL can only fund 5% of the applications it receives.

Since its founding in 2001, the Purchase of Nature program has enabled the purchase of more than 32,000 hectares (about 79,000 acres). The Purchase of Nature model is evidence that even relatively small amounts of money (maximum grant size is \$85,000) can have impressive long-term results when used strategically. To achieve such results, the screening process is very thorough. In addition to grants to protect land, the program also fosters a staff exchange between NGOs (from organizational leaders to park rangers) associated with different projects. The staff exchange meetings that they organize with CEOs take place yearly and are usually low-budget and highly-productive meetings. The program is not only about money, but also about coaching, knowledge sharing, and capacity building.

The IUCN NL is willing to support the ILCN through its knowledge and by extending the network to its member NGOs and other contacts. They have a large network that should be connected to the ILCN, in order to foster and promote stewardship. Indeed, there are many avenues to explore for collaboration.

[Noah Janssen: Bottom to the Top: How Volunteers Preserve Nature in a Changing Environment](#)

Natuurpunt is the largest nature protection NGO that works in Flanders, a densely populated area in Belgium. With the slogan "nature for everyone," Natuurpunt works with over 10,000 volunteers, organized into 200 branches and 125 regional working groups. About 95,000 families support Natuurpunt with member contributions, which help to employ 470 professional staff, primarily focused on the management and stewardship of nature reserves. With a strong focus and dependence on the local community, all Natuurpunt nature reserves (totaling 22,500 hectares of land, with 65% protected as Natura 2000 sites) are free and open to the public, and thousands of activities are arranged by Natuurpunt for the general public in order to convey the idea that nature can be found "at the doorstep of your home." As a model, Natuurpunt serves as a direct catalyst for local and regional nature conservation by allowing the (volunteer) regional working groups to be active members of the conservation and stewardship process. In this sense, there are several boards of volunteers who make "top management level," and are given the agency to

acquire and manage open land from within the working group (after consultation with professional employees), with the Natuurpunt staff ready to help if necessary. In terms of funding, the professional team at Natuurpunt helps the regional groups to acquire all possible subsidies that apply, and the local branch then accepts the commitment to raise the additional funds necessary to bring the project to completion. Since the volunteer regional groups accept most of the work and responsibility for implementing local conservation projects, there is a strong feeling of co-ownership of the land deals and projects in which they are involved. There are, of course, challenges, such as the ratio of volunteers needed to the size of the nature reserve, required knowledge and input from professional staff, or the lack of correlation between increased volunteers and increased surface area of reserves.

However, thanks to Natuurpunt's integration and dependence on local communities, they also benefit from greater insights into the local land market, access to lower prices in land deals, more confidence of local governments (which often manifests in subsidies), more confidence of the power in the local regional groups and communities themselves (leading to higher fundraising results), more members, and more volunteers. It is important to mention that many of the local groups in Flanders existed before Natuurpunt was formed, which helped Natuurpunt to unite the various groups into a cohesive regional coalition. The key to success in Natuurpunt's model is its bottom-up approach.

Discussion

A good way to get people, particularly volunteers, involved in nature protection is through education and encouraging their direct connection to nature. With a base of passionate supporters, the group can focus on what sort of impact it would like to have – mostly local, like Natuurpunt, or international in scope, like the IUCN NL program.

One idea that emerged from the group discussion was to consider a form of cooperation between countries along the migration routes of birds. With such a program, the focus can be both international and local. In order to make such a program work, collaborative agreements could be made with international organizations, which would be especially helpful with monitoring information, whereas the local organizations could be especially helpful with project identification and implementation.

3A – Financial Innovations in Private Land Conservation: Carbon Markets and Impact Investing

In this session, non-traditional tools for financing private land conservation were presented and discussed.

Presenters:

Andrea Tuttle, Pacific Forest Trust, US

Charlotte Kaiser, The Nature Conservancy NatureVest, US

Prof. Johann Köppel, Berlin Institute of Technology, Germany

Andrea Tuttle: Climate Revenue for Land Conservation

This presentation explained forest offsets and the Greenhouse Gas Reduction Fund (GGRF) in California as components of California's carbon market programs. The Pacific Forest Trust continues to be a key player in the design and implementation of these and similar carbon trading programs. The California markets that are now operating were designed to reflect actual impacts on the atmosphere, to reflect environmental justice concerns, and to include robust market safeguards. The programs strive to be inclusive of nearly all of the California economy. Several of the many components of the cap and trade program in California are natural and working landscapes, including working forests, an area of particular importance to the Pacific Forest Trust and the wider land conservation movement. In her presentation, Tuttle considered the potential of decisions to be made at the upcoming Paris climate meetings in December 2015 regarding carbon markets around the world, including REDD programs that have yet to have fulfilled their substantial potential.

Charlotte Kaiser: NatureVest and Impact Investing

This presentation focused on The Nature Conservancy's (TNC's) new NatureVest program. The aim of the program is to facilitate the investment of one billion USD of capital into nature conservation in the next several years. Charlotte Kaiser provided insight into the types of projects in which NatureVest has invested to date, and into which it may invest in the future. Most participants in NatureVest are impact investors, including private actors who are striving to make nature conservation a part of their investment portfolio. Many prominent impact investors are younger individuals with substantial private wealth. Given the focus on the conservation of nature and adaptation to climate change, the fund avoids investments in coal and tar sands. For further information on this initiative, an in-depth discussion of NatureVest's goals and objectives is available at www.naturevesttnc.org.

Johann Köppel: Markets for Ecosystem Services – Is it a Deal for Private and Civic Sector Action?

This presentation pointed out the differences in compensation payment regulations between Germany and the US. In the US, the sponsors of mitigation banks are often from the private sector, whereas in Germany, they are instead managed by local or regional governments. In Germany, mitigation banking by a third-party is third in importance on the mitigation priority list; permittee-responsible mitigation is first in Germany. This is in contrast to the United States, in which third-party mitigation is the preferred alternative. Third-party mitigation banks may, in some cases, be more measurably effective in providing actual ecosystem services. However, in Germany, where the trust in public entities is very high, it may be some time before substantial reliance on third-party mitigation is achieved.

Session 4A – Making Conservation Pay for itself: Ecotourism Tradeoffs and Opportunities

This session spanned several sectors and scales in discussing the value of ecotourism in private land conservation efforts. From smaller-scale organizational work in Belize with the Toledo

Institute of Development and Environment, to World Wildlife Fund South Africa, the European Landowners Organization, and larger conservation finance frameworks, attendees heard a range of potential opportunities and risks associated with ecotourism as a part of conservation efforts.

Presenters:

Thierry de l'Escaille, European Landowners Organization (ELO)

Celia Mahung, Toledo Institute for Development and Environment (TIDE), Belize

Natasha Wilson, WWF South Africa

Karena Mahung, Yale School of Forestry and Environmental Studies, Belize

[Thierry de l'Escaille: ELO and private land conservation](#)

ELO represents a network of national organizations, based in Brussels, which created the Wildlife Estates Label (WE Label) 10 years ago in order to demonstrate the power and possibility held in private land management for nature conservation. The WE Label rewards responsible land managers and recognizes their achievements in private land conservation. Its model is a public-private partnership between public authorities and private landowners. More than 30 national and local associations and foundations work with Wildlife Estates in order to promote sustainable land management. To date, area covered under the WE Label totals about 1,009,928 hectares, with the hope to add another 1.5 to 2 million hectares in the next three to five years. ELO is examining how farmland and protected wildlands can complement each other, as well as how to engage hunting grounds with conservation activity. Benefits of the WE Label include: tax easement opportunity in Spain, rural development funding in Portugal, economic and environmental report in Scotland, and greater visibility towards EU institutions.

[Celia Mahung: Generating Income for Conservation in Southern Belize](#)

The Toledo Institute for Development and Environment (TIDE) is a non-governmental organization based in southern Belize, established in 1998, to promote resource protection, environmental education, research and monitoring of terrestrial and marine environments, community development, and business initiatives (including TIDE tours, Ridge to Reef Expeditions, Fish Festival, the planning of special events, and more). TIDE owns privately protected lands obtained through a debt for nature swap agreement between the US and Belizean governments in 2001. TIDE oversees funding for the purchase of 20,488 acres (8,000+ hectares), is responsible for land management through 2026, and has established an endowment fund, currently totaling \$2.8 million. Funding sources include: grants, both private and public, gifts/earned income, tourism and ridge to reef expeditions, and endowment interest. Funding opportunities allow for earned income and other benefits to locals, who can serve as guides or other staff. Fundraising opportunities can include: showcasing the protected areas that TIDE manages, identifying options for carbon credits and agro-forestry, and contributions for conservation from visitors (both financial and in-kind). However, TIDE is located in the least visited and least tourism prone district in Belize; therefore, it is challenged by a need for investment in infrastructure to promote tourism, reliance on other service providers, and the effect of a 12.5% sales tax on net income. Through TIDE's example, Mahung suggests that conservation groups (particularly smaller organizations) need to diversify funding sources, encourage the government to invest in protected areas management and provision of incentives (for example, to remove the 12.5% GST), promote conservation in low economic regions, and to create linkages in which communities can receive immediate economic benefit from

conservation activity.

Natasha Wilson – WWF South Africa's Revolving Land Fund Initiative

WWF South Africa (WWF-SA) is independently funded from larger WWF; therefore, it has to be creative and resourceful when it comes to finding adequate conservation finance resources for private conservation. The organization has developed the *Revolving Land Fund Initiative*, which allows WWF-SA to dispose of certain properties to conservation-minded buyers who are willing to accept the responsibilities associated with the stewardship of a nature reserve. In this model, the buyer benefits from the deduction of costs (Income Tax Act) and having the land secured and managed. WWF-SA and the statutory conservation agencies also benefit by being able to recapitalize significant funds in order to purchase additional areas for biodiversity protection. Wilson used the case study of Naauw Kloof farm (2,766 hectares) in the Western Cape of South Africa in order to highlight the various trade-offs and opportunities associated with initiatives that both earn revenue and also promote conservation activity on private land. In the case study presented, the transaction was the first of its kind in South Africa, in which WWF-SA received R4.2 million back, and R700,000 in management costs fell away as the conservation estate in a priority area was increased.



LEGAL AND ORGANIZATIONAL STREAM:

Session 1B – A Tale of Two Countries: Private Land Conservation in North America

This workshop contrasted the tools and strategies used for private land conservation in the United States of America with those in Canada.

