

# Land use determines interest in conservation easements among private landowners



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## ABSTRACT

Protection of private lands through conservation easements has garnered recent attention from scientists and conservation practitioners. Questions remain, however, about the specific characteristics and activities driving landowners' interest in conservation easements and their willingness to consider granting them. Resolving these questions could improve prospects for private land conservation by helping land conservation organizations identify and better understand potential easement grantors. We conducted a survey of 513 private landowners in a peri-urban fringe area in the Finger Lakes region of upstate New York, USA. Logistic regression analysis returned seven significant predictors of landowner willingness to consider granting conservation easements. Participation in environmental organizations, recreational land-use activities, wild food gathering, and land entitlement were the strongest factors promoting interest in conservation easements. Long-term residency, male gender, and hunting or fishing, on the other hand, significantly decreased the likelihood of considering conservation easements. The findings suggest that landowners most interested in to granting conservation easements are active land users. Notably, among all the land-use activities reported, the most frequent and the most important in predicting interest in conservation easements are those undertaken for recreational and subsistence, rather than economic, purposes. This suggests that while easements might be appropriate for working lands, their role in reconciling land use with conservation requires a flexible definition of work.

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## Introduction

Land conservation is booming globally (Zimmerer et al., 2004), and the nature of land conservation is changing in response to global changes in nature and society (Zimmerer, 2006). Conventional models based on excluding or restricting human activities on large tracts of land under governmental ownership and management have lately come under scrutiny on social (Brockington et al., 2008) as well as ecological grounds (DeFries et al., 2007). Conservationists are thus seeking alternative land protection models (Fairfax et al., 2005) that better reconcile ecological structure and function with productive land uses (DeFries et al., 2004). This reconciliation often takes place on working lands under private ownership (Elmendorf, 2003; Kittredge, 2005; Brunson and Huntsinger, 2008; Wallace et al., 2008).

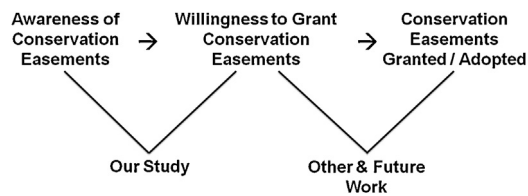
One promising approach to private land protection is conservation easements. These are legal property agreements that involve a private landowner granting development rights to a land conservation organization in order to protect mutually agreed-upon

conservation values in perpetuity (Byers and Ponte, 2005). The organization, or easement holder, is usually a land trust or other non-governmental organization (Byers and Ponte, 2005). The conservation easement movement has grown considerably in the United States (USA) in recent years, with the area currently held by state and local land trusts under conservation easements totaling 3.57 million hectares (ha), a four-fold increase since 2000 (Chang, 2011). For the Nature Conservancy, one of the country's largest land trusts, nearly three fourths of its annual land gains and half of its annual financial investments now take place through conservation easements (Fishburn et al., 2009).

Almost half of the easements held today by the Nature Conservancy are devoted to economic productivity of some kind in addition to protecting natural habitat features (Rissman et al., 2007). The Nature Conservancy is but one prominent example; in a 2010 survey of more than 950 land trusts across the USA, more than half reported working farms, ranches, and forests as among their top conservation priorities (Chang, 2011). These facts suggest that private land conservation is not necessarily a zero-sum game of tradeoffs between social and ecological values. Rather, easements offer opportunities for "win-win" outcomes that benefit landowners and conservation organizations alike (Robbins et al., 2010, Box 11.1).

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**Fig. 1.** Steps in the decision to grant land-use rights through conservation easements. Landowners must first be aware of easements as an available conservation option. Then they can consider, and eventually become willing to grant, an easement. Finally, they actually grant the easement to a land conservation organization, completing the decision process. This study concerns the first step, from awareness to willingness, focusing on stated preferences. Other studies consider revealed preferences, focusing on easement decisions already made.

Nevertheless, literature has emerged recently from multiple disciplines that brings critical attention to conservation easements, their underlying politics, their implementation, and their long-term prospects (e.g., Cheever, 1995; Merenlender et al., 2004; Morris, 2008; McLaughlin and Weeks, 2009; Gerber, 2012; Hodge and Adams, 2012). Here we do not debate the inherent merits or drawbacks of conservation easements as a land protection mechanism, but instead investigate how certain factors might lead landowners to view conservation easements favorably (Fig. 1). Specifically, we ask: what determines private landowners' interest in granting development rights on their property in the name of conservation? Resolving this question could advance conservationists' understanding of the value and viability of the conservation easement approach. More practically, resolving this question could help conservation organizations identify, communicate with, and ultimately understand the owners of prospective conservation easement lands.

