Section 2: Workshop Summary

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Themes from the Discussion

The purpose of this section is to describe some of the main themes and examples that came out of the lively discussion among the participants. While many different perspectives and experiences were shared over the time the participants were together, several major questions arose during the discussion:

• How should the opportunities for the conservation and rural economic development communities to work together best be framed?
• What are some of the key features of rural communities in the U.S. at this time and in the future?
• What is being learned from the work already underway with communities and around key resource areas – such as forests, agriculture, water and energy?
• What will it take for conservation organizations to engage effectively with these broader, existing efforts?
• What issues will individual conservation organizations need to consider as part of any effort to engage more widely?
• What actions or areas for further research were identified by the workshop participants?

Some of the suggested answers, along with key quotes and examples are described below. More detailed analyses of how these themes are playing out in particular cases in different regions of the U.S. are provided in the sections that follow.

Framing the Discussion Around Healthy Communities and Building Out From the Work Already Being Done

Over the course of the discussions, the original framing of the workshop – focusing primarily on “economic” health – began to seem too narrow. Rather, more of the participants and examples given focused on supporting healthy rural “communities” as a whole – i.e.,
places people want to live and where they can support themselves over time. Increasingly, these are associated with amenities, livelihoods, education, basic services, connectivity and mobility. Where these attributes are found, people are starting to return – both older and younger. Where they are not, the migration out continues.

This broader framing may well help meld conservation and community economic interests more directly. Conservation organizations work to protect local amenities/assets – starting with protecting the lands people care about. There are clear opportunities to work together, to the extent that those lands are important assets on which healthy economies can be built. In fact, supporting community health may actually be a core function of conservation organizations insofar as healthy local communities who care about stewarding the land are seen as the key to permanent land protection. The work done in these sectors is increasingly being seen as overlapping and mutually reinforcing.

**Entering the Fourth Era of Conservation?**

Jay Espy, former Executive Director of the Maine Coast Heritage Trust and now the President of the Elmina B. Sewall Foundation in Maine, believes that the U.S. land conservation movement is entering its fourth era:

- The first era was the time of public land acquisition by federal and state authorities, reaching its high point in the 1920s and 1930s.
- The second was the explosion in the work of private land conservation organizations starting in the 1970s.
- The third was the era of landscape scale conservation starting in the 1990s, partially in response to the divestments of millions of acres of land by formerly vertically integrated paper companies.
- The fourth is now focusing on community-based conservation, because: (a) both public and private funders are looking for more accountability in the use of their moneys, particularly for multiple benefits from projects; and (b) fewer resources are available for the work that needs to be done.

He cited three efforts in Maine to support his view that a new era, involving new approaches is arriving:

- Downeast Lakes Land Trust and its traditional looking purchase of forestland, but which also included for-profit investment, the use of New Markets Tax Credits, working forest easements and the designation of developable lots near the town center (see longer description in the report of the 2011 Berkley Workshop, available at [http://environment.research.yale.edu/publication-series/6122](http://environment.research.yale.edu/publication-series/6122));

- The revitalization of the town of Skowhegan around an entrepreneurial set of activities starting with the opening of a grist mill in the heart of this historical wheat basket and leading to a vision for a food hub that is changing the community (see longer description in Section 3); and
It was also striking both how early we are in the conversation around this topic, as well as for how long the conversation has been going on in specific locations. On the one hand, many of the participants from the community economic development arena said that rarely, if ever, had they engaged with conservation organizations on their projects. On the other, several participants reported on specific projects that conservation organizations had underway that are intended to combine land protection and jobs.

This provides a hopeful foundation for both conservation and community economic development organizations. For conservationists, it is critical to engage on these broader issues of community health for both strategic and moral reasons. Strategically, being seen as a key contributor to the health of the communities in which conservation organizations work is critical to the:

- Permanence of conservation gains – by ensuring that conserved lands bring value to local communities by helping to address their multiple needs over time;
- Opportunities to bring new resources to conservation work – by collaborating with funders of community and economic development efforts; and
- Ability to help shape economic development efforts – by working to help move them from being an opponent, to a partner in stewarding valued community and conservation assets.

“Poverty, social ills and the wrong approaches to rural economic development are the biggest threats to land conservation.”

– Mikki Sager, The Conservation Fund

Morally, understanding and addressing the impacts of conservation work on the communities most affected is also just the right thing to do.

For the rural economic development community, increased engagement by conservation organizations can provide a valuable boost to their efforts. Community development projects are usually complicated, multi-faceted efforts that require collaboration across a range of interests/organizations over a long period of time. Conservation organizations can bring knowledge, contacts and resources to these efforts. While few have done so to date, the examples described by participants give hope that many more can do so in the future.
Recognizing the Variety of Rural Communities in the U.S., the Structural Changes Underway and the Possibilities for Building Resilient, Sustainable Futures

Given the range of geographies and experiences represented by the participants, it was not surprising that a great variety of rural Americas were described. They fell along a spectrum from areas of high amenity values and wealth, to those that have effectively become sacrifice zones given the intensity of the resource extraction underway.

“All politics is local…need to connect with each community on its terms and in its time.”

– Roberto Jimenez, Farmworker Housing Development Corporation

“Who looks like us? From whom can we learn? Keep making the case with examples from sources that resonate in your community.”

– Deborah Markley, RUPRI Center for Rural Entrepreneurship

Most, however, were in the middle – trying to figure out how best to stay competitive in an increasingly global economy. Such fundamental, structural shifts in the U.S. economy have put many traditional, resource-based and manufacturing economies under tremendous competitive pressure. This means that many rural communities are facing massive economic changes – some even facing threats to their continued existence. As a result, the future health of many of these communities needs to be reframed in light of these massive, structural changes to the U.S. economy.

Work at the Center for Rural Entrepreneurship suggests that there are four major characteristics of rural communities in the U.S. that are building resilient, sustainable futures for themselves. According to Deborah Markley, director of the Center, such communities:

• Recognize the need for collaborative solutions to be developed across multiple organizations;

• Apply an entrepreneurial spirit to using their local assets effectively – including natural landscapes, however they came to be present;

• Aim to build lasting wealth in the community, not jobs at any cost; and

• Have skin in the game, with local ownership of many local assets and local leadership of many initiatives.

For more information see: http://www.energizingentrepreneurs.org/site/.

While few conservation organizations have expressly signed on to supporting this or similar lists of goals for healthy rural communities, these characteristics appear to be consistent with the goals of many conservation groups and to have resonated with the workshop participants. This too provides a hopeful foundation for future engagement.
While individual property rights also form the starting point for both private land conservation and community development efforts, they do pose a number of challenges to organizations in both arenas, such as:

- Working with the fact that the U.S. legal system is built around protecting the rights of individual property owners and, in most instances, does not require dealing directly with community interests more broadly.
- Aligning diverse, individual interests where multiple claims complicate land ownership (as in the case of “Heir’s Property” in the Southeast).
- Linking individual owners’ rights and actions to broader values, such as habitat protection or community health.
- Defining the “communities” whose “interests” should be taken into account when thinking about environmental and community health in a region over the long term.
- Bringing those circles of interests together in advance to look for areas of overlapping goals and to articulate possible visions for the future.
- Being prepared to act quickly when landowners or developers announce plans to sell or manage properties in ways that are not consistent with a community’s vision of a desirable future.
- Recognizing that residential development, particularly in suburban and exurban areas, often does not pay for the additional costs imposed upon the municipality.

