



Adapting new conservation tools to engage private landowners in national and regional conservation efforts in EU Member States

Private Land Conservation

The overall purpose of this project is to create a network of European private landowners that are involved in nature conservation, to expand the use of private land conservation methods and approaches in the EU through dialogue with these landowners and their representatives.

Expand the use of private land conservation methods in the EU

Develop recommendations for more effective private land conservation policies

Publish recommendations on how to roll out these policies effectively on a larger scale

Promote nature conservation as a valuable type of land management



This booklet presents the innovative policy recommendations addressed to the European Commission, all with a focus on enhancing private land conservation and supporting landowners in their biodiversity approach.

This 3-year project, combining European-wide surveys, workshops, interviews, webinars and research, has given us the chance to put our insights and ideas into concrete policy, ultimately strengthening private land conservation in Europe.

Understanding the current situation of the sector

Landownership in Europe

- Respondents of the survey most often own/manage larger estates with a large majority owning/managing more than 51 ha and a minority not owning/managing more than 10 ha.
- In particular, Western Europe and the Mediterranean/South have a significantly larger number of respondents owning/managing smaller plots under 50 ha. This can be explained by the influence of the Code Napoléon which introduced inheritance laws distributing land among all of the children.
- Most of the land owned or managed by the respondents is inherited and has been in the family for generations. Not even a fourth of the properties in this study are owned by the first generation. This is a strong indication of the importance of family ownership in Europe.
- The involvement of the next generation is often problematic and should be tackled.
- In the last decades more female landowners/managers are owning/managing private land. They are often more successful in involving the next generation in the management of the private land.
- The “Every man’s right” policy of access to private lands is often seen as burdensome for the landowner/manager.

Private land use

- The definition of “nature conservation” is one that is important to private landowners in the discussion on private nature conservation. One out of three respondents indicate they use their land (partly) for nature conservation. This makes private landowners/managers an important target group to realise biodiversity related objec-

tives. In less than 20% of the cases the private owned/managed land is also used for hunting.

- 5% of the total land surface of the respondents is used for nature conservation.
- Those landowners/managers conserving nature on their land do so on average on 15% of their land. The percentage of private land for nature conservation is the highest in Scandinavia.
- Private landowners/managers active in nature conservation and owning less than 10 ha of land have a tendency to manage a larger percentage (up to 100%) of their land for nature conservation.
- Female landowners/managers are more involved in nature conservation than their male counterparts.
- The size of nature conservation plots tends to be bigger for landowners/managers not having assured the involvement of the next generation.

Inheritance barriers

- Larger estates active in agriculture and forestry have a more negative economic view compared with others. They also see high inheritance taxes, property or land taxes as more problematic when the size of their land and its economic value is increasing.

Issues of importance to private landowners/managers

- Climate change, regulations and high taxation are seen as important problems to solve for private landowners/managers.
- Most private landowners/managers see climate change as a more important problem than biodiversity loss.
- Not having enough income from agricultural or forestry products is considered as an important issue by a large majority of landowners/managers. Especially landowners/managers of smaller plots indicate this is problematic.
- No public recognition is an issue for all private landowners/managers.
- In general, expectations for public access are seen as problematic by private landowners/managers. Landowners/managers involved in nature conservation as primary land use are less concerned than others.

How to engage private landowners/managers?

- Even when labels are not always seen as the best way to motivate private landowners/managers FSC and PEFC are valued labels indicating a private landowner/manager's commitment to durability. Landowners/managers having forestry as primary land use have a particular interest. This is logical as those labels are forestry labels.
- Landowners in a number of countries feel that the requirements being placed on them feel punitive. Eastern European landowners' views of the current Natura 2000 regulations often bear the additional burden that they perceive private property rights as more fragile and vulnerable and feel further away from the EU and Brussels' decisions. Flexibility and trust are therefore desired attributes in any conservation program.
- The trade-offs inherent in most conservation agreements or programs are still often seen as "foreign concepts" to landowners/managers.

Financial incentives to engage in conservation programmes

- Private landowners/managers prefer financial incentives on a service (annual payments) or on a product basis (carbon credits, payment for ecosystem services).
- Also tax benefits for management and conservation expenses are very welcome.

Management practices

- Private landowners show a clear interest in providing ecosystem services (soil health, restore water quality, ...) as a marketable service/product.
- Most of the landowners would be prepared to conserve a part of the land as wildlife habitat or as natural area.
- A strong dislike exists towards providing the right to purchase nature to NGOs.

