



American Forest Foundation

Southern Woodland Owners & Conservation Agreements

What they think and what to say

A Guide for Land Trusts and Resource Professionals

Woodland Legacy Agreements

Conservation easements are an increasingly valued tool for the protection of private, productive woodlands. While conservation professionals praise the merits of easements, most woodland owners have little to no understanding of the concept. Engaging more woodland owners in permanent conservation remains a challenge, particularly in the southern United States, where a majority of private woodlands are located.

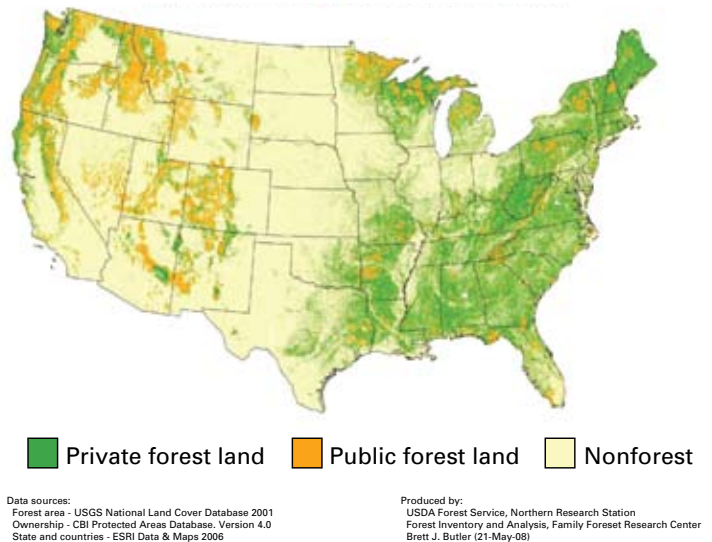
The American Forest Foundation conducted a qualitative research study in 2009 with family woodland owners from the South. Our goal was to identify the best methods and appropriate language for communicating with woodland owners about conservation easements. Through seven focus groups, we identified the primary motivators and obstacles landowners face when considering a working forest conservation easement. Throughout this document we use language that resonates with woodland owners. This report and the information herein will help you communicate more effectively with woodland owners, ultimately leading to more family woodlands under permanent protection.

For purposes of this study, a Working Forest Conservation Easement is defined as a voluntary, legally binding agreement between a landowner and a conservation organization that permanently protects the conservation values of the land. Easements limit or guide land uses on all or a portion of a property while keeping the property in the landowner's ownership and control. A working forest conservation easement permits active forest management, including

Family Woodland Owners - America's family woodland owners, an estimated 10.4 million, maintain 92 percent of our nation's private forested landscapes, more than 260 million acres (Butler, 2006). Combined, that is almost 120 Yellowstone National Parks!

One in five acres of forestland is owned by someone who is at least 75 years old. As woodland owners age, the transfer of forestland quickens, leaving heirs forced to sell all or portions of the land to pay inheritance taxes. Tax incentives for conservation easements can alleviate the burden, allowing family woodland owners to hold on to their land and ensure a future for their woods.

Forest Ownership in the Coterminous United States, 2006



the harvesting and sale of timber products, and is often guided by a forest stewardship plan that may be developed jointly by the agreement holder and landowner.

Woodland Legacy Agreement vs. Working Forest Conservation Easement

– Our study found that landowners associate the term “easement” with right-of-way easements that eliminate the landowner from any decisions or sustainable management of a natural resource. Although “conservation” carries favorable connotations, it led to confusion among landowners about the program. One landowner stated, “The thing that throws me off is ‘working and conservation easement.’ I thought a conservation easement, you didn’t do any work on it, it was conservation – it seems to be a conflict of terms.” Identifying a working forest conservation easement as a “woodland legacy agreement” will reduce landowner misconceptions and confusion; it refers to a conservation easement for a working forest, but will bring more woodland owners to the table.

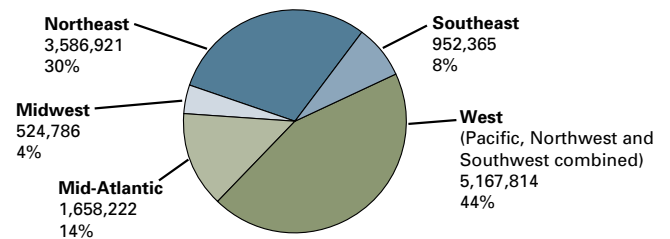


Why Southern Woodland Owners?