“Can conservation organizations work with small, rural hospitals to offer landowners doing better conservation access to better health care?”

– Bobby Cochran, Willamette Partnership

“Boards need to look like the communities they are trying to conserve.”

– Drew Lanham, Clemson University

“Pre-existing relationships are key to combined conservation and community development efforts.”

– Joe Short, Northern Forest Center

“There is often a very small window either to acquire land or engage a community.”

– Deborah Markley, RUPRI Center for Rural Entrepreneurship

“One needs to tap the wisdom of the community, but police the truth of developers’ claims.”

– Dana Beach, Coastal Conservation League
Choosing to Engage, Listening with Humility and Partnering Where Goals Overlap

The starting point for conservation organizations interested in joining such efforts is to choose to do so. As mentioned earlier, the participants from the economic development community said that few conservation groups had been involved in any of their projects. At the same time, they see the potential for quite valuable collaborations and would welcome the opportunity to explore such connections.

**Meridian, Mississippi’s Union Station Multi-Modal Transportation Center**

Faced with a deteriorating downtown and overall economic decline, Meridian, Mississippi, a small rural city of 40,000 people, transformed Union Station – a rail station and a local architectural icon – into a Multi-Modal Transportation Center (MMTC) for an 11-county rural area in eastern Mississippi and western Alabama. The city’s initial $1 million investment in the early 1990s has since become a $135 million public-private investment in Meridian’s downtown, creating economic growth and wealth for both the city and the region.

The Union Station MMTC is the most heavily used public space in Meridian with over 300,000 people using the station annually. Serving not only as a hub for passenger transportation, the station is also a popular space for weddings and conferences and houses several restaurants and shops. Since the renovation of Union Station and the opening of the MMTC in 1997, downtown Meridian has become the home to many new shops, restaurants, boutiques, condominiums, and market-rate apartments; a restored performing arts center; and Mississippi State University’s business school.

Although the conservation community was not at the decision table for Union Station’s renovation and the creation of the MMTC, this project serves as a model for rural smart growth and provides several lessons for conservation organizations thinking about ways to support healthy rural communities throughout the U.S., including the importance of:

- Developing a shared sense of place;
- Building momentum through constant communication and relationship building;
- Using a transit corridor as a basis for collaboration; and
- Recognizing that a connected community is a prosperous community.


So, the opportunity for conservationists to identify and reach out to the community/economic development organizations working in their areas seems to exist in many locations across the country. At the same time, many land trusts have traditionally had a much nar-
rower mission – acquire rights to land before developers do. As such, they may be resistant to going outside that narrow focus. Offering advice on how one can manage land more sustainably or what areas seem best for development/use might be the most comfortable first steps.

“In Montana, we have seen a transition from ‘The Nature Conspiracy’ to TNC as a valued contributor of useful information and resources.”
– Mary Sexton, Montana Department of Natural Resources and Conservation

Once having chosen to engage on this broader agenda, conservation organizations then need to listen. What are the immediate needs of the community? What are the possible longer-term futures? Sometimes the urgency of the pursuit of a piece of land for protection makes it hard for conservation groups to step back and take the time to listen so that they can understand the goals that others are pursuing. Doing so with humility is also important, as there are many examples of conservation organizations coming across as arrogant, elitist and uncaring about local communities in their work.

“You cannot walk into someone's house and tell them what to do.”
– Mikki Sager, The Conservation Fund

This does not mean that conservation organizations need to change their core focus on protecting land. It does mean that they need to be open to understanding both their own core goals, as well as others’, in order to see if there is enough overlap to support a collaborative effort. If such an overlap exists, then there should be room to pursue the conservation of at least some parcels through the productive, resilient use of land over time.

“Conservation and community development organizations do not have to be at the table for the same reasons.”
– Deborah Markley, RUPRI Center for Rural Entrepreneurship

Actually forging such collaborations and working in them will be difficult. They are likely to be more complicated and messy than acquiring interests in land. Often, the conservation organization will not be in charge – as it usually is in a land transaction. As such, it will need to understand, respect and work to promote others’ interests, as well as its own. It will also need to do so over a long period of time, as many complicated, deeply rooted issues will need to be addressed, such as:

- Reframing the community discussion from replacing the traditional jobs that have been lost to starting new ventures.
What do healthy rural economies look like in the U.S., and how might conservation organizations help support them?

- Understanding and identifying points of leverage for building around or modifying the centralized systems that often impede decentralized, local community development efforts.
- Helping to ensure that the immediate, basic needs of the community are met, while building toward a more sustainable future.

“Economic development is inherently messy – the success in Skowhegan could not have been planned.”

- Joe Short, Northern Forest Center

The good news is that there are a growing number of conservation organizations willing to face these difficulties and engage on broader questions of community and economic health. Because of their core focus on land, most of these involve efforts to build healthy economies around the key products and services that can be drawn from sustainably managed land. Some of the lessons learned from such efforts in the forestry, agriculture, water and energy sectors are provided below.

“What are we selling? How do we paint a picture that has resonance?”

- Dee Davis, Center for Rural Strategies

Much is Being Learned from the Efforts Underway in Key Resource Sectors

Forests – as much of the traditional forest economy disappears, where can multiple value streams be captured? As traditional, vertically integrated timber companies have sold off their timberlands, there have been huge gains for the conservation community – in terms of acres protected through direct or public ownership, as well as through the holding of conservation easements. At the same time, as the mills close and the timber harvests decline, so too do the jobs and the surrounding communities.

“Diversifying income streams is key.”

- Roel Lopez, Texas A&M University

In recognition that protected forests and failing communities are not a sustainable pair, an increasing number of organizations are exploring ways to make conservation a part of the foundation of sustainable forest economies (see the “forestry” sections of the regional chapters). Among the value streams participants discussed as being available from sustainably managed forests were the following:
- Wood energy: keeping money in the local economy by using wood for heating and possibly electricity generation, both by reducing the amount of heating oil purchased, as well as by supporting jobs in the local “woodshed.”
Renewable Energy from Biomass

The Northern Forest Center’s Model Neighborhood Project in greater Berlin, NH, seeks to build regional resilience by developing regional wood pellet heating capacity. Linking forest products manufacturing to local consumers is a key step towards retaining wealth within the regional economy. The initiative has received support from foundations, corporations and individuals. As part of a collaboration with Berlin BetterBuildings, the City of Berlin and Maine Energy Systems, the Northern Forest Center will directly subsidize up to 60% of the cost of advanced wood pellet boiler installation (2011-2013) with the goal of stimulating job creation, sustainable harvesting, reduced carbon emissions and increased community health.

For more information see: http://www.northernforest.org/model_neighborhood_project.html.

- Climate/carbon: exploring ways to tap into and use the California climate legislation (AB 32) as a model for bringing additional investment to forests – both through the sale of carbon offsets from sustainably managed forests, as well as through increased public funding for the storage of carbon in forests.

California Carbon

The success of the voluntary carbon market under the California Climate Action Registry, with its subsequent transformation to the Climate Action Reserve, promises great potential for the official launch of the California cap-and-trade program in 2013. The stringent standards required for accreditation of forest offset credits suggest that conservation organizations can play a critical catalytic role in verified emissions reductions (VER) projects. Such carbon sequestration projects serve the dual role of bringing in novel income to forestry-dependent communities, while providing strong incentives for preservation on the timescale of centuries.

