

# A National Conversation on Performance Assurance Approaches for Land Trusts in Canada

February 26-27, 2020

Ottawa, ON

## Overview

The Centre for Land Conservation (CLC), with generous support from Environment and Climate Change Canada (ECCC), hosted a national conversation to explore ways in which implementation of the Canadian Land Trust Standards and Practices (S&Ps) can best be demonstrated and considerations for the design of an approach that independently provides performance assurance of such implementation efforts.

The objectives of the two-day workshop were to:

- Explore the interests and perspectives of the land trust community and others in advancing the development of an approach that can support independent performance assurance for land trusts in Canada
- Shape guiding principles to shepherd the development and implementation of such an approach
- Examine a range of possible models for an independent Canadian performance assurance program for Canadian land trusts and discuss implementation considerations for such an approach, in support for a stable and self-sustaining program
- Capture the range of perspectives from workshop participants, in support of further engagement with the broader community following the workshop

## Workshop Planning and Attendees

In the summer and fall of 2019, the CLC reached out to various members of the land trust community in Canada to introduce the CLC and its mission. CLC staff engaged as broadly as possible with the three provincial alliances and land trusts from each province to gauge interest and a better understanding of the different perspectives of a performance assurance program for land trusts.

In November 2019, the CLC circulated a Call for Nominations for an Advisory Committee to provide advice and recommendations on the design and structure of a performance assurance program in Canada and on the consultation and engagement process for the development of such a program. The Advisory Committee is made up of 20 individuals from BC, AB, ON, QC, NB, the provincial alliances (QC, ON, BC), a national land trust, the Canadian Wildlife Service (CWS, ECCC), the Land Trust Alliance of the U.S. and three CLC Board of Directors.

In December 2019, the CLC widely circulated a Hold-the-Date for the workshop in February 2020 inviting any interested organization to fill out a survey expressing an interest in attending. The Hold-the-Date was circulated to a broad e-mail distribution list of land trusts, conservation groups and Ecological Gift Program recipients. We received 37 responses from 33 organizations from across Canada.

In early January 2020, the CLC’s Advisory Committee had its first conference call and walked through a draft agenda for the national workshop in February and discussed the potential participants to ensure a wide-range and representative group of people would be in attendance.

Invitations to the workshop were sent to all organizations who expressed an interest through the survey in December as well as a handful of additional organizations who had expressed an interest through direct contact. To maintain balanced representation and regional parity, only one individual from each organization was invited to attend. In addition to conservation-based organizations, the CLC also invited sector and government representations (federal and provincial) as well as foundations.

The workshop was attended by land trusts from across Canada (ranging from national to small, volunteer-based land trusts), funders and other conservation stakeholders. Additionally, the CLC Board of Directors and staff and representatives from ECCC were also in attendance.