Non-financial assistance

- Private landowners/managers are demanding the certification of products. Getting public recognition for their conservation investments and actions is an important goal for them.

Tax measures for private land conservation

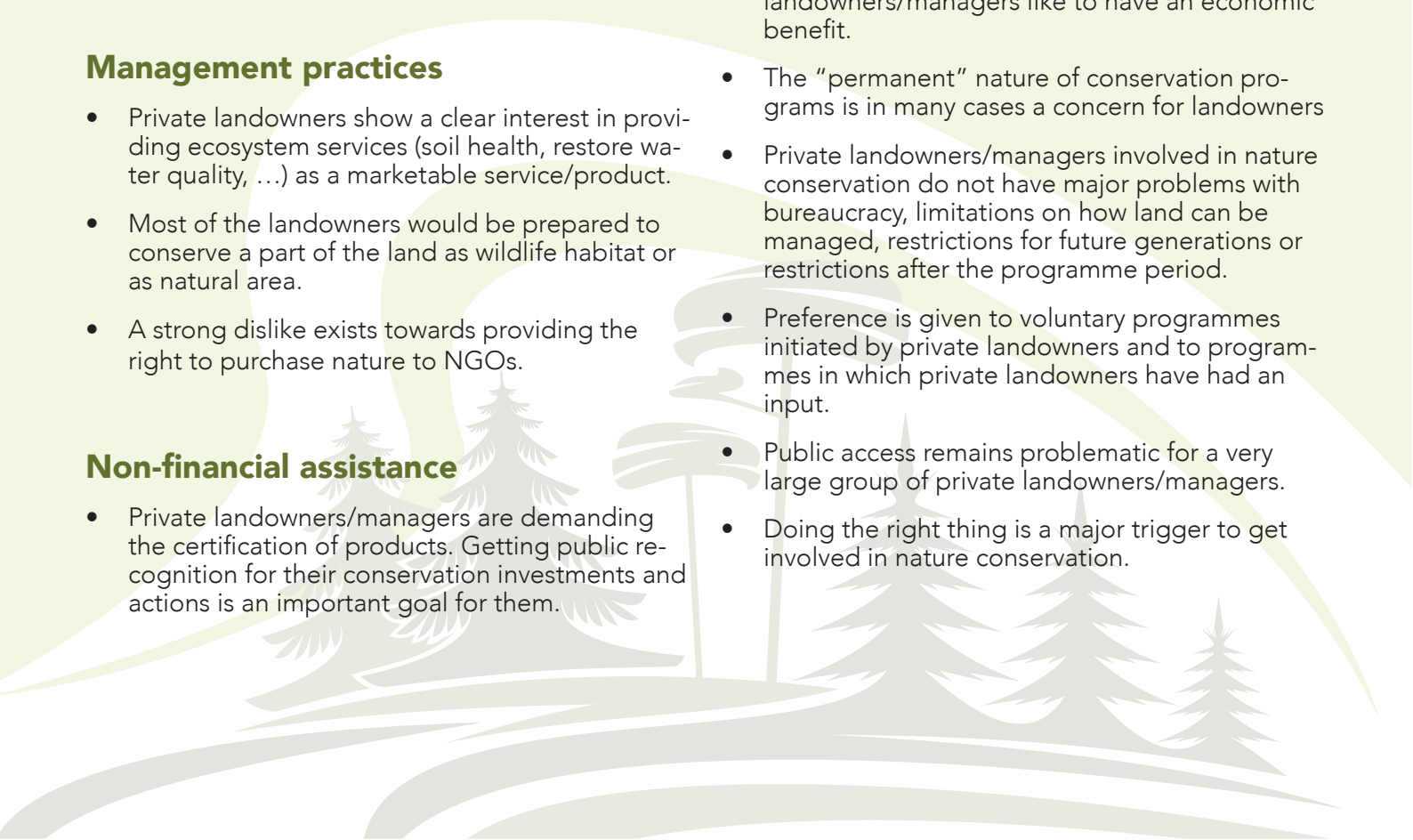
- Private landowners/managers are in favour of tax benefits for income taxes, for property or land taxes or for taxes on the transfer or sale of land.
- Inheritance taxes are less favoured to increase the interest in private land conservation. However, inheritance taxes are a concern in many countries given the impact they can have on keeping the land in the family.

Who is a trusted partner for the private landowner/manager?

- Private landowner organisations are the most trusted partners. But governments are also doing well: the European Commission is in general seen as a more trusted partner than national or local governments. Landowners also see room for improvement in relations with environmental, non-governmental organizations in most countries. Distrust of the two major players in many countries – governments and NGOs – can cause a sceptical view by landowners on the information they receive about conservation methods.