Presenters:

Karen Cooper, LL.B. LL.L., TEP Drache Aptowitzer LLP, US

Stefan Nagel, Law Office of Stephen J. Small, Esq., P. C., US

Lisa McLaughlin, Chef Conservation Officer, Nature Conservancy of Canada

Henry Tepper, Consultant, ADS Ventures, US

Joint presentation: A Tale of Two Countries: Private Land Conservation in North America

The presentation was structured around a hypothetical scenario in which two families own a 5,000 hectare island in a lake on the border of Canada and the United States (US). It discussed options for both families, under their respective jurisdictions, to place conservation restrictions on their properties and pass the properties on to their next generations, taking into account the potential tax ramifications or benefits at play alongside the passing of land title. The case study was presented in order to shape the workshop dialogue around three main topics:

- What are the core laws, in the two respective countries, that drive or help to determine the conservation options and outcome available to the two families? What tax benefits might flow to the two families from the application of the core laws and conservation solutions to help the families realize their estate and financial goals?
- What can land trusts bring to the table in terms of protection tools, purchase funding, the calculation and application of tax benefits, etc. to help the families reach their estate, financial, and conservation planning goals? Aside from land trusts, what other conservation or governmental entities may be involved? How do these practices differ between the two countries?
- Once conservation solutions have been developed for each property, and both properties are under some form of conservation stewardship, how do stewardship practices on both sides of the border compare?

Through the analysis of a hypothetical case study, this presentation compared the legal prerequisites, roles of land trusts, and stewardship practices in both countries through a coherent and concrete example. The presentation focused on the Canadian “ecogift” programme and the US conservation easement tax law as examples of tools that can accomplish similar goals, while targeting country-specific needs. The comparison between Canadian and American jurisdictional processes demonstrated that although both countries have similar tools to work with in order to advance private lands conservation, certain tools may be more effective and efficient at achieving conservation targets in one country versus the other. The presenters emphasized a need for practitioners to identify tools that are both advantageous to the landowner and incentivize conservation initiatives in a manner that complements country-specific (or in some cases, region-specific) legislation.

Discussion

The resulting discussion focused on the potential to learn from each other by looking at the respective histories of conservation enabling legislation in Canada and the US. In comparison to Canada, conservation transactions in the US tend to be more adversarial and thus expensive, as the value of the donation is only assessed after the donation has taken place, which potentially leads to conflicting opinions between the Internal Revenue Service on the one side and charitable organisations and conservation donors on the other side. In contrast, the Canadian ecogift practices establish the value of a property before the transaction takes place, which allows for greater certainty of result, and often, relatively less conflict.

In Canada, one limiting factor for conservation donations is the short ‘carry forward’ period for tax credits, which in the US is five years. Transboundary transactions (gifts from American landowners of Canadian real estate to Canadian land trusts and vice versa) are still greatly hampered by differences in the legal systems, which is indicative of the need for knowledge sharing and collaboration through transboundary networks such as the ILCN. The resulting discussion concluded with a deeper understanding of the complexity of private land conservation legislation around the globe, and a strengthened resolve to work together in identifying innovative and novel solutions that can help to make conservation tools more transferable across boundaries.

Session 2B – Opportunities and Constraints: Conservation Easements and Servitudes in Civil Code Jurisdictions

The session compared case studies of conservation easement use from various civil code countries.

Presenters:

Roberto Peralta, lawyer, Chile

Lisa McLaughlin, Nature Conservancy of Canada

Eerika Tapio, CEDTE Lapland, Finland

Eerika Tapio: Contractual Transfers of Land Rights in Forest Programs

Tapio reported from the LIFE+ project NATNET, which provides opportunities for forest owners to enhance the biodiversity of their forests in southwestern Lapland and protect them on their own initiative. The project makes inventories of valuable habitats and offers forest owners contractual agreements for the perpetual protection of their forested land. On the basis of the protection agreement, landowners receive a tax-free financial compensation to cover the loss of income resulting from the avoidance of logging. The preservation contract does not change the ownership of the land. After initial opposition in the NATNET project’s pilot area, the new tool is now more widely accepted. The contract is recorded in the land registry and remains binding for successive owners. There is a very high rate of compliance. No violations have been detected so far (however, it is worth noting that there is also no systematic monitoring of the contracts, thus far).

Lisa McLaughlin: Conservation Easements in Canada

Canada, apart from the province of Quebec, is a common law country. In Quebec, conservation easements are not codified, but used by interpretation of civil code. Only appurtenant easements exist, not easements in gross. In 2002, a new tool was created in order to overcome this limitation: the private nature reserves system under the Natural Heritage Conservation Act. It foresees perpetual real servitudes that can be appurtenant and in gross. The donation of such an easement only has consequences for the property tax, but not the income tax, because it does not necessarily meet the requirements of a charitable gift. A surprising outcome is that real servitudes often do not reduce property tax, as the property tax reduction is countermanded by changes in the tax factor by the municipality.

Roberto Peralta: Conservation Servitudes in Chile

The legal instrument of a servitude dates back to the Napoleonic Code, the Siete Partidas from 1265 and the Roman Law from 753 BC. In Chile, initiatives to establish the legal basis for the implementation of the existing instrument ("servidumbre") for nature conservation have repeatedly been blocked by the Chilean Congress (under the pressure of lobby groups). The government and the private sector in Chile are still behind in terms of awareness about the need of this instrument. The introduction of special enabling legislation for conservation easements failed; therefore traditional "servitudes" are now used (tested) for conservation purposes.

Discussion

The discussion focused on the peculiarities of property tools for private land conservation in civil code countries. One example of a codified restriction of private property rights that came up is the "Allemansrätten" (everyman's right), which grants the public the freedom to roam on private property, a concept that is widespread in Scandinavian countries, Scotland and Switzerland, and to a lower degree in Germany and Austria. The discussion on conservation easements and servitudes showed that differences between countries should not be simply reduced to the question whether the law system is common law or civil code.

Session 3B – Privately Protected Areas - IUCN Guidelines and Examples in Europe

This workshop was chaired by Brent Mitchell, who recently authored an IUCN study on privately protected areas. It introduced the concept of PPAs and presented case studies from both Portugal and Belgium.

Presenters:

Brent Mitchell, Quebec-Labrador Foundation (QLF), US

Noah Janssen, Natuurpunt, Belgium

Pedro Prata, Associação Transumância e Natureza (ATN), Portugal

Brent Mitchell: Privately Protected Areas: The Global Context

Brent Mitchell provided a brief introduction to the political context in which the concept of privately protected areas is currently evolving. Protected area governance is increasingly

becoming a priority for the IUCN. However, privately protected areas are hardly mentioned in official biodiversity-related policy documents, such as the Convention on Biological Diversity (CBD) protocols. This is unfortunate, as the Global Environmental Facility and other funding mechanisms need reference for eligibility reasons. In this light, Brent Mitchell and others prepared a report for the IUCN in time for the World Parks Congress 2014 in Sydney, Australia. It gave an overview of the >50 existing definitions of privately protected areas, presented case studies from various countries, and suggested a unifying definition of the concept.

Noah Janssen: Privately Protected Areas in Flanders

Janssen provided an introduction to Flanders and the work of Natuurpunt, the biggest regional conservation NGO. Starting from the realisation that the EU reserve network Natura 2000 is "paper protection" without ownership, he highlighted the importance of land purchase and restoration for its proper conservation long-term. Restoration and management are often done with the help of volunteers and the local government. The activities of Natuurpunt include management, monitoring, education, stakeholder involvement, and communication. It manages about 1.5% of the area of Flanders (22,500 ha). Each of its >300 reserves has a site manager. Reserves usually start small, but grow incrementally and become connected corridors. However, poor urban planning and a dense population make it difficult to create a coherent network. After the financial crisis hit in 2007, public resources became scarcer and, thus, public authorities had to prioritize conservation investments in Natura 2000 sites. Natuurpunt now concentrates on 10 flagship priority areas, where it combines land conservation and cooperation with farmers. Volunteer involvement is exemplary at Natuurpunt. Natuurpunt has 10,000 volunteers and 450 paid staff (300 in the field). No other NGO in the region reaches the same level of volunteer activity.

Pedro Prata: Faia Brava

Prata gave a short overview of the Faia Brava reserve, the first privately protected area in Portugal. The site was significantly influenced by arson events in 2003 and 2005, which destroyed much of the cultural landscape, but also opened up the possibility to purchase large tracts of land. The management of the reserve has to reconcile the conflicting interests of conservation and profitability in the area; therefore, ATN is constantly adapting to new challenges. Management costs are reduced by implementing the rewilding concept. At the same time, ATN has begun acquiring new reserves, so that connectivity planning (for wolves and raptors) becomes relevant.

Session 4B – Community Conservation Initiatives

Presenters:

Charles Chester, Yellowstone to Yukon Conservation Initiative, US

Terry Tanner, Confederated Salish and Kootenai Tribe Mission Mountain Tribal Wilderness, US

Phil Tabas, The Nature Conservancy, US

Erasmus Owusu, University of Ghana

Erasmus Owusu: Community Conservation in Ghana

Foreign tourism to Ghana broke down in 2014 due to the Ebola epidemic. Currently most tourists are from Ghana (about 70%). Governance is mostly local and carried out in traditional ways, which means that most land is managed by tribal chiefs. In the case study of the Amanzuri wetlands, those chiefs have contributed land for nature conservation. People are not allowed to hunt and get timber in the wetlands. The objective of the conservation project is to conserve the Ramsar site while developing and promoting the eco-tourism potential of the wetlands. In cooperation with the local communities, a total of 80 km² of the wetland have been demarcated as a Community Nature Reserve.

Phil Tabas: Land Trusts in China

China has about 2,500 nature reserves covering about 1,500,000 km². Land tenure in China is different from other countries as there is no private land ownership – 53% of the land belongs to the state and 47% belongs to communities. Use rights can be granted to groups, individuals and other entities. The Nature Conservancy (TNC) operates several pilot projects to set up nature reserves. Foreign organizations cannot get land use rights in China, so TNC set up entities for the management of the reserves under Chinese law and acts as consultant to these entities (land trusts). Funding for the entities comes entirely from donors in China. The first reserve established under this mechanism was the Old Creek reserve in Sichuan. The idea is to demonstrate with this reserve and others that private land conservation can work in China. Once reliable partnerships have been established, the model can grow in scale.

Charles Chester: The Yellowstone to Yukon Conservation Initiative (Y2Y)

The Yellowstone to Yukon Conservation Initiative (Y2Y) is a Canadian-American non-profit organization that connects and protects habitat from Yellowstone to Yukon. Y2Y works with more than 300 scientists, conservation groups, landowners, businesses, government agencies and First Nation and Native American communities. Y2Y seeks to connect isolated conservation into a greater whole. About 80% of the land in the mountain range that Y2Y works on is public. The region includes iconic places, such as Yellowstone National Park and its ecosystem. Within communities that live there, including 31 native tribes, conservation is sometimes not appreciated or desired. Nevertheless, since 1993, Y2Y and its partners have increased protected areas from 11% to 21% within the Yellowstone to Yukon region, while new management restrictions have been placed on an additional 30% of the land.

