

LIVING LANDS

Helping Land Trusts Conserve Biodiversity



NEWSLETTER

SUMMER 2008

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Touch-Me-Not Mountain Preserve

Photo courtesy of Taos Land Trust

CONSERVING TOUCH-ME-NOT MOUNTAIN PRESERVE

An update from a 2007 Living Lands Biodiversity Grant Recipient

By Ernie Atencio

When Taos Land Trust was contacted in 2006 about a conservation easement on beautiful mountain land near the village of Eagle Nest, New Mexico, the staff knew right away that this would be one of their most important projects. Sharing a five-mile border with the 33,000-acre Colin Neblett State Wildlife Refuge, and with exceptional wildlife habitat and dramatic northern New Mexico views of its own, there was no question of the importance of protecting this property. Its location in the middle of an area quickly being carved up with vacation homes, next door to Eagle Nest Reservoir and just a few miles from a popular ski resort, underscored the value of this conservation opportunity.

A 12,000-foot mountain that looms dramatically just above the property inspired

the name of the wildlife preserve the landowners envisioned—the Touch-Me-Not Mountain Preserve—which is now the trust's largest project dedicated exclusively to wildlife habitat. The land is relatively pristine and wild—over 1,800 acres near the top of a watershed—with diverse habitat ranging in elevation from about 8,200 feet to 9,200 feet.

A comprehensive wildlife survey is currently underway, but the property is known to support a healthy large-mammal population, including great herds of elk grazing the open montane grassland, deer, mountain lions and black bear. Numerous smaller mammals, raptors, songbirds and possibly several listed and at-risk species are also found.

(continued on page 2)

Like all of northern New Mexico, the landscape here has a deep cultural history, along with its natural history. It was once part of the extended hunting territory of the Taos Pueblo Tribe and probably used by other Southern Plains tribes. In 1841 it became part of a 1.7-million-acre land grant under the Mexican government, where local Indo-Hispano settlers would graze livestock, hunt, fish and gather wood. One of the few land grants that survived after this territory was annexed by the U.S., most of it has remained in private ownership ever since.

With the potential scale of the project, the neighboring state wildlife refuge and a slew of conservation plans for the region, it seemed a perfect place to put into practice some landscape-scale habitat protection and management concepts.

With the help of a Living Lands grant from Defenders of Wildlife, the Taos Land Trust is developing a habitat and wildlife conservation plan, an annual monitoring plan, and clear biodiversity and habitat protection language in its conservation easement that will refer specifically to the conservation plan.

The landowners have been engaged and enthusiastic about wildlife conservation on their property for some time. Before Taos Land Trust even got involved, these landowners had already started progressive habitat management activities —thinning overgrown stands of small-diameter timber and developing solar-powered wells to create water sources on the property so wildlife would not have to cross a highway to get to the reservoir. With a portion of the Living Lands grant, the trust is happily contributing cost-share directly toward these on-the-ground habitat enhancement projects.

Although these accomplishments are worth celebrating, it is the rare conservation project that goes through without any hitches. Due to the ever changing real estate market,



View of the Preserve

Photo courtesy of Taos Land Trust

some of the most exciting long term goals for the area have recently become uncertain.

“Initially, the landowners had planned to protect most of the 1,800 acres with easements. They started with the best and wildest 554 acres of habitat, completed in 2006, and hoped to add more over time,” said Ernie Atencio, executive director of Taos Land Trust, “but with a fickle real estate market, the landowners have unfortunately had to put the property up for sale.” There is a good chance the buyers will be similarly interested in permanently protecting the property, but for now, nothing beyond the 554 acres is certain.

Nevertheless, 554 acres of pristine wildlife habitat embedded in such a wildlife-rich landscape are nothing to sneeze at. So, until more is certain on the real estate front, the land trust is focusing its attention on improving and stewarding the existing easement to ensure that the wildlife value is retained in perpetuity. The area has now become one of the trust’s primary field-trip destinations for showcasing the dazzling result of habitat conservation and good stewardship to funders and supporters.

