

Forever Protected?

The Potential for Sector-wide Approaches to
Stewardship and Legal Defence of
Private Conservation Lands

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Objectives for the Webinar

- Brief overview of the findings of the report
 - Many details are in the report and we encourage people to review it if you've not had the chance
- Additional funding is being provided for the feasibility studies proposed in the report
- Success will only be achieved through collaboration and input from private land conservation organizations and others
- We are seeking suggestions and recommendations on both the best process to follow and people who wish to support progress in addressing these two long-standing challenges



About the Centre for Land Conservation

- Support private land conservation through research and policy for strong and leading-edge practices
- Independent voice to enhance public trust and confidence in private land conservation in Canada
- Custodian of the Canadian Land Trust Standards and Practices

Stewardship endowment and legal defence

- CLC hosted “A National Conversation on Performance Assurance Approaches for Land Trusts in Canada” in February 2020
- Participants identified stewardship endowment and legal defence as top issues private land conservation organizations need to focus on.
- Federal interest in and funding for further work on these priorities
- Advice and input from 44 individuals, including 24 private land conservation organizations, an Indigenous organization, federal departments, and Terrafirma during February and March 2022



Stewardship Findings

- Organizations are managing effectively through a variety of strategies to meet core stewardship needs
- Conversely, none feel that all stewardship needs are met
 - Greatest concern is for additional activities that would enhance biodiversity values
- Many have established endowment or reserve funds
- There is a common need to grow these funds
- Organizations are primed to benefit from increased investment
- Among options, the Canada Cultural Investment Fund is worth exploring



Legal Defence Findings

- Primary concerns relate to conservation agreements but issues with owned lands as well
- An underlying concern that organizations are vulnerable even if a legal issue has not arisen for them
 - Residual concerns even if an internally restricted fund for legal defence is maintained
- Need for knowledgeable legal professionals
- Strong preference for collaborative approach on legal matters, including a shared legal defence fund / collective insurance initiative
- The Terrafirma program in the US provides an interesting model



Common Challenge

- Raising funds for either stewardship or legal defence is a general challenge as most donors prefer to fund activities rather than give to an endowment or restricted fund
- Many funding programs for private land conservation do not treat investment in endowments or restricted funds as eligible expenses
- Some organizations have strategies to grow these funds but additional funding is needed

Recommendation on Stewardship

- Undertake a more in-depth feasibility study that examines how best to increase financial support for stewardship and the ongoing operations of private land conservation organizations including:
 - How a program similar to the Canada Cultural Investment Fund could be modeled and adapted to support capacity building for the private land conservation community
 - The utility of a stewardship endowment initiative to other organizations such as Indigenous communities working to establish Indigenous Protected and Conserved Areas



Recommendation on Legal Defence

- Undertake a more in-depth feasibility study to assess the level of legal risks of private land conservation organizations, and of effective and efficient ways to provide legal protection for the fee simple lands and conservation agreements they hold, including examination of:
 - If and what model of an insurance reciprocal program could meet their needs
 - How an initiative similar to the Terrafirma program could support the private land conservation community in Canada



Objectives and Next Steps

- The goal to complete feasibility studies of sufficient detail to enable initiatives for enhanced stewardship funding and next steps for a shared approach to legal defence
- Looking at both models raises many questions for further research and discussion, and identifies the need for additional data
- Wish to put in place a collaborative process with land trusts and others to move forward on key questions and issues to be discussed – coordinate virtual meetings to enable discussion
- Looking for people who wish to contribute to addressing these long-standing challenges for private land conservation organizations
- Please follow up with an email to info@centreforlandconservation.org



Thank you!

To the organizations who gave their time

Grateful for the funding received from CWS-ECCC

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