



Wonder, ignorance, and resistance: Landowners and the stewardship of endangered species



Andrea Olive ^{a,*}, J.L. McCune ^{b,1}

^a Political Science and Geography, University of Toronto Mississauga, 3359 Mississauga Rd., Davis Building, Mississauga, ON L5L 1C6, Canada

^b Integrative Biology, University of Guelph, Science Complex, 50 Stone Rd. East, Guelph, ON N1G 2W1, Canada

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ABSTRACT

The vast majority of endangered species in North America rely on private lands for survival. The United States Endangered Species Act set the standard for regulation of land for species-at-risk habitat in 1973. In 2007 the Canadian province of Ontario adopted a similar law that can restrict land management practices. There is a growing body of international research on endangered species conservation and private lands, but there is still much we do not fully understand regarding landowners' knowledge, attitudes, and motivations to participate in conservation initiatives, particularly outside the United States. Based on in-depth interviews with twenty-one rural landowners in Southern Ontario, we show that landowners may be willing to engage in endangered species stewardship but are presently largely ignorant of endangered species and existing policy. Many landowners described personal experiences of wonder in nature, which motivates them to value nature and its conservation. However, they are resistant to outside regulation of how they manage their own property. From a policy perspective this speaks to the need for serious landowner outreach and collaboration to increase knowledge of endangered species, capitalize on existing willingness, and ensure compliance with endangered species law. More broadly our data suggest that opposition to land-use regulation still exists among rural landowners, but opposition to conservation of endangered species is not prevalent.

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1. Introduction

One of the most pressing issues for the conservation of endangered species is how to ensure their survival on private lands (Bean and Wilcove, 1997; Kamal et al., 2015; Knight, 2006; Langholz and Krug, 2005). In many countries areas of high biodiversity also have high human populations, with much of the land in private ownership. For example, in Canada both biodiversity and human population density are highest in the south, where most land is privately owned (Kerr and Cihlar, 2004). In the United States, approximately 80% of species listed under the Endangered Species Act have at least some of their habitat on private land (General Accounting Office, 1994). Other examples of this pattern can be found in Australia (Figgis, 2004), Finland (Tikka, 2003), Belgium (Serbruyns and

Luyssaert, 2006), and South Africa (Balmford, 2003). Indeed, across the globe it is apparent that governments and non-governmental organizations cannot purchase all the land required to support the recovery of all endangered species (Fairfax et al., 2005; George, 2002; Shaffer et al., 2002). Therefore, policies must consider how to encourage stewardship of endangered species on private land.

Empirical literature suggests that the attitudes and reception by landowners of stewardship programs may vary across the world as land tenure law, private property norms, stewardship norms, and biodiversity also varies. However, some trends in studies of Western democracies emerge. First, as argued by Cocklin and Doorman (1994), "landowners in Western societies hold quite tenaciously to the rights of dominion over their own land, a philosophical and social position that has been passed down over a long period of time" (pg. 265). Olive (2014) makes a similar claim in arguing that Americans and, to a lesser extent, Canadians tend to be "Lockean" in their approach to private property and place a high value on legal ownership that cannot be infringed upon by others (including government). The concept of private property rights in society –

* Corresponding author.

E-mail addresses: andrea.olive@utoronto.ca (A. Olive), jenny.mccune@glie.carleton.ca (J.L. McCune).

¹ Present address: Department of Biology, Carleton University, 209 Nesbitt Biology Building, 1125 Colonel By Drive, Ottawa, ON K1S 5B6.

legally and culturally – is critical to conservation studies because landowners can be wary of laws that impinge on private property rights. For example, Moon and Cocklin (2011) found that Australian respondents were “concerned about how their participation [in conservation programs] may impinge upon their right to use and manage their land in the future” (pg. 336). In Belgium, Serbruyns and Luyssaert (2006) also found that many private forest owners were concerned that participation in incentive programs would lead to loss of control of their land. While there is little Canadian literature on private property attitudes (Henderson et al., 2014; Olive, 2014), American case studies suggest that legislated endangered species protection on private lands is often considered a violation of private property rights (Brook et al., 2003; Conley et al., 2007; Raymond and Olive, 2008).

Second, there is some scholarly consensus that landowners often lack knowledge about endangered species, existing laws, and available programs. In one Australian case it was found that “landholders indicated a high need for expert advice, labor and other resource assistance to achieve their property management objectives. They had, however, a low-level of awareness and understanding of available programs (particularly incentive schemes) that could provide some of their needed support” (Meadows et al., 2014; pg. 618). Olive (2014) found that both urban and rural Canadians and Americans knew very little about species at risk and corresponding policy. Indeed, less than a third of 101 suburban American landowners were familiar with the Endangered Species Act – a federal law that was been in place since 1973. In cases of specific species, like the gopher tortoise (Underwood et al., 2012) and the Preble’s jumping mouse (Brook et al., 2003), landowners knowledge is very low, despite the fact that the species is dependent upon the private property owner’s land for survival. Related research has found that the public may know about some endangered species, but these species tend to be charismatic mega-fauna and/or high-profile species from other regions or countries (e.g. pandas or polar bears) (Hunter and Brehm, 2003; Janssen and Williamson, 1995; Kellert, 1984).