Voluntary programmes

- To engage in voluntary programmes private landowners/managers like to have an economic benefit.
- The "permanent" nature of conservation programs is in many cases a concern for landowners
- Private landowners/managers involved in nature conservation do not have major problems with bureaucracy, limitations on how land can be managed, restrictions for future generations or restrictions after the programme period.
- Preference is given to voluntary programmes initiated by private landowners and to programmes in which private landowners have had an input.
- Public access remains problematic for a very large group of private landowners/managers.
- Doing the right thing is a major trigger to get involved in nature conservation.

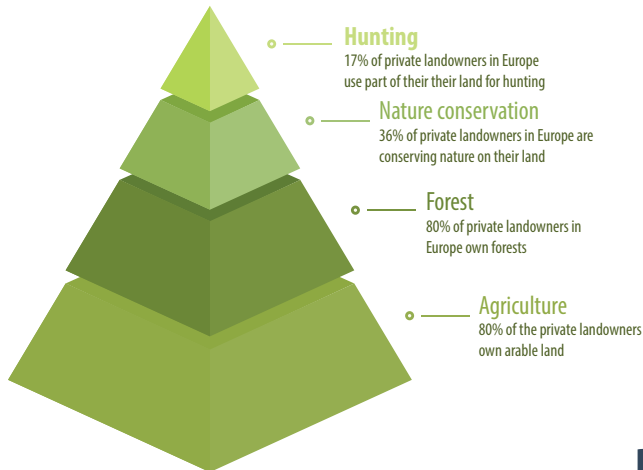


PRIVATE LANDOWNERSHIP

in Europe

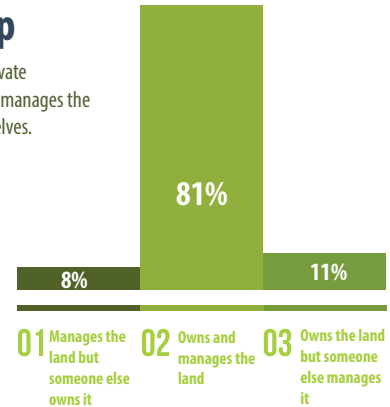


Land use



Ownership

A large majority of private landowners in Europe manages the land they own themselves.



PEFC/FSC Forestry label

Forestry labels are quite common among forest owners. The label is directly linked to the product.



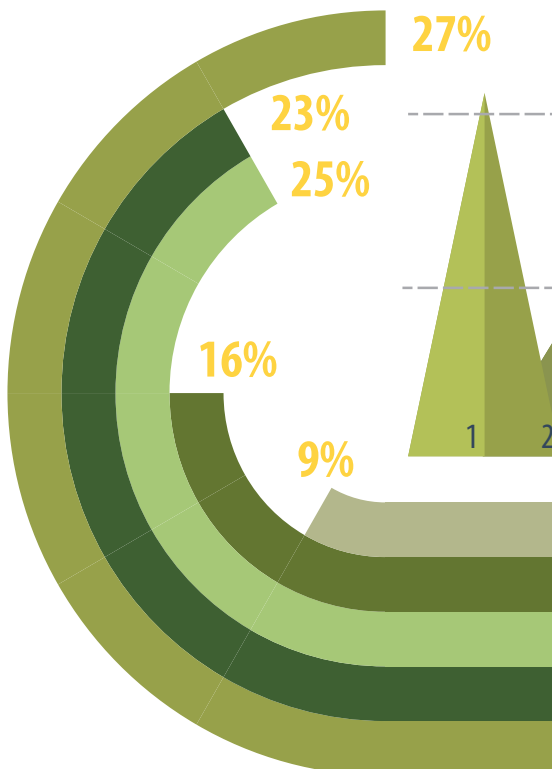
Wildlife Estates Label

The Wildlife Estates Label is a management label well known among owners with an interest in nature conservation and/or hunting.