Terry Tanner - Flathead Reservation

A treaty between the Confederated Salish and Kootenai Tribes and the US established the Flathead Reservation. The reserve has a surface of over 79,000 acres. Tribal elders are giving directions about the management of the area. Much of the land within the reservation was privatized despite the treaty, so nowadays the tribes buy land back through money from the casinos.

STEWARDSHIP AND WORKING LANDSCAPES STREAM:



Session 1C – Conserving Working Landscapes in South America, the US, and Australia

This workshop explored ways to conserve or increase biodiversity in landscapes that are already used for other activities, such as farming.

Presenters:

Peter Geddes, American Prairie Reserve, US

Victoria Marles, Trust for Nature, Australia

Javier Beltran, The Nature Conservancy, Argentina

Pete Geddes: Land Purchase

In his presentation, Geddes explained that the American Prairie Reserve's target is to buy 500,000 acres of prairie in north-east Montana in order to knit together the existing public reserves into one large landscape of 3.5 million acres. The Preserve prefers to purchase land because having full control of the land allows it to achieve much more efficient conservation and stewardship than through other methodology. Land that suits the needs of the Reserve's wildlife programme is prioritized. Because the American Prairie Reserve is the most active buyer in the region, it does have an effect on farmland price values. However, if the Reserve is outbid, then it will often pull out of a purchase if it believes the price is too high. So far, 10% of the American Prairie Reserve's conservation target has been achieved. The Reserve is also investigating the possibility of securing carbon credits for prairie land that is not tilled but instead kept in grass.

Victoria Marles: Covenants

Marles presented Trust for Nature's (TFN's) programme to protect the remnants of the original (pre-agriculture) vegetation in the State of Victoria, Australia, which are all located on private property. In the Lower Avoca district of the Murray River plains, the target is to protect 20,000

of the 80,000 ha as habitat for the plains wanderer, an iconic ground-dwelling bird. TFN generally does not buy the land directly, but works with the private landowners, by means of establishing covenants. Since livestock grazing can act as a conservation tool in this landscape, land can continue to be used for ranching while TFN simultaneously establishes covenants with farmers that include suitable grazing regimes. Covenants have to be accredited to the Trust, and therefore have to fulfil TFN's standards. The Victoria and New South Wales state authorities have programmes in which farmers can tender offers to manage their own land for environment and biodiversity and if these are accepted, then the farmers are paid from public funds for the management. Long-term however, the benefits are less clear – there already have been cases in which after 5 or 10 years, the farmer no longer signs up to manage his land and so the previous investment is wasted. Covenants, being permanent, are thus more reliable and durable, which explains TFN's preference for them. In its experience, if covenants are done well, then TFN's opinion is that they are more cost-effective than land acquisition.

Australia has already strongly improved the legal and other aspects of its covenants compared to earlier versions (and is revising and improving old covenants). But it would like advice from the Land Trust Alliance, as well as other covenant or easement holding organizations, on standards and practices for monitoring. Currently, there are no tax incentives in Australia for covenants, so owners must establish them voluntarily. TFN therefore sees obtaining tax incentives for covenants, and solving the issue of compatibility between covenants and mining licenses, as important priorities for the near future. TFN also owns land itself and manages it like its covenanted farmers do, thereby learning from them. There are, however, conflicts between farmers and TFN about how to best manage the land: wildfire, for instance, is promoted by TFN because burning off excess biomass is important for the plains wanderer, but local farmers and residents have strong negative opinions about it.

Javier Beltran: Land Management Advice to Farmers

Beltran presented the case study of Patagonia, which includes 200 million acres of natural grassland, 90% of which is privately owned and used for sheep ranching. There are 17,000 ranchers, 81% of whom are small players, owning less than 1,000 sheep; only 3% have more than 6,000 sheep. The largest properties are generally located in the south, where more land is needed to carry the same number of sheep. The main challenge at hand is inappropriate grazing. Grazing is often done haphazardly, often based on ranchers' personal judgement, commonly resulting in overgrazing and disruption of the grasslands. Only the bigger properties receive professional advice. The Nature Conservancy (TNC), therefore, is advising ranchers on how to improve stock management, e.g. through rotation grazing, to make it more environmentally responsible and to conserve biodiversity. Sharing experiences between ranchers is a challenge however, due to the sheer size of Patagonia and the isolation of its farms. For lands with critical ecological value, easements are better used, and TNC has a framework for monitoring and enforcing such easements, though more funding is needed in order to do it durably.

Discussion

During the ensuing discussion, the efforts of Doug and Kris Tompkins was mentioned as an example; since 1990 they have bought sheep farms in Patagonia and turned them into private wilderness, grazed by guanacos. They have opened these wilderness reserves to tourists (tracks, camping grounds) and uses visitor centres, which employ local people and sell local produce, as

gateways to the reserves. The intention is to eventually turn these areas into national parks.

The discussion then focussed on the inclusion of farmers in conservation programmes. The Nature Conservancy of Argentina would like those farmers who do participate in its programme for environmentally responsible grazing to get a competitive price for their wool, but influencing the market is a major unsolved challenge. Increasing demand for grass-fed sheep would be a good start. The American Prairie Preserve (Montana, USA) has tackled the challenge of economically rewarding farmers who manage land for biodiversity. It bought the Wild Sky meat company, which already had a reputation for premium meat. Ranchers who sign up with the Preserve to modify the way they graze livestock on prairie land, in order to support prairie biodiversity or co-exist with large predators, are paid premium prices for the meat. There is even a meat conservation grading – silver, gold, and platinum – and as a rancher moves up this scale, he or she gets better prices, but must tolerate more wildlife on the farm with each move up the scale. Wild Sky's turnover is currently \$5 million, and the Preserve uses a percentage of Wild Sky's profits for its land purchase fund. To be successful, there must be a constant, year-round meat supply. To ensure this, Wild Sky procures and sells beef from other parts of the USA (Montana beef is only a small part of its total sales). This is why Prairie Reserve and Wild Sky do not claim that all their beef is from Montana, but they do claim that by buying Wild Sky meat, the consumer supports conservation-friendly grazing.

The last discussion item was the use of psychology as a conservation tool. An objective of the American Prairie Reserve is to restore wildlife as it was in the 19th century, before the massacres of the bison. Restoring large wildlife populations, especially of predators, is a sociological, not a technical, challenge – it all hinges on the local population and the ranchers, and how they see it. As part of this effort, the Reserve persuades ranchers in Montana to allow camera traps on their property, paying \$250 for each good wildlife photo taken. The resulting, often spectacular pictures of bears and cougars on Reserve properties converted some initially hostile owners, who were thrilled and proud that these animals were living on their land. The more so because, to the owners' surprise, camera traps revealed that local wildlife was not harassing livestock as many had previously assumed (in the local context, no compensation for killed or injured livestock is paid – this is a risk the rancher must accept).

2C – The Business of Conservation: Companies Fostering Biodiversity

This workshop looked at businesses that actively support activities that foster biodiversity and conservation stewardship of the lands that they use. How do businesses make these choices and how do they achieve successful outcomes for nature conservation and the "bottom line?" Three presentations were given: from the mining industry (Eurogypsum), from an operator of a grid for electricity transmission (ELIA) and from an investment fund specialising in forests (Lyme Timber Company).

Presenters:

Dave Kent, St. Gobain, Ireland

Gerard Jadoul and Simon de Voghel, ELIA, Belgium

Peter Stein, Lyme Timber, USA

Dave Kent: Eurogypsum

Kent explained that there are 154 gypsum quarries in Europe, employing 30,000 workers directly. Eleven national organisations of gypsum producers, together with five associated members, constitute Eurogypsum. There is a widespread public perception that mining degrades the environment, which causes public resistance to mining, and that in turn limits the mining industry's access to resources. The gypsum industry realises that it needs to address this negative perception, and the causes of it. Several players within the industry already have projects that help to preserve or restore biodiversity. However, there is no consistent approach, no common indicators and no way of comparing quarries. Therefore, Eurogypsum collaborated with the University of Liège (Belgium) in order to establish a framework of key performance indicators with the objective of producing common indicators for the whole of Europe that are also flexible and adaptable to a wide range of local conditions. To validate the performance indicators, 22 pilot sites were chosen. Of the 11 proposed indicators, five turned out to be very useful, but more work would be needed to define them more accurately. They were also difficult to apply on-site, so that, instead of the gypsum industry being able to monitor them itself as was initially thought, external consultants would be needed. The project is continuing to address these discoveries and come to a final result.

In the discussion, it was asked how consumers who want to support mines that are taking account of biodiversity could know which brand of gypsum or plaster to choose when they go to their local store. Eurogypsum has not yet paid much attention to marketing/labelling biodiversity-friendly gypsum or informing the public and architects. Group participants agreed that, in general, companies excel at reporting their financial health but are not so accomplished at reporting on their environmental sustainability and advertising what they do in this field. Although the environment officers in companies are in favour, the challenge is to convince the CEOs and other managers that this is important for the company. It was further emphasized that mining companies ought to partner with local community organisations, engaging with them before even starting with a mining project. Because these organisations may perceive a risk of 'selling their soul' if they engage too closely with a mining company, these contacts must be handled carefully, but they are essential. Other advice given was to partner with specialist organisations whose conservation expertise is beyond doubt, e.g. for the future monitoring of the Eurogypsum performance indicators. For instance, in the UK there is a LIFE project in which a quarrying company partners with the Royal Society for the Protection of Birds (RSPB); the RSPB is responsible for restoring the land which has already been quarried.

A remark was made that restoring a mine or quarry to its former state is good, but since the average life span of a quarry is 25-30 years, it means that throughout its lifetime in operation, the habitats or ecosystems services on site are lost. It is therefore better to do the restoration or creation of habitats as compensation before the mining begins. A contrary remark was that in some cases, a mine or quarry, by leaving behind cliffs, bare rock and scree, creates interesting pioneer habitats for species linked to xerothermic conditions. If such a mine or quarry was opened on land that previously was biologically mundane production woodland, grassland or crop field, then it is an instance in which the mine or quarry brings a net ecological gain to the area.

Jadoul and de Voghel presented the conservation actions carried out by ELIA under its electricity transmission grid in Belgium. The land on which the pylons of ELIA's high-tension power lines stand belongs to private owners, who grant the company an easement-type right to run its lines across. Where the lines pass through forests, the policy hitherto was to have long straight corridors which, to avoid blackouts, are kept open by cutting all vegetation every five to six years. As a result, these corridors are poor in biodiversity.