Woodland legacy agreements may be a particularly valuable tool in the southern United States. Denise Schlener, the National Director of the Land Trust Alliance said, “The vast forestlands of the South represent the last frontier for land conservation in the U.S. With over 190 million of the 214 million acres of forestlands held by private land owners, the conservation easement is the only tool

that can potentially achieve a meaningful scale of permanent protection.” In addition to a high percentage of private land ownership, development pressure is converting woodland to pavement at an increasing pace. Schlener also pointed out that conservation easements are a “tool that respects the deep cultural and economic connection landowners in the South have with their lands.” Engaging landowners who actively manage their woodlands to protect them with conservation agreements will increase the number of acres permanently protected.

Percentage of Land Conserved by Local and State Land Trusts (2005)



Land Trust Alliance, Census (2005)

Family woodlands account for more than one-third of our nation’s forestland and the decisions made by those who own these woodlands have a significant impact. With nearly half of family woodlands in the South, they provide the greatest regional opportunity for permanent woodland protection. Land trusts in the South identify landowners’ lack of understanding as the number one obstacle to signing conservation easements. Surveyed land trusts suggested that one solution to this challenge is more comprehensive education. When more landowners know the true benefits, more land will be permanently protected.

What Southerners Say About Conservation Agreements

Those who have granted

During the study, grantors, or those who have donated an easement on their woodland, were surveyed to identify their primary motivation for doing so. While each agreement and context is unique, all surveyed grantors identified an underlying conservation ethic. Nearly all the grantors interviewed were passionate on the subject and identified the environmental benefits as the number one reason for signing an agreement. Financial benefits were a primary motivator for only a few anxious to keep their land. To others, the financial benefits are secondary, often described as “a cherry on top,” or “an added bonus.”

“For me the tax benefit was an added bonus. It didn’t play a part in the decision really. I wanted to preserve it anyway. I would have done it either way. Somehow I would have found a way through a will or whatever to restrict the use of it.”

– southern easement grantor

Grantors often desire to share their stories with non-grantors. One surveyed grantor summed up the common confusion about easements by saying, “I have never met a landowner who understood what a conservation easement was until he got involved and really studied [them].” Once landowners make the decision to participate in a woodland legacy agreement, they encourage other landowners to do the same. In the mixed



Language Matters

Studies show that the language you use when talking with the public makes a difference. The term “working forest conservation easement” is not only a mouthful – it confuses landowners. Consider the following options when speaking with woodland owners about available conservation tools:

Woodlands vs. Forests – The social research study, Sustaining Family Forests Initiative (GfK, 2007) found that “woodlands” resonates better with landowners than “forests.” “Woods” and “woodlands” evoke warm positive associations while “forests” conjure up visions of large areas such as national parks. When talking to landowners, talk about their woods.

Agreement vs. Easement – Landowners struggle with the term “easement.” A study conducted by The Nature Conservancy and The Trust for Public Land (2004) recommend avoiding “conservation easement” when talking to general publics, including woodland owners. The term evokes being forced into doing (or not doing) something with your land. Instead, marry “conservation” with another positive term like “agreement.” Simply changing the term will improve the initial reaction from the public and landowners.

focus groups (with both types of landowners), grantors frequently tried to offer information and to dispel non-grantors’ misperceptions. “I recommend people put their land into conservation agreements because I believe it’s an opportunity for us to do something. For lack of a better term, to become immortal on this Earth. You can leave something of yourself on the Earth that will be here forever.”

Bob's Bridge Story

Bob R., a property owner from North Carolina, had granted his 54 acres to the Tar River Land Conservancy in 2007. In addition to managing his 35-acre timber stand, Bob and his wife Kerry operate a small organic farm, raising beef cattle and selling produce through a CSA (Community Supported Agriculture – prepaid shares). As a proponent of woodland legacy agreements, Bob has found that not only does the agreement preserve the land forever; it protects it in times of need. Last year, the North Carolina Department of Transportation (NCDOT) was planning to enlarge a bridge spanning a creek at the entrance to Bob's property. Plans for the bridge included removing significant amounts of stream buffer along Lynch Creek. Knowing the benefits of the buffer, Bob quickly consulted with the Tar River Land Conservancy and together they worked with NCDOT to reduce the impact on the environment the bridge installation have caused. Bob is confident that because the property is permanently protected through a conservation agreement with the local land trust, the NCDOT was more willing to work with him and preserve the stream buffer.