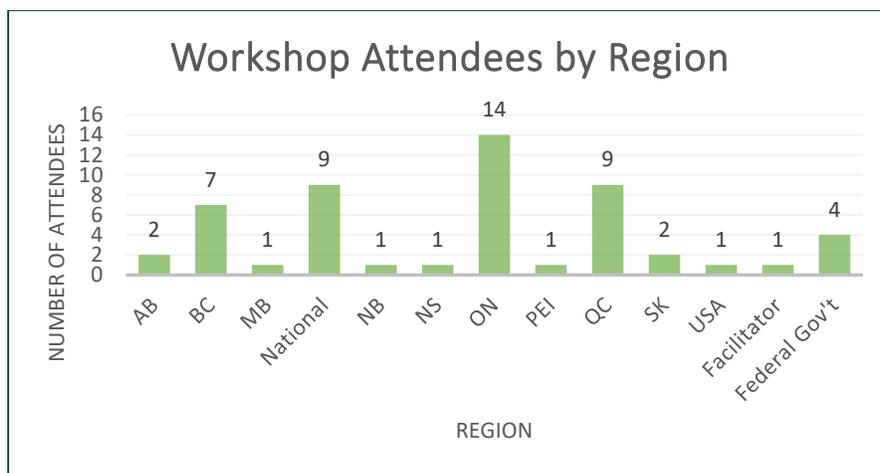


Figure 1: Representation of workshop attendees by region<sup>1</sup>

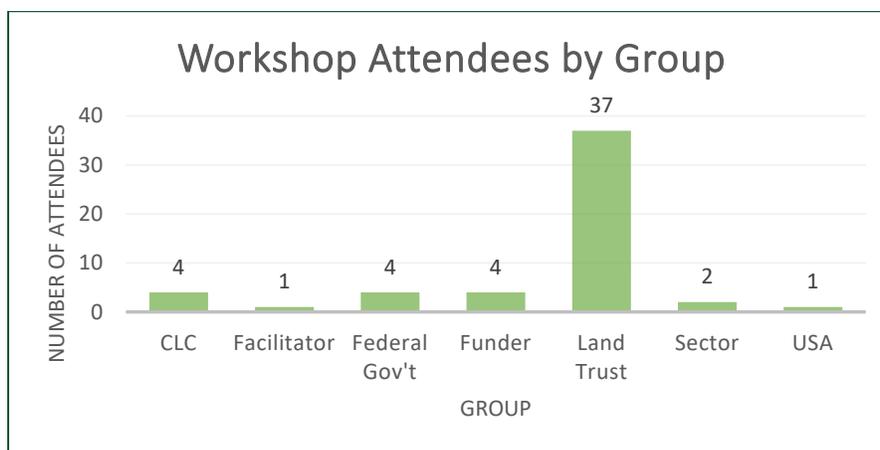


Figure 2: Representation of workshop attendees by category or group

<sup>1</sup> Attendees grouped as ‘national’ refer to national-level land trusts, funders and private-sector groups who are not regionally focused and CLC staff and Board members.

## Day 1

### Setting the Broad Context

The first day of the workshop began with speakers of different stakeholders from the community. Niall O’Dea, Environment and Climate Change Canada (ECCC), reconfirmed ECCC’s commitment to investing in nature and land trusts and noted the importance of measuring performance assurance to maintain the confidence of funders, including ECCC, in land trusts. Eliza Mitchell, The W. Garfield Weston Foundation, introduced the Foundation and its conservation goal to significantly restore and protect biodiversity in Canada highlighting the value of metrics and measurements to support the work of land trusts. Susan Walmer, Oak Ridges Moraine Land Trust, expressed the need for financial resilience, endowments, legal defense funds and other tools recognizing the cost and time associated with performance assurance as a major challenge for the community. Sylvia Bates, Land Trust Alliance of the U.S. (LTA), described the history the accreditation program in the U.S. and the value and breadth of the program today. The workshop participants engaged with the speakers about how the Standards and Practices provide public confidence in the land trust community and other means of accountability.

### Understanding the Land Trust Community’s Context - An Environmental Scan

The morning of the first day was a series of small-group discussions to set the context and share perspectives, commonalities and distinctions from across the country. Participants first discussed the external landscape of shifts and changes in their environment identifying climate change, Indigenous reconciliation, public and private expectations to demonstrate effective implementation of the Standards and Practices, insurance risk management, the speed of communication (for successes and failures) with the public and other external shifts. Participants then discussed emerging trends for the sector including nature-based solutions, public awareness of and interest in environmental issues, embracing tourism and interest from other sectors in green initiatives and other potential opportunities. Finally, the participants identified common threats to the community including population growth, limited funding for organizational capacity, diversity within the community and Canadian society, increased liabilities and other challenges (see Table 1 for a more fulsome list of shifts, opportunities and threats to the community). The importance of a ‘landscape approach’ was recognized as a means to more easily communicate outcomes, build a better and more fiscally responsible business case, include Indigenous perspectives and the link between the issues the community faces and the Standards and Practices.