To be true stewards of the land is one of the fundamental goals of the Taos Land Trust. “When I started working for a land trust five years ago and learned that the annual monitoring of conservation easements was called ‘stewardship,’ I thought, ‘that’s not stewardship, that’s policing,’” says Atencio. “I always felt that by using that word we were taking credit for more than we actually did. So I’m very happy to be building our capacity to do more genuine stewardship.”

Through this project the trust is not only ensuring that the land will stay open and undeveloped forever, but also that biodiversity and habitat will thrive in the long term.

Ernie Atencio is the executive director of the Taos Land Trust in New Mexico. For more information, please visit <http://taoslandtrust.org>



Photo courtesy of Taos Land Trust

Atencio (far right) and the landowners overlooking the Preserve

TRANSPORTATION ENHANCEMENT FUNDING— A GOLD MINE FOR LAND TRUSTS?

The Transportation Enhancements (TE) program could be the biggest source of land protection funding that you never knew about. Created by Congress in 1991 as part of the Intermodal Surface Transportation Equity Act (ISTEA), the TE program funds activities that serve to enhance the overall transportation experience—for drivers and pedestrians.

Over 23,000 projects have been funded to date, largely focused on infrastructure projects such as welcome centers, bike trails, removal of outdoor advertising and highway beautification.

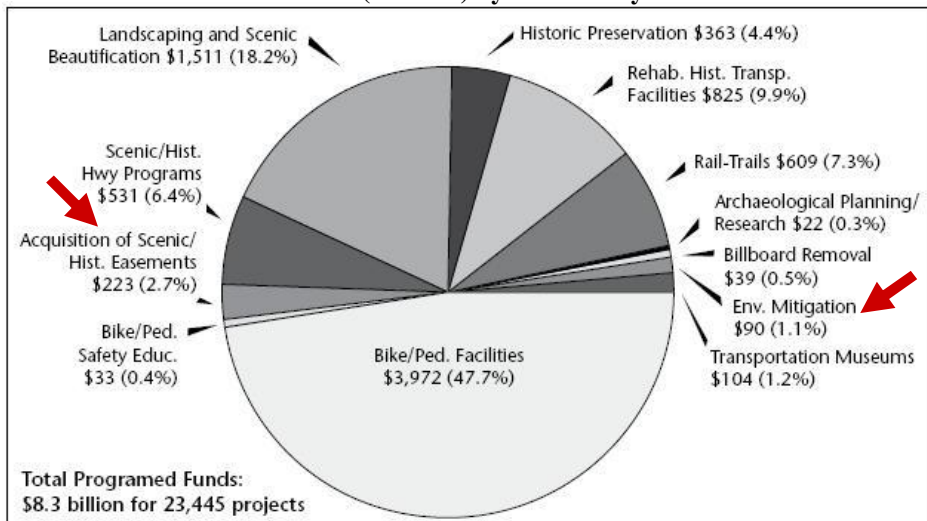
But TE funding can also cover habitat conservation projects such as acquiring scenic or historic easements, constructing wildlife crossings, developing habitat connectivity plans and conducting environmental mitigation to address water pollution.

If that's news to you, you're not alone. In fact, although non-profit conservation groups, like land trusts, are eligible to apply for TE funding in most states, few wildlife conservation projects are actually funded. Why? Quite simply, we aren't asking for it—if *we don't apply, we won't get funded.*

So where's the money going?

Over \$734 million has been available each year for TE projects since 1998. Funds are to be distributed across twelve categories of Transportation Enhancement Activities (see figure). If funding were allocated proportionally across activities, \$61 million would be available for each. Since conservation activities occupy two of these categories, we could have **\$122 million for conservation each year!**

Distribution of Federal Funds (millions) by TE Activity: FY1992—2007



Unfortunately, because so few applications are received for conservation projects, the conservation share is instead directed elsewhere. In fact, just 2.8 percent of the \$8.3 billion distributed to TE projects between 1992 and 2007 was dedicated to conservation activities. This translates to more than **\$1.1 billion in missed opportunities** for land conservation!