The Van Eck Forest Project of the Pacific Forest Trust was the first project to be independently certified under the CA standards and combines a working conservation easement with carbon credits. Officially registered in 2006, the Van Eck Project foresees sequestration of 500,000 tons of CO2 over a 100-year period due to a management plan that preserves 50% of annual growth. Another working easement project, the Conservation Fund’s Garcia River Forest, was established through a 2004 partnership with the California Coastal Conservancy, The Nature Conservancy and the Wildlife Conservation Board. The Garcia River Forest protects 24,000 acres of redwood and Douglas fir, sequestering 77,000 tons of carbon annually. Income from the sale of these Climate Action Reserve certified credits provides critical funds for the continued operation of the non-profit Garcia River Forest, enabling maintenance and infrastructure improvements.

For more information see: https://www.pacificforest.org/Van-Eck-Forest-California.html and http://www.conservationfund.org/west/california/garcia.
• Biodiversity/endangered species/buffers: making the connection between the Department of Defense’s need for large areas in which it can train the troops and the resulting opportunities to protect biodiversity/expand wildlife habitat in surrounding areas.

**United States Department of Defense Readiness and Environmental Protection Initiative (REPI)**

In many regions of the country, United States military installations and ranges are being encroached on by private, incompatible development. The military views this development as a problem that may impact the Armed Forces’ ability to train soldiers and test weaponry effectively. In an effort to solve this issue, the military is partnering with conservation organizations, as well as state and municipal governments to purchase or secure easements on large swaths of undeveloped land surrounding installations.

The program, which falls under the military’s larger Sustainable Ranges Initiative, is a cost-sharing program that allows both the military and the conservation community to simultaneously achieve their goals. The military recognizes their own need for large, continuous parcels of land, but also knows that small, fragmented parcels will further restrict their ability to train because of legal considerations for species of ecological concern. Through 2011 there have been 486 REPI land transactions that have resulted in 215,115 acres of newly protected land.

For more information see: [http://www.repi.mil/](http://www.repi.mil/).

**Sentinel Landscapes – Designing a Payment for National Defense Services**

**Linking Conservation, Working Lands, and National Defense**

In North Carolina, expansion of real estate development is threatening to cut into the viability of flyways and training grounds, while development pressures fragment working agricultural lands and decrease the attractiveness of farming. Since the top contributors to the economy of North Carolina are agriculture, forestry and agribusiness at $74 billion, and military operations at $25 billion, there are powerful incentives to bring together these different sectors.

The Sentinel Landscapes Program envisions using a market-based approach to reward management practices that complement military testing and training requirements in key areas. These practices may include working landscapes of longleaf pine or agriculture, as well as buffers for wildlife, military facilities or training routes. As 90% of the land within the National Defense mission footprint is privately owned, multiple incentives can be offered in the form of tax credits, deductions and exclusions, in addition to more traditional land conservation measures such as easements and management contracts. Partners have been identified by directly surveying landowners about who they trust regionally, leading to multi-county cooperation with such organizations as the Soil and Water Conservation Districts.

- Water: monetizing the water quality and quantity benefits from forested watersheds.

**Klamath – Cascade Conservation Partnerships**

The Pacific Forest Trust (PFT) defines the Klamath-Cascade (KC) landscape as the 10 million acre region that stretches from Mt. Lassen in northern California to the Klamath River in southern Oregon. Maintaining forest cover in this region is critical to maintaining water quality for millions of people in Northern California. Through a number of conservation partnerships, the Pacific Forest Trust has facilitated working forest easements in both the Mt. Shasta Headwaters and the Sierra Valley. For instance, PFT has partnered with Siskiyou County’s second-largest employer and local timber mill owner, Roseburg Resources Group, to establish an 8,230-acre conservation easement through a $7.8 million grant from California’s Wildlife Conservation Board.

PFT has also acted as a catalyst to help private landowners, conservation groups and public agencies from nine counties think outside the box, using their core competencies in convening, resource-raising, pushing, and helping specific projects. Reaching across the political spectrum, the PFT has found common ground with the local Tea Party representatives in advocating local control and recognizing what residents could do in the region.

Major learnings:

- Patience
- Value of bringing people together
- Acknowledging and incorporating others’ expertise
- Forging a new regional identity/culture

For more information see: https://www.pacificforest.org/KC-Conservatzion-Partnerships.html.

- Value added forest products: increasing revenues for forest landowners by finding new markets or expanding efforts to develop regional labels for local timber/forest products.

“For longleaf pine restoration in the Southeast, the ‘pot sweetener’ available to limited resource, mostly black, landowners was the use of the pine straw as merchantable mulch.”

– Drew Lanham, Clemson University

“Certification or regulation of product quality can help a region prosper by preserving a way of life – as in the Tuscany region of Italy.”

– Dee Davis, Center for Rural Strategies
• Tourism/recreation: increasing visitors to regions with sustainably managed forests (see the “tourism” sections of the regional chapters).

Vermont Council on Rural Development’s Working Landscape Partnership Program and the Working Lands Enterprise Investment Bill

The Vermont Council on Rural Development (VCRD) is a non-partisan, non-profit organization that uses both public and private resources to help support and build sustainable rural communities throughout Vermont. In 2010, VCRD started the Vermont Working Landscape Partnership Program in order to support local agriculture and forestry, grow and attract farm and forest entrepreneurs, and conserve Vermont’s working landscape. Consisting of federal, state, local, non-profit and private partners, the partnership published a Working Landscape Action Plan in September 2011 offering the following five recommendations:

• Build a major campaign to celebrate the distinctiveness of the working landscape that is Vermont.

• Target strategic investment through a Vermont Agriculture and Forest Products Development Fund.

• Designate and support “Working Lands.”

• Develop tax revenue to support working landscape enterprise development and conservation.

• Create a State Planning Office and activate the Development Cabinet.

The above recommendations became the foundation of the Vermont Working Lands Enterprise Investment Bill. Passed by the Vermont House and Senate and signed by Governor Shumlin in May 2012, the Bill creates the Working Lands Enterprise Fund and the Working Lands Enterprise Board – which will oversee the Fund. The initial 2012 appropriation of $1,175,000 will be administered by the Working Lands Enterprise Board, and will focus on three key areas:

• Enterprise grants and loans to land-based and value-added businesses that are new or want to grow.

• Wrap-around services to working lands enterprises including technical assistance, business planning, financial packaging, and other services required by companies ready to transition to the next stage of growth.

• Needed infrastructure for creative diversification projects, value-added manufacturing, processing, storage, distribution, and collaborative ventures.

Any of these efforts by conservation or community development organizations need to increase the opportunities for new revenues that are immediately available to landowners who maintain or adopt sustainable management practices. Those immediate incentives need to work at the scale of the landowner – with small scales being the hardest for both conservation and economic development organizations to deliver value. Providing these tangible, economic benefits has been a real problem in the forest carbon markets to date – given the absence of action at the federal level. The hope is that the California climate legislation will provide a more durable foundation for efforts to build markets/payments for the carbon stored in forests, not only in California, but in other parts of the U.S. as well.

The topic of community owned or managed forests also arose in a couple of different ways. In the Northeast, communities are working with community development financial institutions and private forestland investors directly to acquire interests in forestland that they will own and from which they will benefit financially in the future. In the Interior West, increasing numbers of states and communities are looking at the U.S. Forest Service’s difficulties funding and meeting its management responsibilities and wondering if it is time to push again for more local management of federally owned forests.