| External Landscape   | Opportunities/Emerging Trends   | Challenges/Threats   |
|--|---|--|
| <ul style="list-style-type: none"> <li>● Public focus on climate change</li> <li>● Government commitment to achieving Target 1 -Recognition and reconciliation with Indigenous peoples</li> <li>● Escalating land prices and property tax implications</li> <li>● Public/private expectations to demonstrate effective implementation of S&amp;Ps</li> <li>● Transfer of conservation agreements to second-generation of land ownership</li> <li>● Speed of communicating successes and failures of land trusts to the public</li> <li>● Insurance risk management</li> <li>● Restrictive funding</li> <li>● Loss of community at a local scale</li> <li>● Continuing loss of habitat</li> <li>● Public and government more aware of value of private land conservation</li> <li>● Mission creep for small land trusts due to financial demands</li> </ul> | <ul style="list-style-type: none"> <li>● Selling carbon offsets</li> <li>● Transfer of wealth for landowners</li> <li>● Nature-based solutions</li> <li>● Tourism and other sector interest in green initiatives</li> <li>● Public and government awareness of environmental issues</li> <li>● Reconciliation and working with Indigenous communities</li> <li>● Selling what land trusts do as a key climate change solution</li> <li>● Indigenous Protected and Conserved Areas and partnerships with Indigenous communities</li> </ul> | <ul style="list-style-type: none"> <li>● Rapid development and growth in Canada</li> <li>● Race to Target 1 (quantity &gt; quality of land)</li> <li>● Limited funding for organizational capacity</li> <li>● Communicating the connection between local and global issues</li> <li>● Maintaining and increasing philanthropic investment within a highly competitive charity environment</li> <li>● Need to demonstrate and maintain public confidence in the land trust sector</li> <li>● Forthcoming economic recession</li> <li>● Diversifying perspectives in the community</li> <li>● Increased liabilities (as more acres are protected and ownership changes)</li> </ul> |

Table 1: Understanding the community's context

## Understanding the Perspectives on the Relevance of Demonstrating Performance

The afternoon of the first day began with a plenary discussion of the value of exploring a potential performance assurance program. Some participants expressed caution and highlighted risk mitigation and capacity building as a better starting point for the community as well as exploring resources that already exist such as the Assessing-Your-Organization tool or the online self-assessment tool. The Workshop Agenda was adjusted to provide for a discussion of the risks and how to mitigate risks with a view to better understanding whether and how the Standards and Practices might be a useful tool or framework to address the risks and challenges (see Table 2 for a list of the risks identified during this discussion). The overall Agenda was maintained as people expressed an interest in exploring performance assurance measures as identified in the workshop's agenda and materials.

| Risk Management Concerns  |
|---|
| <ul style="list-style-type: none"><li>• Lack of capacity</li><li>• Lack of a national voice for land trusts and national coordination</li><li>• Long-term liabilities (legal defense and stewardship) associated with holding land in perpetuity</li><li>• Insurance and cost, complexity</li><li>• Governance issues (Board training, up-to-date policies)</li><li>• Succession planning</li><li>• Property tax policies</li></ul> |

Table 2: Risk management concerns

## Guiding Principles

Building on the risk management discussion, the participants identified general principles of a performance assurance program (see Table 3 for a summary of the program principles). Participants highlighted that a program should be viable and affordable with funding and clear incentives, be flexible to pivot in a changing landscape and be driven by the land trust community.

| Summary of Program Principles  |
|--|
| <ul style="list-style-type: none"><li>• Scalable, starts with an objective assessment of the organization</li><li>• Evolutionary process, able to adapt to changing environments</li><li>• Include mentoring and capacity building assistance</li><li>• Affordable, viable, accessible</li></ul> |

Table 3: Program principles

## Day 2

### Insights of Establishing and Implementing a Program

The second day of the workshop included a panel discussion of stakeholders with practical knowledge of implementing performance assurance programs or measurements. Sylvia Bates, Land Trust Alliance (LTA) of the U.S., joined again to describe the role of the LTA, the US accreditation program's eligibility requirements and process as well as lessons learned. Darren Sleep, the Sustainable Forestry Initiative (SFI), introduced SFI and the Forestry Management Standard identifying key successes of the program. Bob McLean, Centre for Land Conservation, provided overviews of the pre-read material on design and implementation considerations for a performance assurance program in Canada. Later, Alison Howson, Ontario Land Trust Alliance, provided a brief history of the Assessing-Your-Organization tool and Susan Walmer, Oak Ridges Moraine Land Trust, described the process from a land trust perspective.