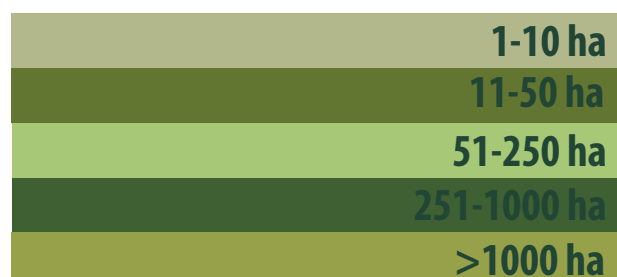
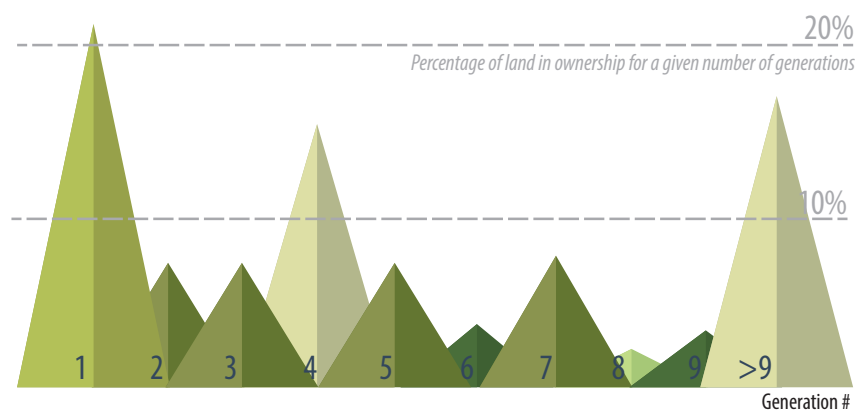
Size of the land

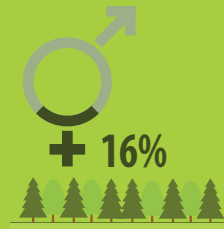
Respondents often own/manage larger estates with a large majority owning more than 51 ha. Western Europe and the Mediterranean/South area has a significant larger number of respondents owning smaller plots under 50 ha. Here we see a clear influence of the Code Napoleon



Family property

Private land is often in the family for several generations. The involvement of the next generation is an important aspect of the durable management of the property.



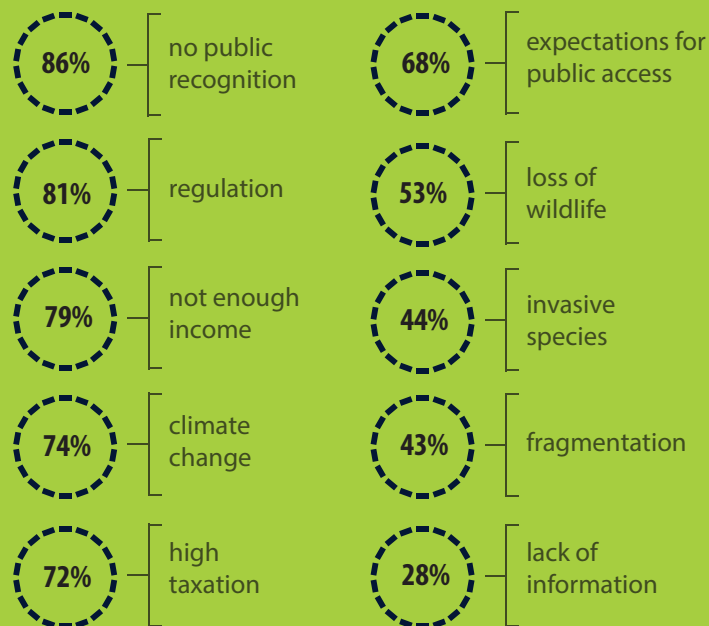


Female landowners

An increasing number of landowners and landmanagers are female. Their approaches to land management are often different from their male counterparts

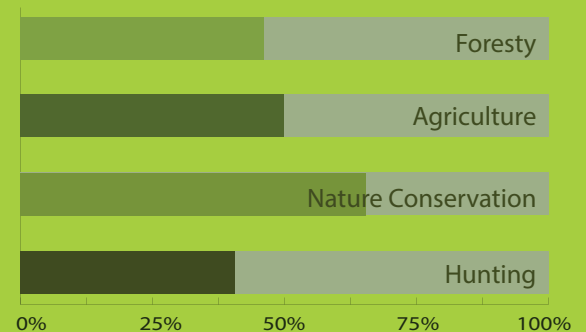
Nature conservation: issues related to private landownership

The following issues are seen as very important to private landowners (percentage of total of respondents)



Female landowners and land management

Female landowners show a much larger interest in nature conservation compared with their male counterparts. The opposite is the case for hunting.



Tools for private land conservation

60% of the Natura 2000 network is owned by private landowners. Private land conservation is needed to halt biodiversity loss in Europe. One out of three respondents indicate they already use their private land for nature conservation. This makes private landowners an important target group to achieve biodiversity related objectives within Europe and shows the need for more effective conservation tools.