Land Trusts as Recipients

To date, few local land trusts have taken advantage of TE funding opportunities but there is a tremendous opportunity to do so. Awards can range from a few thousand dollars to many millions of dollars. One shining success story is the purchase of a \$23 million easement now protecting a large portion of the 82,000 acre Hearst Ranch in California.

How does TE funding work?

Each state is required to set aside 10 percent of their surface transportation funds for TE projects. Beyond this, the details of the program are left to the states. Generally, projects are approved through a proposal review process, the timing of which varies by state. You can check with your state's TE Coordinator at www.enhancements.org to determine where you are in the funding cycle.

Generally, a government agency (municipal, county, state or federal) is involved, either as the official applicant or as a project sponsor (guaranteeing the matching funds). Non-profits such as land trusts can participate as official applicants or as project partners, depending on the state. Visit the TE website www.enhancements.org, to learn about the process in your state.

If your project is approved, **you will receive federal reimbursement for 80 percent of the project costs.** The remaining 20 percent match must be non-federal and can include cash or in-kind donations such as donated property, materials or services.

For an easy-to-use guide on navigating the TE funding process complete with tips for success, wildlife case studies and a sample application, read Defenders new publication: *The \$61 Million Question: How can Transportation Enhancements Benefit Wildlife?* www.defenders.org/61millionquestion

TRANSPORTATION ENHANCEMENT FUNDING— A GOLD MINE FOR LAND TRUSTS?

Continued

Keys to Success

There are a number of ways that you can help push your application to the top of the stack. Successful projects are likely to satisfy one or more of the following criteria:

- Demonstrate significant partnerships and community support and include support letters from a diversity of stakeholders (e.g.: local and national conservation groups, community groups, scientists and other respected professionals).
- Show consistency with a recognized local, state or regional conservation plan.
- Demonstrate that more than one TE Activity category is satisfied.
- Provide more than the required 20 percent matching funds.
- Have hard data, not anecdotal evidence, to demonstrate the need for funding.

Although the application process may not be short and sweet, the investment is worth the reward.

For more information, consider attending our free call-in opportunity with our TE expert (see box at right). Or, contact Trisha White at trisha.white@defenders.org.

Project Assistance Opportunity

If you have a project idea or would like to explore TE funding as an option, Defenders can help. The Living Lands Project is now offering our support for **up to five outstanding TE projects** proposed by land trusts and their partners. Simply fill out the short application form at www.defenders.org/livinglands/transportation and send it in by October 15, 2008. If your project is chosen, we will:

- help you navigate the application process
- provide advice on proposal development
- help you form partnerships and connections
- provide support letters for your project
- provide general guidance on all project elements

Call-in to Learn More

Defenders will be hosting a Transportation Enhancement informational call-in for land trusts interested in learning more about TE funding. All are welcome whether you are considering a project or simply want to learn more. We will host the call on:

September 29, 2008 at 3:00 PM EST

Don't miss this opportunity to learn from our experts and tap them for the answers to your questions. If you are interested, please RSVP to Alli Srinivas at alli.srinivas@defenders.org and we will send you the call in information.

LIVING LANDS RECEIVES GRANT TO SUPPORT LAND TRUSTS

The Living Lands Project was recently awarded a \$90,000 grant from the National Fish and Wildlife Foundation (NFWF) to work with land trusts in the Chesapeake Bay watershed to strategically protect and restore important areas for wildlife and water quality.

The Chesapeake Bay is the largest estuary in the United States, covering more than 64,000 square miles across six states. The bay and its watershed

support some of the most biologically diverse forests in the country in addition to nationally renowned coastal, wetland and marine habitats recognized as some of the most productive in North America.

Unfortunately, despite decades of concerted efforts by partners throughout the watershed, the quality of the bay continues to decline as ballooning population growth and poor land-use practices outstrip conservation investments.



Wetlands at Blackwater NWR

Photo by Noah Kahn

Continued

Land trusts, perhaps more than any other entity, are positioned to accelerate strategic protection and restoration of the watershed. To date, more than 1.6 million acres have already been protected in the bay watershed by land trusts who accomplish much with few resources.