Jadoul and de Voghel are running a pilot project, co-financed by the EU LIFE programme, in which ELIA is trying out alternative actions to manage the corridors with a positive impact on biodiversity. These include actions such as replacing the straight boundaries of the forest on either side of the corridor by irregular borders where trees and grassland mix, planting ecologically important shrubs, such as wild fruit, in the corridor (taking care to select species and varieties that never grow tall enough to reach the power lines) or fencing the corridor and grazing it with livestock from local farmers. Where suitable, ponds may be excavated or flower-rich meadows created and maintained. The method used for any section of corridor is to first map current vegetation and draw up a restoration plan. Next its feasibility is checked – for instance, if the plan calls for grazing, are there any livestock farmers in the vicinity? Finally, the local landowners and land users are contacted in order to seek agreements. This is a critical phase in which communication is the most important tool. The ELIA team meets with the landowners and carefully listens to their stories, hobbies, professional experience, etc. to find a connection between their personal interests and the conservation idea proposed for the site. There may even be a field trip with owners to visit satisfied participants along another section of corridor. After agreement, the nature restoration work can begin. Monitoring is done to measure the effects. The purpose of the restored corridors is to connect heath and bog sites (protected under the EU's Natura 2000 network) in this southeastern part of Belgium that are separated by the forests, thereby creating migration routes for insects, amphibians, plant species, etc.

There are 300,000 km of high-tension lines in Europe, so there is a huge potential for electricity companies to use their corridors in order to connect nature reserves and wildlife populations. The ELIA team is disseminating the LIFE project results actively: already a network has been established with companies elsewhere in Europe, and in Portugal a pilot scheme has started. ELIA has contacted the European Commission's Directorate-General for Energy to help spread the message.

Discussion focused on what the electricity company gains from supporting biodiversity in its corridors, and how certain it is that such activity will continue after the end of financial support from LIFE. The reply was that whereas initially the ELIA management was sceptical, this has now changed. The company itself, and not just its LIFE project team, is planning to implement the biodiversity-friendly techniques in all its power line corridors that traverse forests, and has drawn up a long-term management plan laying down what must be done well into the 2020s.

The change came when ELIA realised that supporting biodiversity was not creating more work for it, but less, by replacing the rigorous repeated cutting of vegetation by something more self-sustaining. The reduced work translated into lower costs, so the company gained financially. This was proven by a cost-benefit analysis, which showed that although the initial investment is considerable, the investment repays itself within 3-12 years and on a 30-year time scale the

alternative method is 1.8-3.8 times cheaper than traditional cutting. In addition, there are the intangible benefits of good PR for the company.

Another focus of questions was what the private owners of the corridor land gain from conservation activity. There are practical advantages, such as better hunting thanks to the improved habitat, or less storm damage because the irregular forest borders of the biodiversity corridors break the force of the wind, whereas in corridors with straight edges the wind blows harder, knocking down trees. But there are also immaterial motives, such as pride in being able to present a more attractive landscape to family and children. The ELIA team strives to build strong partnerships with the landowners, local municipality, hunters and other users, in order to ensure continuation of conservation activity after the end of the LIFE ELIA project.

Peter Stein: Lyme Timber Company

Stein presented the Lyme Timber Company's strategy for collecting funds from private investors and using these to buy forest land in the US, which include areas of high conservation value. Lyme then disaggregates the various rights of ownership, splitting off part as a conservation easement, and part as transferable property. For example, 25,000 acres is purchased for \$5.3 million, i.e. \$212/acre. An agreement is then made with conservation NGOs or foundations, giving them the option to buy a conservation easement on a portion of the property (which generally covers 90-95% of the forest) within 5 years for \$150/acre. When they do that, Lyme will have already recuperated more than half of its investment. Lyme meanwhile operates the forest commercially – staying, of course, within the framework set by the easement conditions – to gain income from the sale of timber, fees or leases from recreational use, carbon credits, etc. After 8-10 years, the transferable property portion of the forest is sold on the open market. Together with the money from the sale of the conservation easement and income from using the forest, this allows Lyme to return the invested capital plus a good margin to its investors.

The conservation easement continues in force, after the sale of the property. Generally, it prohibits changing the nature of the property, e.g. replacing forest by housing. It requires that the forest be managed in perpetuity according to Forest Stewardship Council (FSC) standards, or even according to a mix of FSC and additional conditions, and that the implementation of this management is certified by a third party. To be able to do such operations successfully, the environmental assets and the economic assets of the forest must be valued accurately, and then the easements carefully drawn up. Lyme runs courses to develop such expertise, and there are examiners to ensure that all conditions are met by appraisals.

In reply to questions, Stein explained that conservation easements can be broken – if they are badly drafted (here, Lyme has learned from experience and greatly improved its easements), or if ‘eminent domain’ is applied, which allows the government to override easements if it wants to build a road or other infrastructure on the property. In that case, however, the government must pay compensation to the landowner and to the easement holder.

Investor motivation was also debated. Lyme has bought and traded \$500 million worth of forest, in blocks ranging from 5,000 to 27,500 acres. Although some investors are indifferent and merely attracted to the fact that Lyme is in the top tier of forest investment funds, the number of investors with a ‘double bottom line’ – wanting both a financial return and to be ethical – has risen to 45% from only 10% initially. These investors are genuinely interested in the

conservation work which is supported through their investment.

Conservation easements are tax-deductible in the US, and the Treasury loses tax income (estimated at \$800 million/year) because of them. Consequently, stringent conditions are attached to getting tax-deductible status and the IRS audits these easements rigorously. A remark was made that the taxpayer thus funds a considerable part of these easements, so that they are supported by public money in much the same way as direct public subsidies for conservation work.

3C – Going the Extra Mile: Voluntary Action Beyond Regulatory Nature Protection

Presenters:

Yoav Sagi, Open Landscape Institute, Israel

Tom Kirschey, Nature And Biodiversity Conservation Union (NABU) International Department, Germany

Hervé Coquillart, Fédération des Conservatoires d’Espaces Naturels, France

Yoav Sagi: Open Landscape Institute

Sagi explained land conservation by means of allocation (land use planning). Population density is very high in the northern half of Israel, and the population is still increasing. There is a very wasteful culture of land “use,” with housing subdivisions sprawling everywhere and buildings stretching for miles along either side of the roads. Although 20% of Israel is protected land, nearly all of this is concentrated in the Negev Desert; only 2.5% of the northern half of Israel is protected, and this consists of small and fragmented patches. Thus, there has been a huge loss of open land there and of the species linked to it. 93% of land in Israel is owned by the state, and home owners or farmers lease it, for 49 years at a time. Consequently, conservation of open space means working with the government, instead of private individuals.

As a result of civil society action, the Open Landscape Institute (OLI) was created. In 1991, it published its first vision statement, which viewed open land as a public good. Using the findings of various surveys since 1986, supplemented by its own surveys, OLI classified open space in terms of ecological and landscape values and proposed an allocation of land use by ecological sensitivity. Several of its conclusions, such as concentrating development near already built-up areas, were subsequently included in the national management plan (Israel has a hierarchical system with national, regional and local management plans). In 2009, OLI succeeded in getting the public authorities to adopt a statement that preserving open space is a vital objective that shall be considered in all planning decisions. This was integrated into the land management legislation in August 2009, when the Rural Regional Council published a *Guideline for Open Spaces*.

However, there are many vested interests, especially those connected with the construction of housing, which oppose this. From the beginning, OLI has called for infill housing instead of sprawl, but it remains easier and cheaper to develop open land. Recently, the government tried to privatize state land. OLI launched a campaign against that, and the government plans were stopped.

The discussion focused on how the land management plan open space objectives are supported in

the field by practical tools. Yoav explained that a decision was also taken in 2009 that 1% of state income from land development will go to an Open Space Protection Fund. Since 2009, this Fund has received \$25 million a year. The money is used for ecological restoration, for visitor access facilities and to buy pockets of private land inside priority landscape areas and nature reserves. Because 56% of the open space in the northern half of Israel is farmed, OLI has been advocating agri-ecological schemes to stimulate these farmers (who lease the land from the state, which can take it back if it is not actively farmed) to farm in ways that support biodiversity. In August 2012, the Ministry for Agriculture agreed to issue a call for pilot projects.

Tom Kirschey: NABU International Department

Kirschey described how Nature And Biodiversity Conservation Union (NABU) (which has 530,000 members in Germany in 5,000 chapters, and 37,000 volunteers) is supporting conservation work internationally. Initially, this international work was rather haphazard, reacting to NABU members coming back from trips or holidays abroad and telling NABU about interesting opportunities they had encountered. Now, NABU's international work is more strategic, with peatlands as a major focus moving forward. With funds from e.g. Volkswagen (one million €) and from legacies, the NABU has set up an International Peatland Conservation Fund, which is active in Poland, Eastern Europe, and western Siberia.

NABU employs different arrangements when working with partners in these countries. One method is to sign a contract that designates who is responsible for what. For instance, in Poland, a contract was signed in which the State Forests (owners of many bogs) gave NABU permission to restore peat habitats and, in return, guaranteed not to drain or otherwise damage them afterwards. Giving money to partner NGOs, who then carry out the work, is another method. In Russia, where NABU is very active, this does not work because if the local NGO receives money from abroad then it has to register as a 'foreign agent' under laws established by President Putin. Instead, NABU can give the money to the local authorities but this generates extra costs as the authorities take handling fees. A final option is through joint projects. A project proposal bringing together NABU and its NGO partners in Poland, Lithuania, Latvia and Estonia was submitted in September 2015 for EU LIFE Climate Action funding. If the project is approved for funding by the EU, then it will develop national registers of the carbon stock locked in peat formations and build capacity for the local NGOs protecting and restoring peatlands. The underlying logic is that peat is a major carbon sink; destroying peatlands releases carbon into the atmosphere, thus contributing to global warming; therefore, protecting existing peat bogs and where possible, restoring damaged bogs, will help alleviate climate change.

NABU is currently doing a study, due to be ready in March 2016, on where International Peatland Conservation Fund investment will bring the best returns in terms of peat restoration; this study will act as a guide for future actions by the Fund. It will contain case studies from Belarus, Russia and the Baltic States, acting as a 'how to' guide to working in these countries. In reply to questions from the audience, Kirschey explained how NABU monitors the success of its investments in peat restoration. Water quality is monitored as one of the prime indicators for the success of peat bog restoration, but often this is limited to the five to six years of the project duration. Changes in the plant composition after restoration of a bog is another indicator, and can sometimes point to a need to adapt the restoration if certain key species are reacting otherwise than expected. Water levels and the degree of peat saturation are easy to measure, but can be critical indicators. In Russia, several peat areas were affected in the past by radio-active fallout

and heavy metals; if the peat were to dry and catch fire (as happened near Lake Baikal this summer), these pollutants would be showered over the wide vicinity. Here it is vital to keep an eye on water levels.