The broader the menu of private land conservation tools, the more likely a landowner will find an instrument fitting its individual need. In addition to that, private landowners are most encouraged by an organization or association they trust.

1. Land Trust

Typically, land trusts are independent, charitable corporations with a focus on nature conservation purposes and activities. Land trusts are funded by gifts from individuals, corporations and private foundations and/or by governmental grants and subsidies. A land trust can also be a department or unit of a larger organization whose missions extend beyond conservation with a budget available for health, heritage or environmental projects, for example.

Land trusts can acquire and manage land and provide stewardship for conservation objectives. Land trusts can also acquire partial interests in land in cooperation with the landowner; these partial interests are typically in the form of conservation easements. In Europe the legal ownership, the stewardship and control over the property is often combined within a single organisation. By providing financial incentives and compensations to private landowners which could enable land trusts to offer collaborative services to landowners, the government can encourage more cooperation between land trusts and landowners to accomplish more and better conservation outcomes.

Land trusts could be an easily accessible contact point for landowners. Financing land trust activities should be made possible within normal market conditions. To achieve this the payment for ecosystem services should further be developed.

2. Easements

A voluntary but legally binding agreement between a landowner and an entity (often called a land trust). The landowner relinquishes certain rights over the land for nature protection purposes [conservation outcomes], while maintaining the ownership and the use of the land in ways that do not conflict with the terms of the easement. For this the landowner

gets compensation (tax relief, direct payment, etc.) for the lost development or production value of the land. The landowner retains the rights to use the land, produce on the land, sell it and pass it on to their heirs. Easement contracts are binding for present and future owners of the land, permanently or for the term agreed in the contract. The easement contract also describes the compensation for the landowner if a significant economic loss is expected.

Easements could be an excellent instrument to achieve the payment for ecosystem services and / or for conservation outcomes by compensating the private landowner for forfeiting their right on their land. It has been shown that easements are already legally possible in many EU Member States. However, it would be good to actively inform EU Member States about the opportunities asking for (small) adaptations in their nature conservation laws to fully implement the use of easements.

3. Conservation programs

The landowner enters a voluntary contract (for a limited period of time) with an organization or governmental agency to ensure that the property is used or managed for conservation purposes. Through the program agreements the landowner can receive support or a financial compensation for his conservation investments. This contract has a clear end.

Conservation programs are often not known by the wider public. Broader information campaigns could ensure a higher appreciation of the efforts taken by private landowners to conserve biodiversity. This would result in a broader, more intensive and more appreciated participation of private landowners.

Species conservation programmes are interesting for private landowners. Often these measures have a low impact on the estate (no or very limited restrictions regarding land use) but with some minor measures they can make the difference for the survival of certain species.

4. Land designation / OECMs

Private reserves are defined as land under private ownership that has been set aside for the protection of nature and its components through legal or other effective means for personal or public benefits e.g., natural water filter, game management, ... The landowner voluntarily submits (part of) the land as a private reserve and agrees on a long-term commitment to manage the land so as to maintain nature's values and benefits under this legal or administrative framework. This tool has significant potential to promote conservation on private land when landowners' benefits are directly linked to conservation or maintenance of wildlife.

Government entities must be able to guarantee the long-term recognition and support and allow the land manager flexibility if needed due to external factors. They may implement monitoring actions to ensure the protection of environmental values and long-term commitment for conservation. On the other hand, it is important for the land manager to maintain a certain independence to reduce influence and preserve objectivity from NGOs and governmental agencies.

By giving larger independence to the private land managers of private reserves combining conservation, economic and social challenges more private landowners would participate in this program.

5. Labels

Labels are important instruments for private landowners as it gives them the possibility to show their commitment to nature conservation. Labels also make it possible to reward private landowners for nature conservation.

In Europe the best-known label in the field of private land conservation is the Wildlife Estates Label. Wildlife Estates Label is a network of exemplary estates that voluntarily agreed to adhere to the philosophy of wildlife management and sustainable land use.