“A working forest conservation is the foundation of sustainability.”
– Laurie Wayburn, Pacific Forest Trust

Agriculture – is a more resilient, sustainable food system being built? One of the big questions debated during the workshop was whether the increased attention to sustainable, local, resilient food systems in many parts of the country is a passing fad or not? On one hand, participants argued that as the human population continues to expand, more food will be needed than is ever possible to grow at a small, local scale.

Food Independence and National Security

Another initiative under the umbrella of the Department of Defense’s “Sentinel Landscapes” initiative, the “Food and Fuel for the Forces” (FF4F) program, takes a different market-based approach to improving local resilience. By asking what factors could improve the availability of locally grown food in the military supply chain, FF4F is seeking to energize the local agricultural economy to generate enough income so that it does not become developed into sprawl – thereby being lost to both food production and use as a buffer.


At the same time, some participants compared the growing level of interest in local, healthy food as being equivalent to the social energy generated in the early years of the modern environmental movement. In their view, this is an opportunity not to be missed –
given the span of ages, ethnic groups, locations and interests involved. Still others said that both an increase in locally produced food, as well as an increase in responsibly produced commodity crops, are going to be needed to meet the growing human demand for food.

“Caution is important here – these efforts around local food really need to work and not fall victim to the bandwagon problem. But, we also need to listen to Wes Jackson: ‘be realistic, expect a miracle’.”

– Dana Beach, Coastal Conservation League

Clearly, there are opportunities for conservation organizations to help support efforts to rebuild local food systems in many parts of the country (see the “agriculture” sections of the regional chapters, such as Section 4.4 and the Vermont Land Trust’s Farmland Access Program). Some look fairly traditional – helping to make farmland affordable for new farmers by acquiring interests in the land and using them to make the property available at its production value, not its development value.

Others, such as the Coastal Conservation League (CCL) and GrowFood Carolina, are taking conservation organizations into entirely new territory – such as food hubs. According to the U.S. Department of Agriculture, food hubs are “centrally located facilities with a business management structure facilitating the aggregation, storage, processing, distribution, and/or marketing of locally/regionally produced food products.”

Lessons Learned from Diving into a Food Hub

While a more detailed description of CCL’s food hub is provided in Section 5, Dana Beach, CCL’s Executive Director, identified the following as the key takeaways from this effort:

• There is huge value in writing a farmer a check.
• Actively supporting local farming in this way can turn mortal enemies into friends.
• New constituencies are also attracted to supporting the work.
• Food hubs offer a potential for replication across different contexts and locations.
• Wonderful publicity was generated for the organizations involved.

A number of participants noted that actual engagement in agricultural activities – running a beef operation, starting a food hub – both increased their understanding of the opportunities to support sustainable agriculture and also enhanced their credibility within the local agricultural community.

Any such efforts, however, will take place in the face of deeply entrenched, centralized and consolidated food systems and interests – knowledge of which is beyond the tradition-
Moving from the Conflict Industry to Promoting the Radical Center

The founders of the Quivira Coalition in New Mexico set out to carve a new path in environmental protection by reaching out to and partnering with the ranching community from day one. Their goal was to explore and act on areas of common interests, rather than revisiting areas of difference. Avery Anderson, the Coalition’s Acting Executive Director in 2012, described the five major principles they have followed in their work:

- Redefine the problem – from conserved to resilient, healthy land.
- Work on the land – they ran their own ranch selling grass-fed beef.
- Engage diverse audiences – from ranchers, to tribes, to children.
- Engage the next generation of leaders from those audiences.
- Spread the good word about the results of these efforts to identify and act on areas of shared interest.

“Policy choices have huge effects on rural communities, from agricultural policies encouraging the centralization of production, to grid reform encouraging rural sacrifice zones for sending power to the cities.”

– Dee Davis, Center for Rural Strategies

While population growth and changes to the climate seem likely to keep food prices high for a long time, big changes in farm ownership are underway with an aging farm population in the U.S. and increasing interest from financial investors. Over time, this is likely to mean that fewer farms will be owned by the farm operator and more will be leased. Since most financial investors are primarily interested in financial returns this may have major implications for further intensification of farming operations.

Involvement by “impact” or social investors in farmland may also grow over time. This might create an opportunity for new partnerships around increasing access to farmland for younger farmers.
Some of the more hopeful opportunities arise from the increasing interest among institutional buyers – such as Yale and other universities, schools, hospitals, food banks, military installations, etc. – in increasing the amount of food they purchase from local sources. Even with a great source of demand, local processing and distribution systems need to be rebuilt in order to meet it – hence the focus on food hubs. New collaborations along the entire food value chain – from farmers to dining halls – are being established to try and meet these needs.

### Healthy Hospital Initiative

The Healthy Hospital Initiative (HHI) utilizes the health care industry’s purchasing power to promote and create more sustainable sourcing, energy and waste disposal systems. While the Initiative has many components, including a focus on less waste, safer chemicals, and energy saving and efficiency, the program’s connection to land conservation focuses on the purchasing of locally grown produce for hospital meals. Through this program, the healthcare industry can help to develop and foster markets for local, sustainably produced, and healthy agricultural products.

The Initiative provides a formal framework of goals for hospitals to follow. Achieving goals is measured by how many dollars of particular budgets are used to procure food from local farmers. HHI is a model for how and why local agricultural systems should be protected. Hospitals can join the HHI at no cost.

For more information see: [http://healthierhospitals.org/](http://healthierhospitals.org/).

Conservation organizations clearly can add value to these collaborations, whether through traditional efforts to help provide access to farmland or new efforts to help build resilient, local food systems.

“Agriculture built the U.S. – the push for ‘better food’ is a vehicle for engaging people with their land, their health and their communities.”

– Neil Hamilton, *The Agricultural Law Center*

### Water – how monetize the benefits to water quality and quantity of investing in conserved land/green infrastructure?

Cleaner water comes from healthy forests and grasslands. They also help collect and slow runoff from storms. Many sustainably managed lands provide these services – and usually for free, as few mechanisms exist for water users to pay the owner of the forest or grassland for these water benefits.

A variety of efforts are, however, underway to assemble such funds and invest them in watershed protection or restoration efforts (see the “environmental markets” sections of the regional chapters).
Probably the most immediate examples are where investments in watersheds or “green infrastructure” are the least costly way to meet existing regulatory requirements. This might be for:

- Providing safe drinking water (see discussion of New York case in Section 4.4),
- Collecting and treating stormwater (see discussion of Clean Water Services in Sections 3.4 and 8.4), or
- Addressing water flowing from contaminated industrial sites.

In such cases, there is usually a clear economic argument in favor of water users paying landowners to manage their land to minimize water impacts.

More generally, voters have consistently demonstrated their support for paying a bit more in taxes in order to protect water quality by protecting natural lands. For example, The Nature Conservancy quotes the results of a July 2012 bipartisan poll that finds seven-in-ten voters willing to pay more to protect local land, water and wildlife. While this support has led to increased state and local funding for land protection, the question of whether it might also be mobilized in policy debates was also raised – such as for strengthening the Clean Water Act still further or for addressing the impacts on water quality from mountain top removal mining for coal or drilling for shale gas.

“Promising every child in Appalachia a clean glass of water was one of the most compelling visions of a future beyond coal.”