There is a robust literature focused on government communication and landowner willingness to participate in conservation initiatives. The relationship between government agents and landowners is significant (May and Woods, 2003; Olive, 2014) as well as the communication style implemented by government (May and Winter, 1993). For example, at a basic level Kaetzel et al. (2009) found a positive relationship between receiving information from government agencies and conservation aid program enrollment. More specifically, Petersen (1996) made the claim that rural landowners in Ontario “are tired of people telling them what to do” and encouraged the Ontario government to take a different approach. He said “treat them with respect and they will do the right thing” (1996, 12). Research into communication and policy compliance suggests that regulator style is deeply linked to citizen’s willingness to cooperate (May, 2004, 2005; Milburn et al., 2010; Olive, 2014).

Another theme to emerge in private lands conservation literature is the significant role that economics plays in conservation and land management decision-making. Often, landowner support for endangered species programs is determined by financial circumstance. For example, policies or programs that property owners consider “economically unfavorable, alienating the land from its owner or decreasing its market value, might not be readily accepted” (Kabii and Horwitz, 2006, p. 12). Compensation for the protection of habitat and endangered species thus becomes a key concern for many landowners. The degree to which financial compensation motivates unwilling landowners is heavily debated in the literature with no clear consensus (see, for example, Elmendorf, 2003; Olive, 2016; Parkhurst and Shogren, 2003).

Despite a growing body of international research on endangered species conservation and private lands, there is still much we do not fully understand. Recently, Kusmanoff et al. (2016) claimed “there has been mixed success in engaging rural landholders in conservation initiatives” (pg. 124) in Australia and around the world. We know property norms are important, but there is a lack of empirical research across geographical and social contexts (i.e. outside the United States). We know that landowners are often unaware of endangered species on their land, but it is not clear where or why there is a break-down in communication. And we know that incentives, especially financial ones, are an important piece of the private lands conservation puzzle. But it remains unclear to what extent landowners will voluntarily conserve species in light of their property norms, knowledge of species, and relationship to enforcement authorities.

1.1. The Ontario case

This paper examines a Canadian case study, but in order to understand the regulatory and conservation context, it is important to highlight the regulatory approach taken in the United States. The 1973 Endangered Species Act (US ESA) made the destruction of species listed under the act illegal on both public and private lands (see Easley et al., 2001). Right from the start, the US ESA has struggled to appease landowners who see the law as burdensome and heavily regulatory. Resentment and distrust of government regulation led to the formation of the “wise-use movement” by a group of landowners who opposed land-use restrictions and argued for use of land and natural resources that would include farming, ranching, hunting, and otherwise enjoying land without government restriction (McCarthy, 2002). Research into landowner attitudes about conservation on private land in the US has grown rapidly (e.g. Brook et al., 2003; Daley et al., 2004; Milburn et al., 2010; Olive, 2014; Raymond and Olive, 2008; Raymond and Schneider, 2014), and many incentive programs and other cooperative agreements have been launched to encourage landowners to participate in conservation while reducing confrontation between landowners and government (e.g. Easley et al., 2001; Elmendorf, 2003; Farrier, 1995; Langpap and Kerkvliet, 2012; Olive, 2014).

Given this history in the US, it is somewhat surprising that the Canadian province of Ontario enacted the Ontario ESA (ON ESA) in 2007 (Olive, 2014). This law is very similar to the contentious US ESA, except for the granting of exemptions to major industry in Ontario (see Ontario Nature, 2015; Reeves, 2013). The Canadian federal government lacks the power to legislate endangered species conservation on private lands because private lands are the jurisdiction of provinces. So far, Ontario is the only province to regulate endangered species conservation on private lands. Opposition to the Ontario ESA has not yet led to the formation of sustainable-use groups. However, there have been a few high-profile confrontations between landowners and government regarding endangered species (Cheskey, 2009; Jankowski, 2010; Richards, 2008). The Ontario Soil and Crop Improvement Association, which is a non-profit group aimed at “responsible economic management” of soil, water, air, and crops, has called for greater cooperation and more compensation from the provincial government (Ontario Soil and Crop Improvement Association, 2012). Despite these controversies, there has been little research into what landowners in Ontario actually know about the ON ESA and endangered species in general, and their attitudes towards the law and the species it aims to protect (but see Knight, 2006; Olive, 2011).

In this paper we use Southern Ontario as a case study for understanding landowner attitudes, knowledge and engagement when it comes to endangered species conservation. This is an important empirical case study for numerous reasons. First,

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