## Research background, questions, and hypotheses

The literature on landowners' motivations vis-à-vis conservation easements has been reviewed elsewhere (Kabii and Horwitz, 2006). Numerous factors drive easement granting decisions, ranging from the nature of the land itself, to land-use economics and financial incentives, to landowners' perceptions of equity, ethics, and risk involved in the process (Kabii and Horwitz, 2006). The authors of this review suggest that positive motivations are likely to arise from some combination of direct and indirect factors.

Conceptual work such as this, which is geared toward characterizing what goes on in the minds of landowners regarding their land, can guide us toward an understanding and explanation of complex landowner motivations. A different, empirical approach focused on specific cases offers insight into the successful implementation of conservation easement programs on the ground. There has been significant recent progress in this type of research as well. For example, Cross et al. (2011) survey agricultural landowners in the western USA about demographic characteristics and attitudes toward land trusts and conservation easements, finding place identity, a conservation ethic, and economic dependence as distinct dimensions of landowner attitudes toward easements. Economic dependence has an inverse relationship with confidence in land trusts and conservation easements, whereas a conservation ethic and spiritual attachment have a direct relationship (Cross et al., 2011). An example from the central USA (Farmer et al., 2011a,b) demonstrates the importance of place attachment among landowners in this region as well. Other research, meanwhile, highlights place-based personal history, environmental ethics and values, and a strong desire to contribute to the public good (Farmer et al., 2011a). These are a few of the many studies that discuss the motivations that underlie the decisions of private landowners regarding conservation.

There is great value in identifying holistic underlying dimensions such as sense of place, conservation ethic, and belief in common versus private goods. However, what practical guidance would this type of knowledge offer to land conservation organizations as they reach out to potential easement grantors? How would a land trust identify something like place attachment among a group of landowners, and how could it use that information to promote conservation easement programs? Thinking practically, we saw an opportunity to redirect the focus from underlying motivational factors to specific facts about people and their land.

We hypothesized that property owners' willingness to consider voluntary land conservation through easements is predictable from their day-to-day land-use activities. Land-use activities of some kind or another are present (explicitly or implicitly) in most studies of landowner motivations, but they are usually generalized. Rarely does a study examine specific land-use activities as potential predictors of conservation easement interest. One potential benefit of our approach is the fact that daily land-use practices are relatively easily observed, described, interpreted, and understood – by landowners themselves as well as by expert researchers and conservationists. Insights from a focus on land-use activities are potentially useful for land conservation organizations, whose work with private landowners relies heavily on rapport, mutual understanding, and trust.

Our research thus considered a comprehensive set of specific land-use activities, and it sought to identify the role of these activities in determining landowners' willingness to consider conservation easements for their property. In addition, we asked: what are the relative roles of land-use activities aimed at economic production, subsistence, and recreation? We hypothesized significant relationships between what landowners do on their land day-to-day and their interest in conservation easements for the future.

## Methods

### Research site

This study took place in central upstate New York (USA) at the southern edge of the Finger Lakes region. It focused on a population of landowners in three adjacent towns occupying the southern portion of Tompkins County. The study area is the heart of the so-called “Emerald Necklace,” a 20,000-ha crescent-shaped belt of protected open spaces connected by the Finger Lakes Trail footpath (Fig. 2). The Emerald Necklace region has been designated a top conservation priority by the New York State Department of Environmental Conservation. According to its Open Space Plan, “by consolidating existing state holdings while also ensuring linkages between these sites, there is the potential to create a world class ecological, recreational and educational resource” (NYSDEC, 2009, p. 104). Private lands are critically important to the Emerald Necklace initiative because they are interspersed with state-owned lands and thus can provide large, landscape-scale connectivity (Whitmore and Manning, 2011).

The Emerald Necklace region occurs along the southern portion of the three-town study area. Here forest cover predominates and agricultural activity and residential development are relatively sparse (Tompkins County Planning Department, 2007). By contrast, in the portion of the study area closer to the City of Ithaca, the predominant land covers are house lots, agricultural fields, pastures, and successional meadows. This urban-to-rural land-use/land-cover gradient originates in Ithaca and radiates outward in all directions across the study area (Tompkins County Planning Department, 2007). The location of the study area 5–10 km south of the city exposes it to peri-urban development pressures that challenge local and regional planners (Tompkins County Planning

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