Hervé Coquillart: Fédération des Conservatoires d'Espaces Naturels

Coquillart explained how the Fédération des Conservatoires d'Espaces naturels (CEN), which forms a network across France and extending to New Caledonia, Réunion and French Guyana, conserves land. The Fédération is an umbrella organisation, bringing together the various 'conservatoires'. These are civic society organisations, one per region of France, whose mission is to conserve natural areas. In mainland France, these conservatoires currently own 2,884 sites, totalling 147,146 hectares. Collectively they have 6,300 members, 800 employees, and 3,000 volunteers. The Fédération secretariat, with 12 employees, is located in Orléans. Only 10% of the Fédération's income is private (membership fees, sales of publications or services, payments for technical assistance); the bulk comes from public sources (funds for projects, grants etc).

The conservatoires making up the CEN network:

- Carry out inventories of land and biodiversity
- Buy land, lease it, or conclude management contracts with the owners
- Restore or manage the land on the basis of a scientific management plan, with monitoring of the outcome
- Organise guided visits, workshops, lectures, publications, activities and events targeting stakeholders and the public

Dialogue with stakeholders is considered of key importance in this process. At the local level, the conservatoires are in contact with all stakeholders and write their site management plans together with all the stakeholders in the vicinity. At regional level, the conservatoires engage with organisations representing agriculture, forestry, regional landscape parks, etc. In 2010, a new law made 'agrément' possible, i.e. official acknowledgement by the competent authority of land conservation by civil society. Getting this status for all its members' land is now a major Fédération task.

Experience exchange is also considered important. At national level, a major task of the Fédération is to organise exchanges of experience between all the conservatoires, and this is much appreciated because it is very difficult dealing with the French public administration and laws, so 'tips and tricks' are welcome to be shared. At the European level, exchange is done in particular through the LIFE projects in which CEN and its members participate – it is very interesting, Coquillart explained, to look outside France and see how things are done elsewhere, though language is often a barrier. Responding to questions about the tools used to acquire land and how they are funded, Coquillart mentioned:

- Purchase
- 'Bail emphytéotique' – a lease for 99 years – or shorter-term leases
- Private agreements with the owner allowing a conservatoire to use the land
- Joint possession with another owner or an entity which has rights to use the land, such as the 'groupements pastoraux' (grazing associations) – here land use must be decided together

‘Servitudes’ (easements) with an environmental purpose do not yet exist in France, but will be introduced in 2016 by a new law. Such easements can then be written into the land registry, but there will be no tax advantages for owners concluding an easement. However, French fiscal law does exempt legacies from inheritance tax if they are bequeathed to a ‘fond de dotation’, which is similar to a classic foundation but requires less assets to set up and can be used for any purpose (social, cultural, environmental). CEN has set up a ‘fond de dotation’ specifically to attract land and money bequeathed to it for conservation purposes. Compensatory measures delegated to conservatoires by investors, to compensate for building and infrastructure projects, are new but increasing opportunities to restore and manage land.

Land stewardship is also becoming more important within the CEN network. Besides direct management implementation on land they own or were granted by the owner, the conservatoires give management support (the owner stays owner but they help manage the land) or rent land to farmers, imposing environmental conditions on them.

Session 4C – Growing Nature: Examples and Methods of Farming Promoting Biodiversity

This workshop’s theme was engaging farmers to conserve and enhance biodiversity on the land that they work. Two of the three presentations covered land that is used, generally intensively, by farm enterprises to produce arable or livestock produce for sale on the market. Of the two, one presented farms operating in a context of subsidies for public goods (Germany), the other presented farms in a context where there are no subsidies whatsoever (New Zealand). The third presentation (Poland) covered land subject to abandonment, because old-style farming is no longer attractive and the challenge is to find ways to entice farmers to continue using such land in order to preserve important semi-natural habitats.

Presenters:

Simon Saunders, New Zealand Farm Environment Trust

Stefan Meyer, 100 Fields for Biodiversity, Germany

Zenon Tederko, Polish Society for the Protection of the Birds (OTOP)

Stefan Meyer: 100 Fields for Biodiversity

The ‘Hundred Fields for Diversity’ initiative, presented by Meyer targets ‘arable flora’ – the range of plant species (think cornflower or poppy) which thrive in the disturbed soil conditions of grain fields and other types of arable cropping. Once ubiquitous in European farmed landscapes, many of these species have become rare in past decades as agriculture has intensified. Currently 35% of Germany’s land surface is arable farm. Whereas in the early 1950s, only 15% of this land was treated with chemicals, by the mid-1980s this had reached 85-90% and has not descended since. Such intensified farming has doubled yields per hectare, but at the expense of the arable flora: University of Göttingen research showed that for every additional tonne of grain produced per hectare, ten plant species become endangered. Of the 120 arable flora species, 1/3 are red-listed or extinct in Germany. This community of species is the most endangered semi-natural habitat type in central Europe, yet it has only very weak legal protection. From the late 1970s onwards, farmers who contracted to leave field margin strips and conservation headlands untouched as refuges for the arable flora were given compensation payments by the public authorities – first at national level, now through the Common

Agricultural Policy as one of the EU agri-environment measures. However, this system is far from ideal:

- Measures consist of short-term contracts (one to five years), with no obligation to renew, because most farmers do not agree to commit to anything longer. Indeed, after being paid for five years to protect the arable flora, some farmers turn the land back to crops, destroying seed banks;
- Because the Common Agricultural Policy and its agri-environment measures are reviewed every seven years, there is no long-term financial stability for farmers who do want to continue; while the types of measures keep changing, forcing some willing farmers to stop;
- Excessive red tape: contractual forms for these measures are about 50 pages, of which two describe what the farmer must do and 48 list all the possible breaches and penalties;
- There is no monitoring of ecological results of such set-asides.

(the group discussion revealed that in Australia, where Federal and State authorities also pay farmers to carry out certain environmental actions, the same types of problems occur)

Therefore, in 2007, DVL and Göttingen University launched the 'sanctuary fields' initiative. They meet farmers in suitable areas identified by prior surveys. With those who show an interest, the option to establish an “important arable plant area” (IAPA) is discussed. Key elements of an IAPA are long-term availability of land and long-term monitoring. A management plan lays down how the arable land in question is to be managed and which botanic community is aimed for. In return, the farmer is guaranteed long-term compensation payments for delivering this ecological good. Securing long-term funding for the payments is therefore a key task for the initiative. One source often used is offsetting: for instance, a wind energy park nearby gets an operating license for 25 years and to compensate for its impact on the ecosystem, it is required to pay e.g. 1000 €/year towards a conservation project and to pay for monitoring of the project. By adopting the IAPA as project, the farmer’s compensations are assured for the next 25 years. The initiative has so far created 112 ha of sanctuary fields.

Simon Saunders: The New Zealand Farm Environment Trust

In the 1970s, New Zealand farming was one of the most heavily subsidised industries in the world (the more livestock, the more payments the farmer got from the government), with negative environmental consequences. A new government scrapped the subsidy system in a single stroke in 1984. At first, there were devastating effects on farming and rural communities, but gradually, farming diversified and made itself profitable. Currently, the idea of government payments for delivering public goods is no longer part of NZ farmers’ mindset. Instead, the Farm Environment Trust (established in 2002, supported by regional authorities and agri-industrial corporations such as Fonterra and Dairy NZ) promotes voluntary sustainable farming practices. The Trust’s Balance Farm Environment Award is given to outstanding examples of what enthusiastic farmers can do. The winners are promoted to the media, policymakers and other farmers; the national winner travels overseas to see practices there and bring the best back home. The Trust considers that to get the best environmental outcomes, farms have to make money and be profitable, in order to be able to invest in nature. Its Farm Environment Award judges form a multidisciplinary team that not only looks at nature on the farm, but also looks at how the farm is managed as a business, how it contributes to the local rural community and how it treats any

staff.

Two examples of Award winners that combine ecology and enterprise are:

1. Highland Station (Tarawera district) converted from dairy to beef cattle because the latter have less impact on the land and water, switched to breeds of sheep with lower ecological footprint and built 200 dams to stop phosphate run-off - yet is among NZ's top 5% of farms for value of beef and wool production.
2. Omarama Station (Central Otago), located in a mountain environment with fragile soils and sensitive ecosystems, covenanted 2,500 ha of greatest landscape and biodiversity value (including raised bogs) and turned 120 ha of floodplain into a scientific reserve for the threatened native eel. It carried out extensive habitat improvement works, notably for wetlands. The farm is open to visitors and has become a nature education site for local schools. At the same time, Omarama is one of a select group of sheep farms supplying fine wool to the Icebreaker brand.

By publicising such examples, the Award is helping farmers to change their minds about conservation work - no longer is it seen as something idealistic and eccentric, but something their colleagues and neighbours do, and still run a profitable farm. Even though there are no subsidies for nature improvement work, more and more farmers are now protecting watercourses and patches of native woodland, even without a covenant, because they want to.

[Zenon Tederko: Paludiculture in Poland](#)

In the past, the floodplains of eastern Poland were divided into small-scale farms that mowed and grazed the land, maintaining a semi-natural landscape of reeds and grassy fens ideal for the aquatic warbler. The enormous social and economic changes of the past decades caused land abandonment and rural depopulation in eastern Poland. Floodplains no longer used agriculturally fell prey to succession – as a result, the habitat the endangered warbler needs turned into bushes and eventually woods, and populations of the bird declined. The problem was to get the remaining farmers, who, meanwhile, had consolidated their holdings into larger and more modern farms, to use these abandoned floodplains. After Poland joined the EU in 2004, agri-environment measures that paid farmers for mowing warbler habitat became available. However, the old labour-intensive methods of mowing by hand were no longer feasible. Instead, OTOP and other NGOs trying to preserve the floodplain landscape developed special tractors and mowing machines able to cut bushes and mow reeds over large areas without damaging the floodplains' fragile peat soil. These machines were made readily available to farmers. OTOP trained farmers in warbler-friendly floodplain management and distributed manuals on the topic.