The NFWF funding will allow Defenders to provide assistance for at least two land trusts to help accelerate Bay protection and restoration. Funds will cover the development of a biodiversity and strategic planning and financing workshop for selected land trusts. The workshop will cover the full spectrum of topics relevant to land and habitat conservation including strategic conservation planning for wildlife, climate change, habitat restoration

and conservation finance, among others.

Participating land trusts and relevant partners and stakeholders will work with conservation planning and GIS experts from Defenders and other groups to develop an individual strategic plan for their service area(s) complete with maps of priority lands. They will then work with conservation finance professionals to develop a long term strategy to fund the protection and/or restoration of the highest ranked lands. Defenders will offer small grants to catalyze implementation of the new plans.

Look for future updates as these projects develop over the coming year. We also plan to seek additional funding to develop similar workshops elsewhere in the country.

TAPPING INTO THE LAND AND WATER CONSERVATION FUND

The Land and Water Conservation Fund (LWCF) is the principal federal source of land acquisition dollars in the United States. Congress is authorized, but not obligated, to spend up to \$900 million per year on land acquisition. Since its creation in 1965, LWCF has funded the purchase of more than seven million acres of wildlife habitat and recreation land. While a small amount goes to states, the majority of these dollars go toward expanding and improving our federal public lands (national parks, forests, wildlife refuges and Bureau of Land Management lands).

There are literally millions of acres remaining to be purchased (easement or fee) within federal acquisition boundaries of our public lands—all dependent on the availability of funding and willing sellers. Land trusts can play a key role in securing both dollars and sellers for lands and waters in need of protection.

The Role of Land Trusts

Nearly every step of the LWCF appropriations process is political. Each year, the federal land management agencies submit their land acquisition requests to the White House for consideration in the President's annual budget request. Agency requests will invariably reflect the current administration's spending and land acquisition priorities and thus may or may not reflect the agency's actual needs on the ground.

Fortunately, since Congress ultimately decides which projects actually receive LWCF funding, there is

significant opportunity for the public, including land trusts and other conservation organizations, to ensure that good projects receive funding. The public may submit land acquisition requests to Congress advocating for particular LWCF projects. This provides a much-needed voice for federal agencies that often depend on public organizations, not only to garner the support that they are unable to request themselves but also to allow them to be strategic, rather than political or purely opportunistic, in setting land acquisition priorities.

Because the process is political, requests will rise or fall based on their perceived importance by members of Congress—namely the representative(s) and senators in the project region and state. Projects that demonstrate significant backing from a broad range of relevant supporters (constituents, community groups, local and national conservation or other non-governmental organizations, and relevant stakeholders) and that clearly satisfy the goals of state or regional conservation plans, like the State Wildlife Action Plans, are more likely to gain the favor of members of Congress. Put simply, it's a competition to win over your members—the more supporters a project has, the more likely it is to gain their support.

Lending Your Support

Your support – in any form—of a potential LWCF project is the most important way to help secure funding from Congress. You don't need to be a professional lobbyist



Sandhill Cranes

Photo courtesy of USFWS

TAPPING INTO THE LAND AND WATER CONSERVATION FUND

and it doesn't have to take much time—although the opportunity to engage on a deeper level is always there.

Because members of Congress represent their constituents, composing or adding your land trust to a group sign-on letter, calling or sending a letter to your Congressional members in support of a project, or encouraging your own members and local landowners to similarly lend their support are important displays of local interest that will gain your member's attention.

Sometimes, there are larger conservation groups leading the charge onto which you can piggy-back efforts. Find out who they are by talking to your local national park, forest, or wildlife refuge to see how your group can help. If you're feeling especially motivated, or if no other group appears to be advocating for your important acquisition project, you can request LWCF appropriations yourself. This will take more work, including working out the details with a federal agency representative, making the appropriations request to your members of Congress, garnering the necessary partner support and keeping track of a few federal appropriations deadlines (see Important Steps). It sounds harder than it really is, and if it's an important property that must be protected, the return will certainly be worth the effort.