Other promising tools:

- Land Stewardship
- Conservation contracts
- Safe Harbor Agreements
- Land exchange for conservation
- Funding land acquisition for conservation purposes

Incentives and compensation mechanisms for private landowners

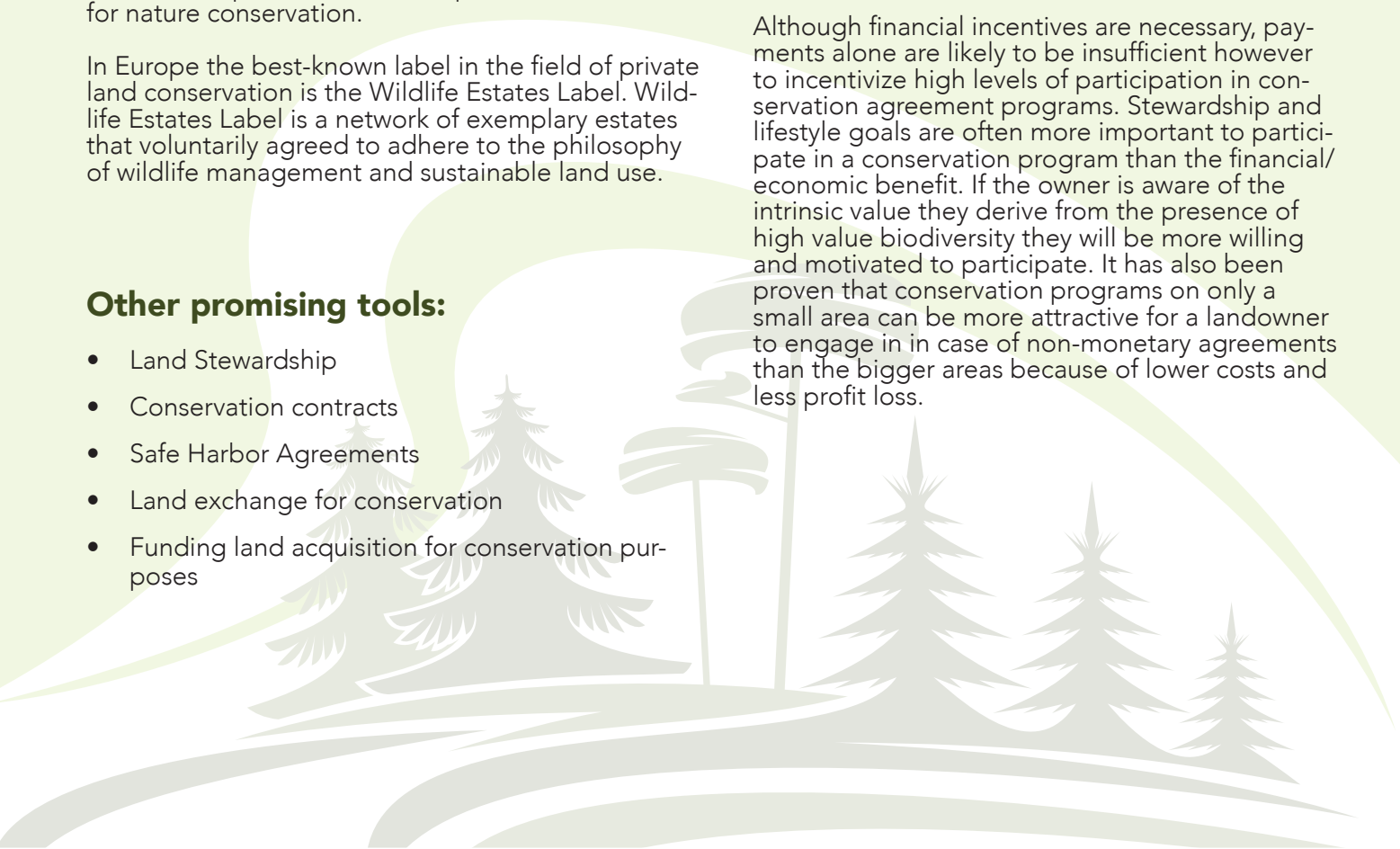
Each tool should offer the possibility to cover for potential financial or land value loss by financial support or economic opportunities. Many of the individual private landowners tend towards payments for ecosystem services, with a preference for annual payments and tax benefits. Payment for ecosystem services deliver services towards society (clean air, water, mental health besides direct revenues like wood and livestock) with an economic return towards the private landowner. Annual payments are easily includable in existing business models. Private landowners tend more to step in conservation programs when there is an annual fee related to it, even if the annual fee is on the long-term not higher than the one-off payment.

Long-term annual payments are however not common at all for conservation agreements yet. To make sure the necessary budget remains available for the annual payment of ecosystem services, separate markets should be developed.