With such encouragement, floodplain mowing was taken up again in key warbler habitat, but a new problem arose: farmers mowed because they were paid to do so, not because they needed the mowed biomass, which was too rough and of poor quality to be suitable for modern livestock rearing. As unwanted output, it was dumped in huge piles, leading to local nutrient leaching and eutrophication. In the Biebrza floodplains alone, 3,000 ha of prime warbler habitat yields 1.5-2 tonnes of biomass/ha/year, in the Bug river valley 200 ha yields no less than 7 tonnes/ha. OTOP eventually hit on a new use for the biomass: energy production. It converted the mowed material into pellets for sale to wholesalers supplying thermo-electric power plants. This worked well and now three pelletising workshops have been built in the Lublin district. A local cement works is now also buying biomass from warbler habitat management to add to the fuel for its kilns. As a

result, floodplain mowing is no longer something done by farmers on request purely for conservation purposes, but became 'paludiculture', in which the marshes are mowed and the biomass is bought by the OTOP workshops, converted to pellets and sold to local power plants. The installed capacity for thermo-electric power plants running on biomass has now reached a point in Poland that there is a shortage and wholesalers are competing against each other and the pellet plants, offering better prices to farmers who sell direct to them. To avoid losing market share and to achieve the goal of self-financing warbler conservation, OTOP is now looking at developing a retail market for the pellets, expecting that households will pay higher prices per unit than power plants. Meanwhile, the eastern Polish aquatic warbler population increased rapidly after 2010 and has now stabilised at a level twice that before large-scale mowing and paludiculture began. Because many abandoned lands in central and western Europe need management by recurring mowing, paludiculture could be an interesting model.

Discussion

The discussion focused on approaching and motivating farmers. The consensus was that it is essential to speak their language, respect their skills and their ownership of the land. In Poland, success came from approaching farmers one-by-one, or by holding village gatherings. Once a few were interested in floodplain management and willing to collaborate, more followed. Experience across Europe is that the quality of the biologists who go talk to farmers is critical – they ought to have a broad interest in farming instead of a tunnel vision restricted to their scientific specialism. At first contact, they should leave aside the conservation topics, no matter how passionately they feel about them, and instead ask about the farm, the machinery, the weather, in order to gain the farmers' interest. Only then can the environmental business be broached. Why farmers, such as in New Zealand, would get involved in conservation work without receiving any payment for it, was the other main discussion. Reasons given were:

- They are now understanding that there is biodiversity on their property and that they must look after the water, the species, the soil; become better land stewards because it's important for the land
- They want to preserve the land and its nature and so leave a legacy for the next generation
- They realise that 'going green' can be combined with running a profitable farm
- Conservation work helps exports: NZ exports 90% of what its farms produce, and its 'clean green' image is an important selling point.

Of course, there are still farmers who consider that land ownership means they can do as they please- so regulation is still necessary in order to catch those who refuse to do even the minimum.

Session 5C – Water and Land Conservation: A Partnership with Mutual Benefit

This session sought to address the challenge of ample quality and quantity of clean water around the globe. Experts from the Chesapeake Conservancy and City of New York considered in-depth case studies of how land conservation efforts can pair closely with water supply initiatives.

Presenters:

Dave Tobias, New York City Department of Environment and Conservation, US

Jeff Allenby, Chesapeake Conservancy, US

[Dave Tobias: Public–Private Partnerships to Protect New York City’s Water](#)

Tobias highlighted the important precedence set by the New York City Watershed Authority in private land conservation, watershed restoration, and protection on upland in order to influence the quality of water going into New York City. Campaigns forwarded by this case study included:

- forestry support programs,
- farm support programs,
- flood buyout programs,
- removal of at-risk structures from flood zones,
- increased community resilience,
- stream management programs.

Riparian buffer acquisition programs in partnership with NGOs, local land trusts, counties, towns, Federal Emergency Management Agency (FEMA), and state agencies included a five million dollar pilot program that focused on the acquisition of streams and buffers with the goal of restoring and stabilizing damaged riparian buffers and reducing erosion and siltation, primarily on private land. It involved term (five to ten year) lease agreements. Stream management plans were based on geomorphic and hydrological assessments, as well as community input, with around 30% of the cost shared with federal partners (FEMA, NRCS, ACE). By investing resources in land protection of upland near New York City, this allowed the city to avoid the cost of a new filtration system (around 10+ billion USD) by implementing lower-cost watershed protection programs (around two billion USD). Many of the programs involved relied on public-private partnerships that incorporated the working landscape model in order to protect water quality alongside the management and continued use of natural resources.

[Jeff Allenby – Chesapeake Conservancy](#)

Allenby gave a complementary presentation describing the ways in which new technology developed by the Chesapeake Conservancy can help to identify landscape-scale conservation and restoration priorities in the Chesapeake watershed and beyond. The development of new tools and resources that help partners to improve the effectiveness and efficiency of their conservation programs allows for precision conservation, interactive web mapping, water quality monitoring, climate adaptation, university engagement and contractual services. The Chesapeake Conservancy is using remote sensing and GIS modeling to generate new data that allows them to identify priorities for conservation and restoration at the *parcel scale*, including both high-resolution land cover classification and concentrate flow path analysis. The technology – land cover at one square meter resolution – gives a great deal more detail than traditional landsat data (30 square meters which is 9x less detailed). These precision conservation land analysis tools can help in the processes of: riparian buffer restoration, multi-resource conservation prioritization, green storm water infrastructure implementation, site specific tree plantings, urban tree canopy assessments and gap analysis, increased public open spaces, enhanced connectivity and resilience of landscapes, and more. The tools developed by the Chesapeake Conservancy helped

them to identify where excess nutrients were entering the watershed, and where investments in buffers could be the most effective, thereby highlighting conservation priorities moving forward that are the most cost and resource-effective. Such tools are also very helpful in developing and enhancing regional partnerships, in sharing latest technologies and strategies for maintaining and improving water quality, in implementing joint conservation and restoration efforts, and in funding prioritized conservation and restoration work at the landscape-scale.



CAPACITY AND FACILITATION STREAM:

Session 1D – Was it Worth it? Monitoring and Measuring the Effectiveness of Private Land Conservation

This workshop focused on the fundamental questions of : How do we establish systems to assess whether or not we are doing effective conservation that will stand the test of time? What do we measure and how?

Presenters:

Laura Johnson, International Land Conservation Network and Land Trust Alliance, US

Mike Jebson, Queen Elizabeth II Trust, New Zealand

Lindsay Mackinlay, National Trust of Scotland

Marc Vilahur, Xarxa de Custòdia del Territori (XCT), Spain

Marta Subirà i Roca, Government of Catalonia, Spain

Laura Johnson: Standards for Land Conservation Organizations – the work of the Land Trust Alliance in the US

Private lands conservation in the United States has greatly benefitted from the increase in land trusts, or nonprofit organizations that, as all or part of their missions, actively work to conserve land by undertaking or assisting in land or conservation easement acquisition, or by the stewardship of land or associated conservation easements. Land trusts work directly with landowners and the local community to conserve land by accepting donations of land, purchasing land, negotiating private, voluntary conservation agreements (including conservation restrictions) on land, and stewarding conserved lands through the generations to come. Laura Johnson outlined the large increase in land trusts in the US over the past 30 years alongside the parallel growth of the The Land Trust Alliance as the umbrella organization of the land trust movement. The Alliance provides capacity building and other services to member land trusts. In addition, the Alliance has developed Standards and Practices (S&P), which provide guidelines for land trust activities (<http://www.landtrustalliance.org/topics/standards-and-practices>). These Standards and Practices serve as the ethical and technical guidelines for the responsible operation of a land trust. The S&P and the related program of accreditation have helped to build public confidence in land trusts in the United States, as the credibility of the entire land trust community rests on the legal and ethical action of all members.

Mike Jebson: Protecting Our Precious Places – Monitoring for Hearts and Minds

The Queen Elizabeth II (QE II) Trust was created in 1977 by visionary farmers in New Zealand who wanted a legal means to protect the natural treasures on their land in perpetuity, while retaining ownership of their land. Through direct partnerships with agricultural landowners from its early beginnings, the QE II Trust fosters ongoing relationships with local landowners through monitoring visits that provide opportunities to celebrate protected areas, as well as advise and inspire landowners as conservation stewards. In his presentation, Mike Jebson showed that 70% of land in New Zealand is under private ownership, and that the QEII Trust works to obtain open space covenants (conservation easements) in order to influence the management of private land. Since New Zealand is a land of deep endemism, many of the unique plant communities and habitats that require protection are only found on private land. Currently, the QE II Trust holds

4,150 covenants (186,000 hectares) that require regular monitoring to ensure that the restrictions are being adequately enforced. The QEII Trust has well-developed systems to carry out such extensive monitoring obligations, including sophisticated technology, alongside 27 regional representatives based in rural areas throughout NZ that help QE II to establish and maintain lasting relationships with farmers and other private landowners.

[Lindsay MacKinlay: Nature Conservation and the National Trust of Scotland: Measuring and Monitoring the Infinite](#)

The National Trust of Scotland (NTS) is Scotland's largest conservation charity, with 330,000 members, and the management of 120 properties, totaling 760 sq kilometers of land protecting significant habitat and wildlife. Such properties include castles, gardens, historic houses, as well as wildlife habitat. As a general rule, one needs to know what one has in order to monitor and determine whether or not management is effective. In this sense, there is a great need for baseline property data, within the context of a dynamic and evolving process that identifies key nature interests over time. As a result, there are constant tensions between what the NTS has to do, wants to do and what others want NTS to do. The staff of the NTS therefore have developed systems to meet obligations and set priorities. Nonetheless many important issues remain around how much is enough, are we asking the right questions, are we coordinating for maximum effectiveness, are we using technology effectively, etc.

[Marc Vilahur and Marta Subira i Roca: Was it Worth it? Monitoring and Measuring the Effectiveness of Private Land Conservation](#)

Xarxa de Custòdia del Territori (XCT) is a nonprofit association with around 160 members from Catalonia and the Balearic Islands, which serves as an umbrella organization that promotes the use of land stewardship throughout the region. Through its work, XCT advocates for land stewardship to the public and relevant practitioners, assists land trusts, studies legislative opportunities, researches and pilots projects in land stewardship, and develops networking strategies across member organizations. Marc Vilahur and Marta Subirà i Roca presented the monitoring approach for stewardship agreements developed by the XCT-led Land LIFE project that helped to boost private land stewardship in Catalonia. The project was carried out with three partner organizations in Spain, Italy and France. It gave a boost to land stewardship in Catalonia, which now has approximately 77 land stewardship organizations and 844 land stewardship agreements on approximately 43,000 hectares. XCT found that crucial to conservation success is the constant and ongoing monitoring of land stewardship agreements, which encourages cooperation and collaboration between the public sector and the private land trust. XCT values monitoring as not only necessary for greater effectiveness in terms of biodiversity conservation, but also as reassurance to the public administration that public resources put towards land stewardship activities are successful in promoting and improving conservation efforts throughout the region.