– Dee Davis, citing a suggestion by Dr. Helen Lewis

Given the critical importance of water, a wide variety of other initiatives are also under way – from water quality trading to product branding opportunities – to monetize the benefits that sustainable watershed management provides.

Figuring out how best to bring these efforts forward at scale, with demonstrable benefits to landowners and local communities remains a major challenge. For example, as more attention is paid to these opportunities, the need for performance data on such green options grows – such as what size bioswale do I need to capture a specified amount of runoff? In addition, given the strictures of regulatory requirements, it can be difficult for regulated water utilities to figure out how best to work with conservation organizations to help meet their regulatory obligations.

Finally, as more land is set aside for watershed protection, major questions about impacts on local economic opportunities arise – setting the stage for new collaborations around land uses that both generate additional income, while still protecting water quality.

“Since the City’s watershed will always be a ‘working landscape’, how can we continue to improve land stewardship by individual landowners, commercial enterprises, and easement grantors?”

– Dave Tobias, New York City Department of Environmental Protection
Energy – how best make the tradeoffs in where and how energy development happens? More energy development is coming – whether it be cleaner (wind, solar) or dirtier (shale gas and oil). All such development has major impacts on both natural habitats, as well as the communities in which it occurs. As such, it is a major area of potential collaborations between conservation and community development organizations (see the “energy” sections of the regional chapters, as well as the introduction to energy and conservation issues provided by Michael Dowling in Appendix 2A of this Section).

Requirements that energy developers mitigate the impacts of their projects raise the question of how might those funds best be applied to benefit human and natural communities on a landscape scale? While the answers to this question will vary across communities, the types of land use mapping skills that many conservation organizations possess may well provide valuable information to these efforts – particularly if one can overlay both natural and social/economic features.

Helping to implement mitigation actions – both protection and restoration – is also seen as an area for increasing activity by conservation organizations. If those actions can also be planned with an eye on broader benefits to local human communities they are more likely to have their intended effect over time.

“Energy development is a huge force for landscape change that cannot be addressed only at the landowner level.”

— Michael Dowling, Land Trust Alliance

Conservation organizations also need to consider the extent to which they are willing to enter into the broader, political debate about how best to ensure that energy development is done as sustainably as possible. This might include support for provisions such as:

• Better regulation of the siting, operation, closure and mitigation of the impacts of energy facilities at the local, state or federal level; and
• The imposition of severance taxes that are adequate to create permanent funds to invest in community health, economic diversification, education, restoration/conservation and similar efforts to rebuild community assets after the energy resources are depleted.

“Policy follows perception – need value the rural, producing communities first.”
– Dee Davis, Center for Rural Strategies

Given the scale of the energy development projected in the U.S. and its potential impacts on both natural and human communities, this appears to be a difficult, yet unavoidable area in which to explore further collaborations between conservation and community development organizations.

“Healthy economies are not heavily dependent on a single, depleting commodity.”
– Michael Dowling, Land Trust Alliance

Coming to Terms With Local Context, Types of Permanence, Power, Privilege and New Partners

While the participants identified many opportunities for conservation and community development organizations to collaborate, a number of issues that individual conservation organizations and the conservation community as a whole will need to work through were also raised, including the following:

• How real are the specific opportunities to collaborate with community development groups in specific regions? With what groups should new conversations be opened when and around what interests? Where might the areas of overlapping interests lie, particularly on the areas of high priority to all involved? Presumably, such very practical questions will need to be answered in light of the mission and priorities of the conservation organization. It may be that answers are obvious and that action can be taken rapidly – such as with CCL’s food bank referenced above. Given the need for conservation organizations to listen and learn in many cases, however, it may be that a long period is required before taking effective action.

“What communities are you part of?” “How can we dim the line between ‘us’ and ‘them’?”
– Mikki Sager, The Conservation Fund

• On what sites/locations/landscapes is the organization willing to work? Given the importance of working lands and restoration activities to building resilient local communities, some conservation organizations may need to consider whether they are willing to expand where they work beyond their traditional focus on areas of high biodiversity
or scenic beauty. For example, are they willing to engage in projects on sites offering less habitat, but more community value?

“How can permanent conservation best be achieved through the productive use of land?”

– Deborah Markley, RUPRI Center for Rural Entrepreneurship

• **What constitutes the permanent conservation they are willing to pursue?** Traditionally, many private conservation organizations have focused on acquiring ownership rights to land as the key to permanent land protection. Will they consider other paths to permanence, such as through market/other incentives to manage land sustainably or investments in community health care, grain storage bins, housing, education, or other local assets? Might such efforts set the stage for later legal protection of the land using more traditional tools? If conservation easements are eventually used, how might they best be adapted, if at all, to changing circumstances over time?

“Permanence does not exist – both landscapes and peoples’ connections to them are shifting mosaics.”

– Drew Lanham, Clemson University

• **How best to work through issues of power and privilege?** Two of the key strengths of the private conservation community have been: (i) its access to the financial resources and political clout necessary to purchase rights to land; and (ii) the speed with which that has allowed it to act to acquire sites it deemed important. At the same time, its ability to acquire “important” land quickly and quietly has, in some cases, been a weakness in its pursuit of permanent land conservation by creating conflicts with members of local communities. Finding ways both to work with a wider array of community members, as well as to apply its traditional strengths in doing so remains an important area of work.

“What are the barriers to partnerships? Values, mission creep and capacity.”

– Joe Short, Northern Forest Center

• **How to engage on what policy issues when?** Another strength of the private land conservation community has been its attractiveness to members of both political parties. In part, this stems from the focus on acquiring land from willing sellers, rather than on influencing the political process – except on increased funding for land conservation. Yet, many economic development and community health issues are heavily influenced by policy choices. Determining whether and how best to participate in influencing or making those choices, while still retaining their bipartisan appeal, will remain a continuing dilemma for many conservation organizations.
Getting Started and Learning as One Goes

While these and related questions will need to be addressed, the clear sense of the discussion was that there are great opportunities for the conservation and community development communities to do more together – since their goals overlap so frequently. Listed below are some of the possible ways forward that came out of the group discussion.

“Start with values. Acknowledge yours. Work to understand others’. Find areas of overlap. Work to build biological, cultural, social, and financial resilience within the community.”

— Avery Anderson, The Quivira Coalition

- **Get started.** The growing number of collaborations mentioned by the participants suggested that the time is ripe for conservation organizations to engage even more on efforts to improve the health of the communities in which they work. Approached with humility, there are many efforts to address wider community needs to which conservation organizations can bring value – while building the capacity of organization as the project evolves.

“At their very best, land trusts are legitimate voices in a community given the length of their tenure and the breadth of their missions.”

— Dana Beach, Coastal Conservation League

- **Listen more.** Only by understanding broader community needs will conservation organizations be able to identify where their interests overlap. Somewhat similar to putting a land transaction together, one needs to understand the goals of the parties involved in order to reach agreement on how best to move forward. Looking beyond the owners of the land and the holders of the money to the broader health of the community will help conservation organizations identify specific areas to move forward on overlapping interests.

“Working with others takes place along a continuum – exchanging information, consulting, coordinating, cooperating, sharing decision-making/power/resources. It is critical to understand where your partners and you are.”