Financial compensation mechanisms

- Direct payments from government (based on result/based on implemented measures, cost compensation/economic loss compensation)
- Direct payment from NGO (grant, funds)
- Tax benefits (income tax, property tax, inheritance tax)
- Label or certification for market access

Although financial incentives are necessary, payments alone are likely to be insufficient however to incentivize high levels of participation in conservation agreement programs. Stewardship and lifestyle goals are often more important to participate in a conservation program than the financial/economic benefit. If the owner is aware of the intrinsic value they derive from the presence of high value biodiversity they will be more willing and motivated to participate. It has also been proven that conservation programs on only a small area can be more attractive for a landowner to engage in in case of non-monetary agreements than the bigger areas because of lower costs and less profit loss.



POLICY RECOMMENDATIONS

The following core issues should be taken care of when further developing private land conservation tools:

- The set of tools offered should respect the variety of private landowners and be offered on a voluntary basis
- Engagement in a conservation programs should result in public recognition
- Clear and transparent communication on the available tools is crucial.
- The tool should help to make conservation an economically feasible land use
- Tools should offer a flexibility in case of threats undermining the values of the land e.g. climate extremity or diseases or aspects that are not under the control of the landowner
- Two-way knowledge exchange in agreeing on a contract is critical to encourage trust and cooperation
- Support in insurance and liability of the private owner when opening the land for public is required
- Application and monitoring requirements should be equal and feasible for individual owners and NGO's. Tools should respect the economic value of the land
- Tools and their compensation mechanisms should be organized in a framework which the landowner can trust on the long term
- The "permanent" nature of conservation programs is in many cases a concern for landowners if only a one-off compensation can be offered.
- Annual fees should be offered, even if the annual fee is on the long-term not higher than a one-off payment

Stakeholder organisations supporting private land conservation

From this research, private landowner organisations seem to be the most trusted partners. But also governments are doing well. Landowners also see room for improvement in relations with environmental, non-governmental organizations in most countries if this cooperation can be organized in a clear and transparent framework.

A recognized land trust or stewardship organization was found to be an effective institution to support this. A land trust secures the conservation value of land in the long-term, with respect to the reality of the individual private landowner. Land trust organizations own property or land use rights of land managed for conservation purposes. They manage the land themselves or outsource the management to an organization or individual manager who has shown his/her ability to manage land according to certain conservation criteria. The conservation management can include protection of habitat and species, as well as ensuring that the land remains for (extensive) farming, forestry, certain ecosystem values or outdoor recreational use with respect for the nature values. Most land trusts are independent, private corporations with a focus on conservation activities or a department of a larger organization whose missions extend beyond conservation. Land Stewardship organizations support private landowners in implementing conservation management, without taking over the ownership rights.

What should be the role of supporting organisations

- **Provide the legal framework**

Legal frameworks are key to ensure long term perspectives. The EU Biodiversity Strategy has a long-term commitment. Conservation tools and incentives need to contribute to this perspective, which is beneficial for nature, for the landowners, for the trust in partnerships and to justify the use of public money for these conservation investments.

- **Communicate on the concerns on higher levels**

Climate change, strict regulations and high taxation are important challenges to tackle for private landowners.

- **Assure the landowner trust in safeguarding a certain autonomy**

A certain level of autonomy is a fundamental value of landowners that influences their willingness to engage in conservation agreements or programs. Agree on a conservation goal, allowing the landowner the flexibility to achieve those goals in the most appropriate manner for their area, rather than having the “how” strictly dictated to them.

- **Assure knowledge and expertise exchange**

A two-way knowledge exchange is critical to encourage trust and cooperation to build a good working relationship.

- **Support in the program implementation**

Supporting organizations should make sure that equal opportunities are given to private landowners and conservation organizations for equal investments and to build bridges for trust and cooperation with conservation organizations. It always takes time to build trust, and should be done by all parties, identifying common issues, interests and opportunities of cooperation in order to build on them together. Finding common ground is an essential step in this process we have set with this project, a cooperation between private landowners and nature conservation NGOs leads to a win-win situation.

Conclusion

Although there is great variety amongst active individual landowners, their management goals are most often long-term, as sustainable nature conservation should be. With a clear and transparent structure, they can act as most efficient stakeholders in conservation initiatives and complement the conservation organizations’ approach, which often depends on a short-term political system.

Life after Life

It has become clear that under the broad definition of ‘private land conservation (PLC) tools’, many governance arrangements emerge depending on contingents settings, property laws, the role of environmental NGOs and the implementation (or lack) of public policies and incentive mechanisms for the promotion of the tools. These factors should be taken further into consideration within a multi-level governance perspective when discussing the potential role of voluntary mechanisms for nature conservation.