Session 2D—Solving Conflicts and Finding Shared Values with Landowners and Land Users

The focus of the workshop was: Doing conservation “with” rather than “to” the communities in which we work is essential to building long term trust and relationships. This workshop explored how to identify and address sources of disagreement and conflict.

Presenters:

Jonathan Liljeblad, Professor of Law, Australia
Brendan Dunford, Burren LIFE Programme, Ireland;
Nat Page, Fundatia ADEPT, Romania

Jonathan Liljeblad led the workshop on issues and solutions using an interactive approach with short presentations as well as break-out groups, which came up with a list of the four biggest conflicts/issues.

Brendan Dunford: Farming for Conservation

Among the biggest challenges are intensification and abandonment of land and unhappy farmers. Farmers still want the freedom to decide what happens to their land. Problems in dealing with these issues are apathy, finding common ground/language and making a solid business case for them. Finding common ground requires that one to “listen and learn” (retelling the story in an inclusive way), and create financial incentives that allow for freedom to the farmers and reduced bureaucracy. Looking at farmers as 'a part of' not 'apart from' the process is essential. It can help to identify local leaders and community gatekeepers. Additionally, carrying out farm-level research has proven to be very successful.



Nat Page: Promoting Viability of Agricultural Communities to Protect a Natura 2000 Landscape

Traditional land management in Romania offers a livelihood to small-scale farmers. The challenges in this setting largely stem from the rapid changes taking place in the Romanian countryside. The problems often evolve through conflicts between farming and conservation, which are exacerbated by regulations that ignore local-scale knowledge of farming. There is a need to establish a common vision, create financial benefits, work with innovators, use scenario planning, and improve markets.

Discussion

The workshop broke out into smaller discussion groups to consider both the challenges presented in the brief case studies that had been presented, and the kinds of solutions that could be considered in similar contexts. Participants came back together to compare their discussions as follows:

What do the cases reveal about the challenges? (group brainstorming)

- Lack of top-bottom connection/ top-down vs. bottom-up
- Government “sells” national assets
- Lack of clear property title
- Mindset/culture
- Agricultural schemes

- Tragedy of the commons (income distribution)
- Lack of information/communication
- Problem-focused vs. solution-oriented
- Social/cultural vs. scientific/legal
- Competing interests in land use & values
- Setting priorities

What do the cases reveal about solutions (group brainstorming):

- Understand and educate about conservation
- Engage local knowledge and experience → local situation, local problems, local solutions
- Collaborative monitoring
- Listening!
- Performance based payments (innovation, pride)
- Be willing to compromise → short-term for long-term goals
- Use incentives/competition/awards
- Engage next generation
- Provide platform/forum
- Build a network of trusted individuals

Mr. Than Htaik (Myanmar) noted in his comments that one has to keep in mind that “conservation” is a western notion. In less developed countries, other issues are often in the foreground (livelihood).

Session 3D – Conserving Nature and the Cultural and Built Heritage: Synergies and Conflicts

In many parts of the world, natural landscapes and cultural heritage sites are intertwined in ownership and management. This workshop explored the challenges that can arise between the related but potentially conflicting management needs of natural lands and historic heritage sites.

Presenters:

Alicia Leuba, National Trust for Historic Preservation, US

Jasja Dekker, Batlife Europe, Netherlands

Catherine Leonard, International National Trusts Organisation, UK

Alicia Leuba: Conserving Nature and our Cultural and Built Heritage: Synergies and Conflicts

By presenting several examples, Leuba made the point that, in the US, land conservation projects often specifically exclude built heritage (and visa versa). Land conservation and heritage conservation groups do not have the habit of communicating or collaborating together. This needs to change. Both nature conservation and heritage conservation are of high value and should be prioritized in project planning. More dialogue and connections are needed between advocates and practitioners in the US.

Catherine Leonard: International National Trust Organisation

There is a need for cultural and natural heritage to be combined in the idea of ‘landscape.’ In Europe, the European Landscape Convention recognises the formative interaction of nature and culture. INTO's approach is an integrated one and all done, where possible, through partnership with other organisations. It takes a holistic view of the landscapes managed and is aware that they are a source of human, cultural and spiritual enrichment, as well as physical records of natural heritage. Properties act as repositories of memory and association, as much as biodiversity.

The growing awareness of the importance of urban habitats and green corridors in relation to biodiversity dissolves the division between built and natural heritage and between town and country. Bodies concerned with nature also have buildings within their charge or oversight, and those traditionally concerned with buildings have “natural” environments to manage. Yet convergence and partnership will only work if there is a common language existing between the various parties, and, in particular, between the natural- and built-heritage interests of the sector. Even familiar terms such as “environment” and “sustainability” turn out to have different meanings in different contexts. The language problem affects not only the sector’s ability to speak to the public and government, but also to hold conversations amongst its own constituent parts. What can be learned from other countries and other languages? The concept of Saujana in Bali (cultural landscape) speaks of the inextricable unity between nature and man-made heritage in space and time. In the long-term, heritage – both our built and natural environment – is only going to be sustained through the collective will to participate in, support and preserve it.

Jasja Dekker: Batlife Europe

Bats need buildings. It is therefore important to keep suitable roosting places available. It is often best to use local people to solve stewardship problems (maintaining buildings, balancing conservation with other interests). Owners who protect bat habitat in their properties also need to get public recognition.

Discussion

The following points were raised in discussion:

- The issue in Europe is that governments often don't have the capacity to preserve all built heritage. The private sector is also not very involved
- The problem in Italy in particular is that cultural heritage is often in the ownership of the church
- Sometimes multilevel government complexity makes it hard to preserve
- Some examples of success-stories: open air museums in Switzerland, Germany and Austria; biosphere reserves in Germany; Mount Royal in Montreal
- Experiences from Ghana: it is often “culture that saves habitats”. Beliefs deeply rooted in cultural mentality can lead to preserving special sites or habitats for animals.
- The question is how to sustain knowledge about cultural heritage → what's the role of traditional knowledge in the discussion?
- One of the issues is to find the right balance between conservation and making money (events, wedding receptions etc.)
- Someone noted that sometimes it seems to be more difficult for heritage community to

make the case to preserve than for nature conservation community

Session 4D – Greater than the Sum of its Parts: Conservation and Stewardship Networks

The focus of the workshop was on networks as powerful tools to connect organisations and people in order to achieve greater conservation impact. At what scale are networks most effective, and what are the challenges and opportunities in creating and sustaining networks?

Presenters:

Shawn Johnson, Practitioners' Network for Large Landscape Conservation, US

Luis Jordao, Montis, Portugal

Victor Gutierrez, Fundacion Biodiversidad, Spain

Amaya Sanchez and Victor Gutierrez, El Foro de Redes y Entidades de Custodia del Territorio (FRECT), Spain

Amaya Sanchez and Víctor Gutiérrez: Spanish Land Stewardship: a Model for Public/Private Partnership

Starting in 2006, land conservation organizations have made an effort to build both regional and country-wide networks for land stewardship. They have involved local, regional and national groups and government – a very collaborative public/private partnership. It is a very productive process that continues to evolve. The Spanish Land Stewardship Inventory shows that there are 218 land stewardship organisations holding 2,335 land stewardship agreements over 466,940 hectares.



The Landlife project cooperates with the Conservatoire d’Espaces Naturels (CEN) in the department of the Rhône-Alpes. Hervé Coquillart, Director of CEN, commented that there are many Conservatoires d’Espaces Naturels (CENs) working in France. Together they manage 2,884 natural areas covering 147,146 hectares. They are networked with a federation (FCEN) which charters each CEN. The CENs all work on acquiring information, managing and protecting biodiversity, educating the public, engaging in dialogue. They have common values and a shared identity.

Luis Jordao: Montis

Luis Jordao presented MONTIS, a new Portuguese NGO with land conservation focus. MONTIS performs land management and stewardship, information sharing and capacity building. It gives technical support to landowners and gathers resources about best practices. This presented an interesting example of the needs, opportunities and challenges of starting a new organization focused on nature conservation.

Shawn Johnson: Practitioners Network for Large Landscape Conservation

Conservation can no longer be done in isolation. Instead, it must be bigger, bolder, and woven into the fabric of our society, from local communities to all levels of government, from passionate individuals to businesses and academic institutions – all at a scale that is big enough and connected enough to make a difference. Large landscape practitioners are asking for more opportunities to forge connections within their discipline and especially among different fields. In short, large landscape conservation requires a diverse, networked professional community, including people from many walks of life connected by common necessity. Such a complex web must be built with great intention. It must be convened by a facilitated structure, informed by science and supported as a natural solution to issues of human, wildlife, cultural, and ecological health. Networks can do some things well – focus on these:

- assessing needs, challenges, and opportunities,
- collecting and curating information, especially best practices and lessons learned; events; new publications,
- providing access to people and ideas,
- providing a convening body for important issues and questions,
- provide a unified voice to policy makers.

Discussion

It is essential to find the right balance between a solid framework on national/international level and enough freedom to act on a local level. Besides stories about successful networks, it would have been helpful to hear about “failed” networks in this session, to learn from these experiences. What determines good networks: money, right people, public-private partnership have big potential for success stories, a purpose, have a good flexibility to respond to practical and strategic issues, short and long term. Finding key people involves a mentality of linking stakeholders with a diplomatic mind-set or leader function. In this sense, the conference has great value. It fosters the development of personal relationships, which leads to bigger trust in creating a common network.

Session 5A – Trends in EU Private Land Conservation Policies

The presentations and the ensuing debate of this session dealt with the ways in which the European Commission (EC) can help the private and civic sectors play key roles in biodiversity conservation in the wider countryside.

Presenters:

Angelo Salsi, European Commission, Executive Agency for Small and Medium-Sized Enterprises (EASME)

Vesna Valant, European Commission, Directorate-General for the Environment

Dørte Pardo López, European Commission, Directorate-General for the Environment

Tilmann Disselhoff, Consultant, Germany.

The three key pieces of EU conservation policy are the Biodiversity Strategy, the Wild Birds Directive and the Habitats Directive. The last two are the legal basis for the Natura 2000 Network of protected areas, which now covers 18% of the EU’s land surface. The funding

required to restore and manage the sites in the Natura 2000 Network has been estimated at 6,000 million € per annum. The Nature and Biodiversity strands of the LIFE programme, which co-finance projects to improve the conservation status of species and habitats covered by the two Directives and to test innovative or demonstrative solutions to conservation problems, can only contribute 200-300 million € per annum. There are, however, other funds, such as the European Regional Development Fund (ERDF) and the European Fund for Rural Development (EAFRD), which could fund actions in favour of nature conservation, from building visitor facilities and



information centres to paying farmers to manage their land in favour of biodiversity. These funds have far greater resources than LIFE – the EAFRD for instance, has a budget of 28,600 million € for the period 2014-2020. Although the European Commission has set the mainstreaming of the environment into other policies and funds as one of its objectives, funds like ERDF and EAFRD are ‘shared management,’ that is to say that the EU sets the framework but the decisions on which projects will be funded are taken at national or regional level. An ex post assessment of Natura 2000 funding has shown that in reality, EAFRD, ERDF and other such funds only allocated around 1,000 million €/year to Natura 2000 in the years before 2014. How can this ratio be improved and brought nearer to the required 6,000 million euros? The Commission has launched a study on the matter, to be ready by the end of 2016.