— Danyelle O’Hara, Consultant

- **Work with credible partners/messengers.** Making connections with new groups is much easier and effective if a respected member of that group invites you in and helps guide your journey. Identifying and building relationships of trust with such “credible messengers” is the key to reaching out to potential collaborators and exploring whether
a partnership makes sense. Often, such messengers come from unexpected sources, such as churches, rural cooperatives, tourism agencies, historic preservation groups, small business owners, youth groups, educators, developers, affordable housing advocates, farmers, commercial fishers, environmental justice activists, community development corporations, community action agencies, Cooperative Extension Services, hunting clubs, Girl / Boy Scout troops, PTAs or PTOs, or Chambers of Commerce.

“Need credible messengers to tell the success stories effectively.”
– Kristin Tracz, Mountain Association for Community Economic Development

• **Build on the natural evolution from acquisition to stewardship.** As many land trusts shift their primary focus from acquiring new lands to stewarding those in which they already have an interest, there is a natural opportunity to explore how such efforts might best contribute to the health of the local community. This might include activities such as using their lands as demonstration sites for information about conducting or financing sustainable land management or for capturing new revenue streams. Using lands to help educators meet state curriculum requirements for environmental education, history, and others will help grow the next generation of conservation supporters and decision-makers. Of particular interest might be providing immediately beneficial information on profitable land management options to smaller landowners.

“Extension agents from Land Grant Universities were the capacity builders and are now all but gone...land trusts are well positioned to help fill the need here.”
– Drew Lanham, Clemson University

• **Develop guidance/checklists/toolkits for working with community development organizations.** While there appear to be many areas of overlapping interests, the conservation and community development communities do need to understand better each others’ goals and language, as well as how to structure mutually-beneficial projects. Some of this learning will happen naturally through conversations and joint work. In order to facilitate the process, however, many participants thought that some basic guidance or checklists would be useful to help people start taking their thinking in new directions – both for conservation and for community development organizations. In addition, adding some sessions specifically on community development to the Land Trust Alliance Rally seems like a useful step – maybe similar sessions on conservation could also be added to meetings of community development organizations.
• *Engage in both top-down planning and bottom-up action.* Making progress on community health is going to require both longer-term, steadily paced efforts to understand the different goals across different community groups and use that to build a shared vision, as well as immediate, entrepreneurial actions to capture opportunities as they arise. Presumably, different partners in the broader collaboration will be drawn to these different approaches and be able to help them inform each other.

• *Develop new measures of performance.* Traditional “bucks and acres” measures of conservation success – how much money was raised, land was acquired – will need to be expanded to include new metrics capturing the economic/community health benefits of actions by conservation organizations. Doing so also poses questions about the basic business model of private land conservation organizations – will such measures be of interest to enough donors and public funders that they will continue to support the work or will new funders – including for-profit investors – need to be drawn in? Given that “laws do not protect land, people do,” working to improve the overall health of the communities in which conservation organizations reside has to be the key to the truly “permanent” protection of land.

*Conservation, Education and Community: How Can Conservation Organizations Engage Children and Young Adults?*

According to a study by Jean Twenge and Elise Freeman of San Diego State University, and W. Keith Campbell of the University of Georgia, today’s young adults (the Millennial Generation) are less concerned with environmental protection and resource conservation – and less civic-minded in general – than previous generations at the same age (http://www.apa.org/pubs/journals/releases/psp-102-5-1045.pdf). Published in March 2012 in the *Journal of Personality and Social Psychology*, the study – “Generational Differences in Young Adults’ Life Goals, Concern for Others, and...”
what do healthy rural economies look like in the u.s., and how might conservation organizations help support them?

Civic Orientation, 1966-2009” – found that compared to Baby Boomers (born 1946-1961) at the same age, Generation X’ers (born 1962-1981) and Millennials (born after 1982) considered goals related to extrinsic values (e.g., money, image, fame) more important than goals related to intrinsic values (e.g., self-acceptance, affiliation, community). These recent findings go against the common perception that today’s young adults are “green” and environmentally conscious.

As many conservation organizations struggle to engage children and young adults in order to cultivate the next generation of environmental stewards – and many rural communities continue to experience an outflow of young adults – this study serves as a wake-up call for both the conservation and the rural economic development communities that more must be done to reverse these trends. What can conservation organizations do to help foster both a conservation and a civic ethic in the younger residents of the communities – both rural and urban – in which they work?

Some conservation organizations are already educating and connecting with younger generations. As a result, these organizations help create shared goals and a common vision for the future of their conserved landscapes and their respective communities:

• The Tug Hill Tomorrow Land Trust in Watertown, New York has recently started a daycare environmental education program with local daycare centers to help children obtain a greater appreciation for the environment and become future stewards of the land. For more information see: http://www.tughilltomorrowlandtrust.org/index.php.

• LandPaths in Sonoma County, California runs In Our Own Backyard (IOOBY), an education program that works with 17 Sonoma County schools and close to 800 students a year – many who come from socioeconomically and ethnically diverse backgrounds. The IOOBY program is structured around four theme-based visits to locally preserved properties focused on the following natural history topics: Discovery and Exploration; Watersheds; Habitat; and Stewardship. Many of the IOOBY lessons and activities correlate to the California State Science Standards. For more information see: http://old.landpaths.org/.

• The Little Traverse Conservancy (LTC) in northern Michigan runs year-round environmental education programs reaching approximately 50 schools and involving over 7,000 students and 500 parents and teachers. LTC offers assistance to educators and designs education programs that meet the curriculum standards for the state of Michigan. For more information see: http://landtrust.org/EnvironEd/educationTABLE.htm.

For more information on how conservation organizations can engage children and young adults see the Children and Nature Network: http://www.childrenandnature.org/.
Actions by Participants

In addition to these suggestions from the group, individual participants said that they were considering taking the following actions based on the workshop discussions:

**Gathering and disseminating information**

- Create a centralized website/database/handbook of examples of conservation and community development organizations working together.
- Expand the educational activities undertaken by the conservation organizations – from programs on funding sources and land stewardship, to support for local day care/early childhood educational opportunities.

**Exploring possible new sources of finance**

- Explore new sources of funding to build the capacity for combining land conservation and community development, such as community foundations, impact investors, community investment notes, community supported agricultural programs and others.
- Work with the boards of conservation organizations to understand the opportunities to expand membership and resources by adopting these approaches.
- Design a campaign to bring to foundations to support conservation-oriented efforts to improve the health of rural communities – possibly around a “restoration economy.”
- Work to increase and/or devote some portion of the funds spent mitigating environmental impacts to projects aimed at mitigating other impacts on local communities.
- Change the language used in existing policy efforts to better reflect the connections between community health and land conservation. For example, work on the rural utilities section of the Farm Bill to authorize the use of funds for green infrastructure projects.
- Explore ways to offer non-cash incentives – such as health insurance – to landowners engaged in the sustainable management of their properties.

**Making new connections with community organizations**

- Reach out to local community economic development organizations to try and involve them in projects being done by conservation organizations.
- Listen to and build relationships with community development organizations now so that conservation organizations are not just reaching out only when they need something.
- Analyze economic development and community health metrics and adapt them to include conservation-related measures as well.
- Expand work with faith-based communities on sustainable land management.
• Combine the need to build the next generation of community development leaders with efforts to bring along the next generation of conservation leaders.

• Engage more actively with African-American communities in the Southeast to understand where landowners are and what opportunities might be available.

**Developing new ways for working in and with communities**

• Work with the enthusiasm for local food to see “if there is a scalable there there” – particularly in connecting cities and surrounding rural areas.