There were several landowners who had heard of working forest conservation easements prior to the focus groups, but were unsure if their assumptions and understanding were correct. In several cases landowners thought they were enrolled in a working forest conservation easement, but were actually enrolled in a term agreement.

What Woodland Owners Worry About

Landowners worry about the future of their woodlands. They do not want the beautiful rural landscape converted to shopping malls and trailer parks. They do want to know that their land will not be a burden for their children. They also want to make the right decisions now to ensure a better future.

“I live on my land and I love it dearly, I look forward to coming home to it every day, and given the state of the economy, it could possibly be a source of income for me or my children in the future.” – southern woodland owner

When considering a conservation agreement, landowners fear that their children will not be able to profit from the land or have the option to sell it in the future. Almost all non-grantors feel that “forever” is too long and that signing a conservation agreement will decrease the financial value of their land.

Those who have not granted

Non-grantors, or landowners who have not entered into a conservation agreement, are largely uninformed about woodland legacy agreements. The majority of landowners surveyed knew little or nothing about woodland legacy agreements, often leading them to incorrect assumptions.

“I only know vaguely, just by living in the world, that there are efforts to preserve natural areas that are supported by different kinds of arrangements with landowners. But other than that, I just don't know anything about it at all.”

– North Carolina woodland owner

Top 5 Landowner Misconceptions About Conservation Agreements

1 **A landowner must give up all rights. There is no flexibility in terms.**

Truth: Each agreement is specifically tailored to the property with the landowner's consideration. With agreements on working lands, the landowner retains rights of forest management including the harvesting and selling of timber, as long as it meets the goals of the conservation agreement and criteria listed in the management plan.

2 **Not for me: conservation agreements are for bigger, richer, younger landowners.**

Truth: Size of property, landowner age, and income do not prevent any landowner from enrolling in a woodland legacy agreement.

3 **The government is in charge of landowners property and management decisions.**

Truth: Land trusts, private nonprofit organizations work together with landowners to identify property objectives and management goals.

4 **Term agreements are woodland legacy agreements.**

Truth: Term agreements such as the Conservation Reserve Program (CRP), Wildlife Habitat Incentive Program (WHIP), and numerous other programs are temporary. Although they do have conservation benefits, they do not permanently protect the land.

5 **Landowners do not have a choice in land trust partners.**

Truth: Choice is critical to landowners, knowing they make the decision and it is not forced on them will foster trust and friendship.

What Are the Benefits?

There are two primary benefits landowners discussed when talking about woodland legacy agreements and reasons for participation:

- (1) protect the land
- (2) maintain their financial security.

“Make money, save money, protect the environment and keep full ownership – all positives” – easement grantor

Environmental Benefits

- *Land Protection* – Landowners have a deep sense of satisfaction knowing they have permanently protected the woods and wildlife, as well as prevented over-development.
- *Future Generations* – Protect the land for your children and grandchildren. “Leave a lasting legacy” for the next generation to enjoy and a quality land management plan to follow.
- *Land History* – In the South many landowners often have a cultural connection to their land through historically significant events or locations.

Financial Benefits

- *Tax Reductions* – Reduced inheritance taxes enable the kids to keep the land intact – evading the need to subdivide to pay for their inheritance.
- *Property Value* – Keeping it green means it is worth more to many of the grantors. Non-grantors were different; they feared that signing a conservation agreement would only decrease their property value.
- *Financial Benefits* – Reduced taxes enable some landowners to continue to do what they love to do, for example, hobby farming.

Of these benefits, the most intensely felt and expressed were the environmental reasons. Those expressing financial advantages usually express their love for the land as well, although the financial benefits might have been the trigger motivator.

What to Say

For working woodland landowners, you must gain their trust and share their compassion. From our research, we have identified the following strategies work best when talking with landowners.

Be Emotional

One of the best methods to get new working forest owners interested in woodland legacy agreements is to ask them about their land. Their emotional engagement is best expressed when telling stories about their land or what might happen without it.

Use Their Words

Landowners trust other landowners most, so use their words to attract potential donors. The statement below was ranked number one by non-grantors as a reason to donate a working forest conservation easement. When developing promotional material, use similar statements from existing agreement grantors to make your point.

“Your land means a lot to you – it’s your home, a place you love, and maybe a source of income too. You want to make sure your children and grandchildren will be able to continue enjoying it too.”

“At night, I like to fall asleep to the crickets chirping. I like to hear the katydids on a Sunday afternoon, you know, when you live in an overly developed area you don’t get that.”
– Georgia woodland owner

Hold on to Your Land

For years, landowners have cared for their land, sustainably managing natural resources for a variety of benefits, including drinking water, wildlife habitat, clean air, and recreation. Signing a woodland legacy agreement allows woodland owners to continue their good work, with additional benefits. Let them know they maintain ownership and can hold on to their land.