Meanwhile, alternative instruments to support conservation, such as easements, tax breaks, payments for ecosystems services, special investment support like the NCCF, are becoming very interesting as one way to help close the Natura 2000 funding gap.

Salsi pointed out that about 50% of the Natura 2000 Network is in private ownership. Can LIFE or any other public fund buy all that land? Must EAFRD or any other agri-environmental support mechanism pay these owners for ever? The logical conclusion is to find new ways of ensuring that these private owners buy into Natura 2000. The dream would be that the owners stay owners, engage in protecting biodiversity on their land, and are proud of it.

It is in this light that the Commission’s Directorate General for the Environment requested the study by Disselhoff, *Alternative Ways to Finance Private Land Conservation*, completed in mid 2015 (copies were available at the Berlin Congress). Disselhoff uses as definition of private land conservation, ‘any situation where non-public organisations are involved in land conservation’. His study discovered a broad variety of methods used to conserve land in Europe outside the classic framework of regulations and public funding. Many of these were taking place in relative obscurity. A key question in the study is therefore, what could be done to scale up these methods, and support their dissemination at European level? It also tries to compare the European and American models and discusses the possibilities of transposing American models of private land conservation to Europe. Legislation to close gaps and set a robust framework for organisations which want to use these tools is needed, but it must also be borne in mind that civil code-law countries already have instruments which can be used (such as the ‘Grundbucheintragung’ in Germany) – organisations must learn to use them and adapt them to the specifics of conservation. For private land conservation to work, there must be some return for the landowner, and it must

not be too onerous. Studies have shown that an increase in the cost of doing private land conservation is matched by a decline in the willingness to engage in private land conservation.

The LIFE programme has already been co-financing many projects over the past two decades that are applying land stewardship and private land conservation methods in practice. Very often, such projects are testing grounds for these alternative methods. To map these LIFE projects and see if any conclusions or lessons might already be drawn, the Commission's Directorate General for the Environment asked NEEMO EEIG in early 2015 to write a report, 'LIFE and Land Stewardship' (coordinated by Inga Racinska). This report's public release was at the Berlin Congress. It found 16,269 land stewardship agreements scattered over the LIFE projects. Types of land stewardship include:

- 'safe harbour agreements' (found in two Member States) – the owner does a particular action in favour of biodiversity and as a result will never be obliged to do anything more;
- 'covenants' (found in ten Member States) – here defined as a binding obligation on all future owners to refrain from certain actions or do certain things, which is part of a package of deeds in the context of property transfer;
- 'conservation easements' (found in 13 Member States) – here defined as a stand-alone deed which imposes binding obligations on all future owners;
- 'private protected areas' (found in 16 Member States);

The report also found a range of instruments used for land conservation. These include:

- Property transfer to an NGO (used in 23 Member States), whereby if LIFE has co-financed the transfer, the requirement is imposed that ownership of the land falls to the competent authority if ever the NGO is dissolved;
- Management transfer (used in 23 Member States), whereby an owner allows an NGO to work on the land;
- Management support mechanism (used in 20 Member States), where the owner (e.g. a farmer) does the necessary work but is advised by an NGO;
- Tax benefits and fiscal incentives (used in only 7 Member States).

The Regulatory Fitness and Performance Programme (REFIT) exercise currently on-going, which reviews the Birds and Habitats Directives to 'modernise' them, might be an opportunity to raise the profile of private land conservation and add it to the existing set of tools. Practical actions which could be introduced into the REFIT process or into future versions of the LIFE programme:

- Fund networking activities to exchange private land conservation know-how between landowners
- Support the establishment of private protected areas within Natura 2000, e.g. for biological hotspots
- Support projects which apply innovative land stewardship schemes
- Support the start-up of businesses inside Natura 2000 that use the biological resources and ecosystem services sustainably
- Link all land purchase co-financed by LIFE with the establishment of a land trust, and strengthen these land trusts by cross-border twinning arrangements

Valant reported that on this same day the Habitats Committee, which brings together the conservation authorities of the EU Member States with the Commission acting as facilitator, was

holding its first-ever brainstorming about private land conservation and the possibilities to exchange best practice in this field.

Thierry de l'Escaille, representative of the European Landowners' Organisation, described how miscomprehension had grown between landowners and NGOs in parts of Europe during the past decade. Massive land-buying programmes by NGOs, supported through public funds, might have been designed to serve a conservation good, but they created a 'dead hand' of NGO land which angers local people who feel pushed aside and unable to bid for the land themselves. This is especially the case where the NGOs have the right of first purchase. This explains why private landowners in de l'Escaille's own district dislike Natura 2000: NGOs were granted right of first purchase by the competent authorities and they received public funds to buy the land they wanted. Inflaming matters further, NGO representatives did not always approach the owners of land where they wanted to use their right of first purchase in a diplomatic and sensitive manner. NGOs engaged in land conservation ought to be pragmatic instead of ideological, working with, not against, stakeholders and local communities.

There was some discussion about shifting from money-based mechanisms to socio-psychological mechanisms. Pardo-Lopez pointed to the inspiring presentation by Simon Saunders in workshop 4C, in which he said that after farm subsidies disappeared in New Zealand, landowners were more willing to act voluntarily. When talking to hunters or farmers in Europe, they all agree that it is good to protect X or Y, that they are proud to have these species or habitats on their land, but if they are asked to do something practical for them, they want payment. Attitudes have been ruined by a 'subsidy culture'.

Disselhoff, referring back to the presentation by Terry Tanner in workshop 4B, proposed creating a 'culture of land conservation' inspired by emotional attachment to the land and sense of local community in which 'we' includes all who ever lived there. Scientific nature conservation which talks of species and subspecies and lists of habitats like Annex I Habitats Directive, loses this inspirational aspect. How one relates to an area of land, what it means for one's identity and the collective identity of the community, are potentially powerful emotions to inspire land conservation.

A practical proposal made for the socio-psychological field was to institute a big and prestigious award for the very best practice shown by a private landowner. Or to honour landowners who apply good practice, through a suitable event at local or national level.

In 2014, the European Commission began giving annual Natura 2000 Awards for excellence in various categories of conservation work, but there is no Award explicitly destined for private landowners.

AFTERWORD

The richness of the Congress cannot be captured solely in these proceedings. Hallway conversations, meetings over coffee, and interactions on the Congress field trips all provided numerous opportunities for connections to be made and ideas for follow up to emerge. Nonetheless, these proceedings give a sense of the broad range of topics and discussion that emerged at the ILCN Berlin Congress.



In order to assemble these proceedings, we used notes taken contemporaneously in the sessions by graduate student volunteers Marie Grimm, Barbara Burkel, Lisa Burmeister and Lilian Schulze, to whom we are most grateful. In most cases, presenters provided PowerPoint presentations that provided additional detail to reference the notes.

Members of the Conference Committee were responsible for attending sessions in each stream in the conference and reviewed and edited the notes from their tracks. These proceedings were compiled and edited by James Levitt, Laura Johnson, Anton Gazenbeek, Tilmann Disselhoff and Isabella Gambill. Omissions or errors are solely the responsibility of the editors.

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About the International Land Conservation Network and the Lincoln Institute of Land Policy

The Lincoln Institute of Land Policy is the leading resource for key issues concerning the use, regulation, and taxation of land. Providing high-quality education and research, the Lincoln Institute strives to improve public dialogue and decisions about land policy. As a private operating foundation whose origins date to 1946, the Institute seeks to inform decision making through education, research, policy evaluation, demonstration projects, and the dissemination of information, policy analysis, and data through our publications, Web site, and other media. By bringing together scholars, practitioners, public officials, policy makers, journalists, and involved citizens, the Lincoln Institute integrates theory and practice and provides a nonpartisan forum for multidisciplinary perspectives on public policy concerning land, both in the U.S. and internationally.

The International Land Conservation Network is a project of the Lincoln Institute. ILCN exists to connect organizations and people around the world that are accelerating voluntary private and civic sector action that protects and stewards land and water resources. We believe that building capacity and empowering voluntary private and civic land conservation will strengthen the global land conservation movement and lead to more durable and effective resource protection. We do this for the intrinsic value of the world's natural and cultural resources, and for their importance to the prosperity and wellbeing of humankind, today and for generations to come.

RECOGNITION OF CONFERENCE PARTNERS AND SUPPORTERS

We would like to thank the following foundations and organizations who have provided generous financial support for this conference, and for the work of the ILCN.



DBU Naturerbe GmbH is a subsidiary of the Deutsche Bundesstiftung Umwelt (DBU), the German Federal Environmental Foundation. Its mission is to steward about 60,000 hectares of the German National Natural Heritage - land formerly owned by the military that is now conserved in perpetuity.



The Heidehof Foundation is dedicated to the fields of environmental protection, education, inclusion of disabled people, social work, psychotherapy, and psychiatry. The foundation works through operative programs and the funding of third-party projects.



Highstead works to conserve the forested landscape of New England through science, sound stewardship, and collaborative conservation.



The Cynthia and George Mitchell Foundation is a mission-driven grantmaking foundation that seeks innovative, sustainable solutions for human and environmental problems.



The Nature Conservancy of Canada (NCC) is Canada's leading national land conservation organization. A private, non-profit organization, we partner to protect our most important natural treasures — the natural areas that sustain Canada's plants and wildlife.



The David and Lucile Packard Foundation supports leaders and organizations around the world working to improve the lives of children, families, and communities--- and to restore and protect our planet.



The mission of The Nature Conservancy is to conserve the lands and waters on which all life depends. We do this through the dedicated efforts of our diverse staff, including more than 600 scientists, located in all 50 U.S. states and more than 35 countries



The mission of the Heinz Sielmann Foundation is to foster nature conservation by 1) giving children and young people the chance to experience nature, 2) saving the last sanctuaries of rare animal and plant species, 3) raising awareness for nature conservation in the general public, and 4) building the Heinz Sielmann archive of nature films.

Weeden Foundation

From its inception in 1963, the Weeden Foundation has embraced the protection of biodiversity as its main priority.



Spanish wildflower field, Laura Johnson