## Moving Forward and Next Steps

In small groups, participants identified key elements of a performance assurance program. Some groups developed more fulsome views while others identified general elements to include and exclude. One group highlighted that recommendations based on the workshop's discussions do not represent all land trusts and are only illustrative of those in the room. Ultimately, many overlapping key elements were identified by the individual groups (see Table 4 for the list of common key elements).

| Key Elements of a Potential Performance Assurance Model   |
|---|
| <ul style="list-style-type: none"><li>• Be voluntary (not mandatory for land trusts to undergo the system)</li><li>• Be accessible, equitable access to the program</li><li>• Be scalable across regional regulations and geographic locations</li><li>• Not be a tiered system (ie. Avoid Gold/Silver/Bronze or similar types of branding)</li><li>• Help land trusts demonstrate performance, creating opportunities to increase public and funder confidence and get more funding from a competitive charity world</li><li>• Help land trusts identify strengths and weaknesses to further build their capacity, skills and capabilities</li><li>• Have long-term, diversified funding assurance</li><li>• Include training and mentoring in support of demonstrating performance</li><li>• Be inclusive and achievable for land trusts of all sizes and statuses (adaptable and no-harm)</li><li>• Build on and enhance existing systems (ie. Assessing Your Organization (AYO))</li><li>• Be cost-effective and efficient for land trusts</li><li>• Have a risk-based system (triage system)</li><li>• Be outcomes-based</li><li>• Incorporate connections to industry (ie. Insurance)</li><li>• Be by land trusts, for land trusts (bottom-up approach)</li></ul> |

Table 4: Common key elements identified for a performance assurance program

## Outcomes

The workshop was an important step for the land trust community to discuss best practices, new ideas and needs around what a program for performance assurance may look like and how it can play a role in advancing shared conservation outcomes.

Participants expressed appreciation of and for the opportunity, engaged energetically and left the gathering with a collective sense of optimism and enthusiasm.

## Next Steps

Participants developed a range of next steps for the community – both regarding advancing a dialogue on performance assurance model development as well as measures to support the land trust community more broadly going forward.

The next steps identified at the workshop are listed below and actions the CLC will lead have been identified:

| <i>Action</i>  | <i>Lead</i>   | <i>Support</i>         |
|--|---------------|------------------------|
| Plan and deliver a national conference   | Tbd           | CLC                    |
| Plan on how to engage the broader community  | CLC           | Bird Protection Quebec |
| Include additional perspectives on the CLC Board of Directors                          | CLC           |                        |
| Distribute a note and report to the land trust community on outcomes from the workshop | CLC           |                        |
| Explore existing programs  | Alliances/CLC |                        |
| Work with existing alliances to help land trusts adopt the S&Ps                        | Alliances/CLC |                        |
| Develop incentives for land trusts to build resilience, match programs                 | CLC           |                        |
| Explore insurance and legal defense models   | OLTA          | CLC                    |
| Explore property liability insurance   | OLTA          | CLC                    |
| Take stock of the current status of the community                                      | CLC           |                        |

*Table 5: Next step actions for the community*

## Feedback Post-Workshop

On March 20, 2020, the CLC broadly circulated a high-level summary of the national workshop discussion to the land trust community. The contents of the summary have been integrated in this report.

Additionally, the CLC circulated an anonymous survey to the participants of the workshop to improve future workshops and hear any final thoughts. We received 15 responses<sup>2</sup> which is 28% of the 53 attendees.

The results of the survey reflected the feedback heard at the event. Most of the survey respondents were overall satisfied or very satisfied with the workshop, two were dissatisfied and one was neutral. Some respondents described the value of meeting in-person with others in the community to network

<sup>2</sup> Neither CLC staff nor the CLC Board of Directors participated in the post-workshop survey.

and learn from one another. Some respondents hoped for a broader representative of land trusts and perspectives to be more inclusive and to hear from more perspectives.

When asked about a performance assurance program, survey responses were mixed on whether the program is necessary or not and whether the program should be voluntary or not. Some respondents were very open to a performance assurance program and see value in demonstrating land trusts meet the Standards and Practices. The survey respondents were interested in exploring existing tools, establishing resources for smaller land trusts and being conscious of program costs. Going forward, survey responses indicate continued communication and engagement with the broad land trust community about the program development process.

## Conclusion

The opinions expressed at the workshop were varied and wide-ranging but there were also many commonalities and intersecting ideas. While there continues to be apprehensions about a performance assurance program for land trusts in Canada, there is also interest from the community and others in further exploring a program and in developing capacity building resources. Any program that emerges from these discussions will be developed through extensive consultations to best meet the needs and interests of the land trust community and other stakeholders, a testing phase to pilot the program and revision processes to ensure the final program is accessible and meaningful. The CLC will continue to engage and consult widely with the land trust community to include more perspectives and ideas in the conversation and through the guidance of the Advisory Committee.