Working with Local Landowners

Land trusts can also catalyze an LWCF project on the front end of the process. Not all public lands are staffed or have sufficient capacity to conduct outreach to landowners (e.g., some national wildlife refuges) within their acquisition boundaries. In such cases, land trusts can play a valuable role in identifying potential properties with willing sellers and then serving as a liaison between the agency and the landowner to seek funding through LWCF. This may involve submitting the project proposal to Congress or lining up a larger organization to lead the charge. In either scenario, you will need to start this process well ahead of the annual Congressional deadlines (typically in February or early March) to give yourself time to work out all the details.

No matter whether you are acting as liaison, a member in a list of supporters or as the leader of the effort, your role is always significant. Select whichever role you have staff, capacity and the interest to fill.

Defenders of Wildlife as a Partner

Each year, Defenders actively supports approximately 15 exceptional federal LWCF projects. Of the sixteen projects we supported in 2007, over half received partial or full funding.

Like many national conservation organizations, we rely almost entirely on local partners to recommend worthy projects. We need your help!

If you have an idea for an exceptional federal LWCF project that could use additional support, please submit it to livinglands@defenders.org.

If your project is selected, we will write letters of support to accompany the application to Congress, develop fact sheets (see Appendix p 8-9) that convincingly relay the project's importance to wildlife and the local community, and lobby Congress to help ensure that they are funded.

Important Steps

If you are considering developing an LWCF request and you have a willing seller (easement or fee), consider following the steps below. Make sure to start well ahead of time as the whole process, although relatively simple, can take over a year to complete:

1. Contact the manager of the relevant land management agency. Find out if your project idea falls within their pre-approved acquisition boundary and if they have interest in the property.

2. If the agency wants to acquire the property or easement, and a willing seller exists, you should next obtain an Appropriations Request Form from the offices of

the two senators and representative(s) of the project location (for contact info see: <http://www.congress.org/congressorg/directory/congdir.tt>). This is typically a short one or two page form requesting basic information about your project, due in early winter.

3. Be able to articulate why this particular property deserves dollars from a relatively limited pot of federal funding. When you submit the Request form, make sure to include a concise letter describing why the land acquisition would be positive for their state, district, and constituents.

4. Garner as much local, state and/or national support as possible. Encourage your partners and members to call or write soon after making the request to express their support or even better, make a personal visit to your members of Congress in Washington, DC or to their local office.

If your project makes it through the relevant appropriations subcommittees, send a letter thanking your member(s) for their support and urging them to continue to promote the project in the full committee.

LWCF is an important source of funding that should not be overlooked. We are happy to help with any questions you may have or provide guidance on the process. Please contact Aimee Weldon at aimee.weldon@defenders.org to learn more.

DEFENDERS BIODIVERSITY TRACK AT RALLY

Join us for the Biodiversity Track at Rally this September 18-21! We have teamed with NatureServe to develop a suite of basic to advanced wildlife and habitat conservation workshops that we hope you will find relevant and useful to your work. More than 20 land trust and other conservation experts will present at the following eight sessions:

A01: Biodiversity for Dummies: Why the Diversity of Life Matters & How to Communicate it to the Public—A great introduction to biodiversity, offering tips on how to communicate complex concepts and move the public to care.

B01: Putting the Farm Bill to Work for Wildlife—An update on the 2008



Farm Bill and tips on how to maximize this under-used resource.

B02: Biodiversity Data Sources and Methods - Where to find existing data resources and how to integrate them into conservation planning.

C01: Building Capacity Through Biodiversity Monitoring—Why wildlife monitoring matters, how to do it and how to use wildlife data to reach your goals.

C02: Engaging your Community in Mapping Nature— Learn how to engage the public in gathering local

data through NatureMapping, BioBlitzes and other means.

D01: Saving Place Through Science and Heart—Case study of how taking a proactive and science-driven approach to conservation has led to significant success.

D02: Using Ecosystem Service Projects to Inspire Land Conservation—An overview of evolving ecosystem service markets for land trusts.

E01: Implementing State Wildlife Action Plans—How to use your state's plan to guide conservation and important sources of funding to translate your plan into action.