Keep Kids Connected to Nature

Most landowners recognize that with the over-development of rural areas, fewer children are experiencing the outdoors as they once did. Providing a place for their children and grandchildren to explore and play is important to everyone and resonates well with family woodland owners.

“Regardless of whether kids are rural or urban, all need a great outdoor experience. Watching students’ eyes light up with wonder as they explored Gully Branch Tree Farm and hearing their insightful inquiry has always been a highlight of our field trips. The more kids understand the relationship between nature and man the more likely they are to be good decision makers in the future.” –Wanda Barrs, 2009 National Outstanding Tree Farmer of the Year

What Not to Say

Although it is necessary to be honest and forthcoming with all information, you have to engage woodland owners in their comfort zone. First let them know that you are not a “granola-head environmentalist,” as one participant advised. Let them know you are a conservationist, you care about the people and the land. Many working forest landowners think land trusts are against all forest management, so let them know that you understand their need to benefit financially from the land and agree on using good land management techniques.

Do Not Scare Them

They do not want you to scare them into making a decision. All landowners considering a conservation agreement have a love of the land. You don’t have to tell them it is a precious resource. Threatening them with the extinction of species or disappearing marshlands will not help your efforts.

Drop Perpetuity

The term “perpetuity” scares most landowners and is a major road block. Use “legacy” instead in your promotional materials. Landowners relate to leaving a lasting legacy. One landowner described his agreement as “leaving a legacy that the will continue in a form that you have come to love.” You can sell them on the concept of “forever” once you engage their interest in leaving a lasting legacy.



Find Another Term

Do not focus on the term “conservation easement.” It has a negative connotation and most landowners are unsure of its meaning. Use something that they will look positively on, such as “Woodland Legacy Agreement.” This might be enough to initially engage them and then explain that it is a type of conservation easement. Use language similar to this:

Woodland Legacy Agreement

*A voluntary family conservation option
for working lands*

Who Are the Best Messengers?

One useful resource that highlights the demographics of woodland owners is Brett J. Butler’s report *Family Forest Owners of the United States* (2008). More than one-third of all landowners identified talking with foresters and receiving printed materials as the most useful methods for finding forest management information.

In our study landowners indicated a preference for receiving information from a trusted resource in the community; so get out, get involved, and become a trusted neighbor.

Surveyed landowners suggested the following methods to target family woodland landowners:

Suggested Messengers

- Accountants
- Lawyers
- Local retailers
- Neighbors
- Real estate agents
- Resource professionals

Suggested Vehicles

- Brochures
- Estate planning courses
- Field events on easement properties
- Flyers
- Media highlights on donated properties

As a voice for America’s family woodland owners, the American Forest Foundation encourages you to use the information in this report to engage more working woodland owners in leaving a legacy through a conservation agreement. Landowners, who might otherwise ignore advertisements or brochures for conservation agreements, engage when they understand the language and connect with the stories. Once you have an interested woodland owner, you can cultivate that relationship and begin the hard work of negotiation, recognition, financing, and stewardship.

How It Was Done

The American Forest Foundation undertook this social research initiative to gain information on woodland owners' perceptions and understanding of working forest conservation easements in the South. A broad group of landowners was surveyed, including those not currently using working forest conservation easements to understand their attitudes and identify their barriers. Through both telephone and in-person focus groups conducted in the South between March 18–May 11, 2009, the research was collected.

- WFCE grantors – two telephone groups (several Southern states)
- WFCE non-grantors – two in-person groups in Macon, Georgia; one telephone group (several Southern states)
- Mixed grantors/non-grantors – two in-person groups in Raleigh, North Carolina

The entire 75-page report can be accessed online at www.forestfoundation.org/News/Publications.

Quote excerpts - Statements taken from our confidential focus group participants

Resources

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The American Forest Foundation (AFF) is a nonprofit conservation organization that works to stem the loss of America's woodlands by helping family forest landowners manage their land for clean water, wildlife habitat, recreation, and wood products.

AFF works to ensure decision makers and educator's understand the value of America's woodlands through environmental education and outreach efforts to bring outdoor learning to children and adults across the country. We enhance the quality of America's woodlands through our 50-state network of volunteer lead initiatives on 24.3 million acres of family woodlands and engage youth and communities in conservation efforts.



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