• Work to break down the perception that conservation groups are separate from the communities in which they work.

• Reduce the micro-management provisions in conservation easements.

• Participate in local efforts to understand what lands are important for what possible uses and bring that information to landowners.

• Support efforts to understand and strengthen the connections between urban and rural areas in the regions where they work.

• Frame more conservation work in terms of “healthy/safe watersheds.”

• Create a working group of land trusts to compare experiences and develop lessons learned from efforts to cope with energy development projects.

**Areas for Further Research**

Finally, the areas that the participants identified for further research included the following:

• Collect, analyze, package and disseminate data and case studies on examples of “conservation-based economic development” – including follow-up data over time, as well as examples of both successful and unsuccessful efforts. Consider how best to analyze formally the performance in terms of conservation, economic and community health benefits.

• Explore ways to make conservation finance tools more accessible to small and/or low resource landowners.

• Map conserved land against socio-economic indicators to help inform efforts to bridge the two areas of work.

• Understand better and disseminate examples of how land trusts can help new farmers access land.

• Think about the concept of power and how it plays out in the areas of conservation and community health – including the relativity of power and the power of perception.

• Identify the capacities that conservation organizations should have for engaging with others if they are going to work effectively on issues around healthy communities.
• Explore the implications of climate change for healthy communities.
• Investigate more deeply the connections between land conservation and public health.
• Compile data on the savings in public expenditures that are likely to occur by bringing closer together programs for conservation, health and farming.
• Gather data on regions to which younger people are returning to better understand the key reasons they are doing so.
• Include more Hispanic constituencies/issues in data on land trends in the Southwest.
• Do a meta-analysis of the studies on the costs of providing services to new development projects.
• Analyze the “true” costs of unplanned development in rural, exurban areas.
• Research the generational transfer of wealth/land now underway and communicate the results to community foundations.
• Investigate partnering with tribal communities out West, where land exchanges, money from the Cobell settlement of tribal trust claims and energy issues will continue to be at the forefront of land use conversations.

“This meeting would not have happened ten years ago – it was inspiring to participate in it.”

– Danyelle O’Hara, Consultant
Appendix 2A: What Examples of Conservation Organizations Supporting Healthy Rural Economies Are We Seeing Around Oil and Natural Gas Development?

Michael Dowling  
Former Chair, Colorado Oil & Gas Conservation Commission; Current Chair, Land Trust Alliance

First, Some Things That Healthy Rural Economies Are Not

- Healthy rural economies are not overwhelmingly dependent upon exploitation of a single non-renewable resource that can reasonably be depleted within a period of a few decades.

- They are not highly vulnerable to pronounced boom-bust cycles in the exploitation of that resource.

- They are not afflicted with such negative environmental, social, and quality of life impacts in their communities as to discourage or drive out other existing and potential economic activity.

Now, Some Facts and Characteristic Features of Today’s Oil and Natural Gas Development in the Interior West

- **Sector Size:** Oil and natural gas development is a very big business and a hugely profitable one, but it typically dominates only in certain counties and regions of various states; rarely if ever is it the dominant industry in an entire state. (Note: this point is salient in the sense that there is potential for overall economic harm if externalities associated with oil and gas development lead to declines in other economic activity). For instance, oil and gas sector jobs represent only about 1% of jobs in Colorado (comparable to agriculture), versus 9% for health care, 9% for professional/scientific/technical, 6% for finance and insurance. (1) Oil and gas activity accounts for about 2.5% each of Colorado’s state GDP and of government tax revenues. (2) (3) In a couple of high production/low population states (e.g., Wyoming and North Dakota), these percentages are higher.

- **Taxation:** Given the enormous profitability of the oil and gas industry, it is taxed at a very high level throughout most of the world. The overall percentage tax and royalty burden on the industry in the United States, while substantial, is among the lowest anywhere. Among the major oil and gas producing states in the Interior West, effective state tax rates vary considerably. Colorado's effective tax rate is 4.4% compared to 10.1% in North Dakota, 10.5% in Montana, and 11.4% in Wyoming. On a typical modern shale oil well, Colorado will collect $700,000 less tax revenue than Wyoming. There is substantial evidence that state tax rates have little effect on overall production of oil and gas, so lower effective tax rates essentially leave money on the table. The states also vary greatly in the degree to which O&G tax revenues are shared with impacted communities versus going into state general funds or other statewide programs, and in the degree by which the timing of revenue collection lags behind the major development impacts. (4)
• **State Fiscal Policy:** Headwaters Economics has defined three characteristics of a sustainable state fiscal policy (e.g., the nature and total amount of taxes and fees) relative to oil and natural gas production: 1.) that the resource extraction pays its way through effective impact mitigation, 2.) that it supports economic diversification and resilience, and 3.) that it leaves a lasting legacy in the form of a permanent fund. Headwaters believes that there is currently no state fiscal regime that exhibits all three of these characteristics. (5)

• **Infrastructure Investment:** Modern oil and gas plays tend to be more broadly distributed across the landscape than the more conventional oil and gas reservoirs developed in the 20th century and tend to require much more intensive development (e.g., massive and repeated frack jobs to stimulate and maintain well production). This may produce a “treadmill” of development activity throughout the life of a play that creates the need for expensive improvements to road, water, and sewer systems and increases demand for public services such as police, fire, and emergency response, social services, and housing. (5) A single county in Colorado that is bracing for anticipated shale oil development has forecast a $78 million funding gap over 15 years between expected oil-related tax receipts and related necessary road infrastructure investments. (6)

• **Mineral Rights:** In many parts of the Interior West, ownership of mineral rights is severed from surface ownership (a “split” estate), and the mineral owner has a legal right to access the resource that trumps most objections of the surface owner. Colorado has even had to permit drilling on critical mule deer habitat within the boundaries of a state wildlife area because the mineral rights were not purchased when the state acquired the surface decades ago. Negotiation of “surface use agreements” has traditionally been a fraught exercise for surface owners who do not own the minerals because legal rights and power are unevenly distributed. Only recently has Colorado passed a law requiring minerals developers to make “reasonable accommodation” to surface owner requests.

• **Regulation:** There is also a growing conflict in some western states, Colorado among them, between a state regulatory entity that asserts near total control over oil and gas development and local communities that want the same planning and zoning control over oil and gas activities that they could exercise over the siting and conditions of a cement plant or other industrial facility.

• **External Costs:** All of the above factors contribute to a current situation in which there is occurring an extensive industrialization of natural and working landscapes in the Interior West with consequent loss of other environmental, natural resource, and community values and, frequently, an infliction of significant external costs and other economic burdens on various parties that far exceeds their economic enrichment (if any) from the mineral extraction.
Finally, What Are Some Conservation Organizations (Broadly Defined) Doing About It?

- **Policy & Advocacy:** The mission of the Colorado Oil and Gas Conservation Commission was modified by the state legislature several years ago to include the following italicized words – to foster the balanced and responsible development of Colorado’s oil and gas resources in a manner that protects the public health, safety, and welfare, including the environment and natural resources. The Commission subsequently passed new rules requiring significant (though imperfect and incomplete) environmental protections. It is currently undertaking a collaborative effort with community representatives to try to resolve state/local jurisdictional issues. None of the legislative and regulatory victories to-date would have been possible without extensive prodding, participation, and intervention by numerous nonprofit conservation and environmental organizations. Similarly, the effectiveness of implementation and enforcement of the new regulations is also heavily dependent upon the continued vigilance and involvement of these groups. (Note: this is an example of the importance of action at the government policy level, given the scale of potential impacts, and the indispensable role of environmental and community activism).