We look forward to seeing you there!

Living Lands—Helping Land Trusts Conserve Biodiversity

Living Lands is a Defenders of Wildlife project working to increase the capacity of local land trusts to protect, enhance and restore native wildlife habitat and biodiversity.

The Living Lands Project assists local land trusts in making strategic decisions about where to work to conserve high-priority native habitats and species and how to work to use effective land stewardship to restore and manage native habitats for their long-term benefits.

Through this project, Defenders of Wildlife is collaborating with the Land Trust Alliance to assist

local land trusts through a variety of approaches, including technical and financial assistance.

The Living Lands project also involves individual land trusts, state and federal agencies, conservation groups and other groups and individuals that support land trusts in their habitat conservation efforts.



Vision: A network of land trusts, working with private and public partners, to protect, restore and manage our living lands for biodiversity.

Mission: To support and increase the capacity of the land trust community to conserve biodiversity on private lands through financial and technical assistance

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If you would like to be removed from our e-mail list, please send a message to livinglands@defenders.org

EXAMPLE OF A DEFENDERS' LWCF FACT SHEET (FRONT)

Land & Water

Conservation Fund
FY 2009

Suwannee River

Wildlife Corridor

Florida

FY 2009 Project

1,500 acres

\$2.4 million

This project supports Florida's
State Wildlife Action Plan



American alligator

The project area will unite the Osceola National Forest and Okefenokee National Wildlife Refuge, creating one of the largest protected areas in the eastern United States.



Endangered Florida panther



Threatened Florida black bear

Importance

The Suwannee River Wildlife Corridor, or Pinhook Swamp, bridges the gap between Okefenokee National Wildlife Refuge and the Osceola National Forest, creating one of the largest forested wetland habitat corridors east of the Mississippi River. The ecosystem is a critical stopover for neotropical migrant birds and is home to many endangered plants and federally listed species such as the wood stork, red-cockaded woodpecker, bald eagle, gray bat, indigo snake, and gopher tortoise. It is critical to the state-listed Florida black bear, and is a potential reestablishment area for the critically endangered Florida panther. This wetland ecosystem supports globally significant populations of pond cypress trees, little blue herons, American alligators, Florida sandhill cranes, carpenter frogs, and canebrake rattlesnakes. Protecting sensitive lands in this unique corridor, by including the Pinhook Swamp area as part of the Osceola National Forest, is critical to ensuring the long-term viability of this wetland ecosystem.

The Pinhook Swamp also provides watershed protection for two major rivers, the Suwannee and St. Mary's, that supply water for more than 13 million Floridians and 6.5 million Georgians.

EXAMPLE OF A DEFENDERS' LWCF FACT SHEET (BACK)



The project area is an irreplaceable ecological treasure that is also a potentially valuable natural recreation area for the 2.6 million people who live within a 2-hour drive.



Endangered Red-cockaded woodpecker

Defenders of Wildlife

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Sandhill cranes

Threat

With over 1,000 new residents moving to Florida every day, habitat loss and fragmentation are, by far, the greatest threats facing the Florida black bear and many other native species. Without sufficient habitat, bears are not able to find mates, adequate food or denning sites, and may suffer genetic problems associated with inbreeding. Habitat fragmentation caused by highways and development also threatens the future of the black bear, as vehicle-caused mortality is the leading direct cause of death. Connecting the protected areas in northeast Florida and southern Georgia will not only help the Florida black bear, but may create a potentially viable reintroduction site for the critically endangered Florida panther, which now numbers less than 100 individuals in rapidly-growing southern Florida. Additional development on the proposed acquisition site will cause still more habitat destruction and fragmentation, severely hindering recovery efforts for Florida's imperiled species. There is also a potential for mining, logging, and swamp draining that would threaten both the area's ecological integrity and the water quality for millions of people. The Suwannee River Water Management District (SRWMD) purchased this parcel and agreed to hold it for a limited time until adequate funding was available for the U.S. Forest Service to purchase the property. If funding is not made available soon, this window of opportunity may be lost and SRWMD will be forced to put the land back in private ownership.

For more information

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