- **Legal Activism & Economic Analysis:** The Roan Plateau in Garfield County in western Colorado is a stunningly beautiful 55,000 acre plateau with outstanding wildlife resources and recreational value. The Colorado Natural Heritage Program has described the top of the Roan as one of the four most biologically rich areas in the state – and the other three are already part of the National Park System. A federal judge recently overturned a Bush-era leasing plan for natural gas development on the top of the plateau, stating that the BLM had not adequately considered cumulative impacts of developing the plateau. Earthjustice, which filed a suit to challenge the leasing plan on behalf of the Colorado Environmental Coalition, Colorado Mountain Club, Colorado Trout Unlimited, National Resources Defense Council, National Wildlife Federation, Sierra Club, The Wilderness Society, and other groups, argued that the BLM considered drilling impacts from only about 210 wells, while one of the lessees plans to drill as many as 3,200 wells on top of the plateau. The judge’s order requires BLM to take another look and to consider less impactful alternatives like drilling directionally from the perimeter of the plateau. Among the arguments against proceeding with the plan were that tourism supported 18 percent of all jobs in Garfield County and that big game hunting in particular is viewed as critical to the economy. BLM’s EIS estimated that drilling the Roan would result in an effective loss of 19 percent of the winter range on the plateau. (7) A newly formed coalition called Sportsmen for Responsible Energy Development (led by NWF, TU, and the TR Conservation Partnership) also weighed in on the matter and has recently issued a report titled “Conserving Lands and Prosperity: Seeking a Proper Balance Between Conservation and Development in the Rocky Mountain West,” which maintains that counties throughout the Rocky Mountain West with a higher percentage of public lands that are “managed for conservation and recreation” have higher levels of job and population growth, higher average per capita income, and higher median housing values than counties with higher percentages of lands “managed for commodity production.” The report states further
that “studies show that environmental amenities promote growth, indicating that scenic beauty and recreational opportunities attract new residents and business owners to the West. Natural amenities also support employment by attracting people with a variety of skills in such fields as science, technology, health care, the arts and entertainment.” (Note: this is an example of old-fashioned “sue the bastards” legal activism as well as the use of economic analysis to argue for balance between conservation and development).

• **Community Engagement & Political Activism:** The Thompson Divide covers 220,000 acres of National Forest lands within several western Colorado counties. There are currently 81 oil and gas leases in the area, much of which is roadless. A group of prominent ranchers and leading citizens has formed the Thompson Divide Coalition and is fighting to “save” the Divide, claiming that there is “an enormous local constituency that relies upon the existing values of recreation, ranching, hunting, and preservation of wildlife and wildlife habitat. Our local communities rely on clean water and air for sustainability.” The Coalition claims 2,000 supporters and county commissioner support from all adjacent counties. They have paid for and conducted a baseline water quality survey on the Divide to create a yardstick against which future water quality changes can be measured, but their real aim is to prevent drilling altogether. They have raised $2.5 million to buy out leases from the oil and gas operators (it helps that the area is adjacent to the wealthy towns of Aspen, Carbondale, and Basalt) and have encouraged a member of Colorado’s Congressional delegation to introduce legislation to prohibit future mineral leases on much of the Thompson Divide acreage and to permit “retirement, purchase, donation, voluntary exchange or other acquisition” of existing mineral rights. (8) (Note: this is another example of community engagement and activism and of the enlistment of government support).

• **Conservation Easements:** The Mesa Land Trust (MLT) in western Colorado has written conservation easements on a number of properties where there were real or potential energy development issues. In cases where there is a combined surface/mineral estate, they have precluded oil and gas development or, in one case, permitted a single well pad adjacent to important wildlife habitat after consultation with the Colorado Division of Wildlife. In cases of a split estate and existing mineral leases, they perform due diligence on the lease terms and surface restrictions before considering an easement. If they do write an easement, they retain the same rights as the surface owner to negotiate surface use agreements. MLT’s executive director says surface use negotiations with mineral owners can be tough; he is grateful for Colorado’s new “reasonable accommodation” standard. In one case where the subject land was critical winter wildlife habitat, MLT was able to win a “no surface occupancy” clause, as the minerals could be reasonably accessed from adjacent land that was less critical. In another case where an operator violated easement terms by building an unauthorized road, MLT “lawyered up” to win a settlement, establishing important precedent in easement defense. (9) (Note: these are examples of a high-performing land trust trying to make parcel-by-parcel accommodations between oil and gas development and conservation of other natural resource values).
• **Philanthropy:** The Gates Family Foundation in Colorado has a history of strong support for natural resource conservation. Their new strategic plan includes, among four priority areas:

  - Responsible stewardship of natural resources, especially land and water, which they will encourage through support of land conservation of priority landscapes (as defined by the Colorado Conservation Trust and the Colorado Conservation Partnership) and land trust capacity building (via grants to support the work of CCT, CCLT, and the Land Trust Alliance).

  - Improving the uncertain future of rural communities – this work is not yet fully laid out, but will likely include some capital facilities, work to improve urban/rural food links, economic diversification assistance, and community planning. In pursuing these strategic priorities, GFF plans to increase use of PRIs to up to 10% of the foundation’s assets. (10) (Note: this is an example of a thoughtful private foundation with conservation staff and sophisticated conservation grant making).

• **Local Economic Gains:** The Sustainable Water and Innovative Irrigation Management ("SWIIM") system is a software suite, instrumentation, and remote sensing package that may allow farmers, ranchers, and irrigation companies to document reductions in consumptive water use (through selective falling, alternative cropping, and stress irrigation) while maintaining historical return flows so as to free up a portion of historical consumptive use rights for lease or transfer. SWIIM System LLC is currently executing contracts with a frack water supplier to oil and gas companies in the Niobrara shale oil play in Colorado to deliver SWIIM-saved water at premium prices to provide a new revenue source to farmers and ranchers while maintaining significant agricultural production. (Note: this is an example of a for-profit entity attempting to direct a portion of the economic gain from oil and gas extraction to agricultural landowners in the affected communities; the author is an equity investor in SWIIM System LLC).

• **Landscape-Scale Planning:** The Nature Conservancy, in conjunction with numerous collaborating academic researchers, has developed an “Energy by Design” framework that demonstrates the utility of using a “mitigation hierarchy” (Avoid, Minimize, Restore, Offset) in combination with landscape-level planning to guide environmental and conservation planning and decision-making in oil and gas development. Prominent applications of the Energy by Design approach can be found at the Jonah and Pinedale Fields in Wyoming, where extensive industrialization and surface damage to large landscapes has been somewhat mitigated by tens of millions of dollars of impact fees for restoration and offsets on similar (and sometimes more critical) landscapes. (11) (Note: this is an example of the importance of addressing the massive, landscape-wide impacts of oil and gas development on a similar large scale).
Questions

- Energy development issues are so huge that conservation organizations may have to address them at every level, from federal and state legislative and regulatory policies down to local land use decisions and individual easement terms. How do we best use our limited resources?

- Are there opportunities for new partnerships in the energy arena?

- What can we learn from other areas, and what lessons from energy are applicable elsewhere?

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