A follow-up project, Life ENPLC (European Networks for Private Land Conservation), has started streamlining the efforts regarding PLC of the existing networks of landowners and conservation organisations by creating a joint PLC platform/secretariat of the two networks (the “Conservation Landowners Coalition”). By bringing together the two most important communities in private land conservation within a common structure it will contribute directly to developing the framework for recognizing and increasing the contribution of PLC to the EU Biodiversity target and will enable the transfer of knowledge between nature NGO and private landowners in both directions. The knowledge and network gained in the projects life Land Is For Ever offers a strong basis to continue on.

CASE STUDIES

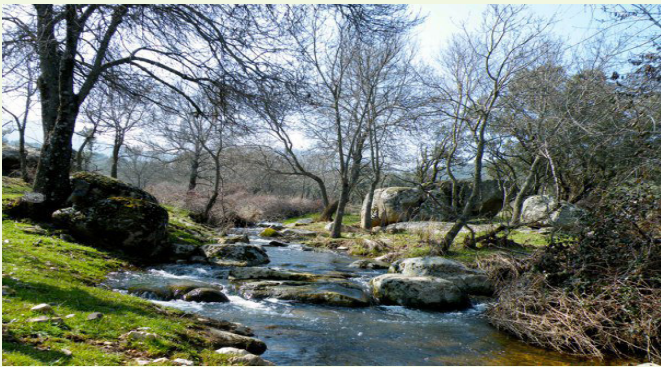


The Tullstorp Stream Project (Sweden)

Conservation Easement

The Tullstorp Stream is located in one of the most intensive agricultural areas of Sweden where 85% of the land is arable. Since 2009, over 40 wetlands and 15 km of the stream have already been restored. The main objectives of the project are to reduce the outflow of nutrients into the Baltic Sea, tackle the erosion and flooding, maintain the stream and promote biodiversity by recreating a valuable fish community. The TSP is operated by an association of landowners working all along the stream. The project is unique in a way that the farmers themselves are in control of the project.

More info: <https://tullstorpsan.se/rapporter/The-Tullstorp-Stream-Project.pdf>



El Castañar (Spain)

Conservation Label

El Castañar consists of high and rugged mountains combined with broad pastures, a mosaic landscape of farmland with centuries-old oaks and low mountains dotted with several streams. The Castañar manages a cattle ranch, an Iberian pig and sheep farm, olive groves, vineyards, hunting grounds, etc. They received the Wildlife Estate label as an award for their successful conservation practices. Iberian lynxes were reintroduced in the estate and they participated in the LIFE project for the recuperation of the imperial eagles.

More info: <https://elcastanar.com/>



National Park De Hoge Veluwe (The Netherlands)

Private Reserve

The Hoge Veluwe National Park is the largest interconnected, actively managed, privately owned nature reserve in the Netherlands. It is almost entirely dependent of its 600,000 yearly paying visitors for its survival. The Park is a unique combination of nature, art and architecture. Within the Natura 2000 area of the Veluwe, the Park is an important source of biodiversity. The management targets a sustainable Nature management with public access while keeping a decision making and financial independence.



Association Syndicale des Plaines de Mazerolles (France)

Private Landowners' Association

The ASPM brings together the owners of the 750 ha of the dammed marsh of Mazerolles. 70 owners and users agreed to bundle forces to establish a water level management protocol to allow agricultural activities necessary for the maintenance of the marsh, insure professional fishing, recreation and hunting activities. Over the last 60 years, they have developed strong expertise in water management, habitats and species management rankings. The hydraulic management of the Mazerolles marshes is key to the conservation of nature and biodiversity in this area.

CASE STUDIES



The NATO airfield in Malle (Belgium)

Conservation Easement , Private Reserve

For more than a half century the airfield in Malle has been in use by NATO for military activities. Today its use is multifunctional including a private flying club, sport manifestations, scouting, air shows, vehicle testing, photo shoots, walking and nature conservation. The Land Is For Ever LIFE+ project was able to bring together the surrounding private owners who were expropriated for the realization of the airport together with Natuurpunt, Flanders' largest nature organization and PIDPA, a drinking water company that pumps water in the area for the drinking water supply of Flanders. Under the mediation of the LIFE + project, a first cooperation agreement has been signed and the partners are jointly working towards a common vision on and management of the area's nature.

More info: <http://www.ebzt.be/vliegveld-malle/>



Slangenbeekbron (Belgium)

Land Trust, Conservation Easement, Private Reserve

Slangenbeekbron, a nature reserve formerly owned by the family Sagehomme-Leynen was purchased by the Stichting Behoud Natuur en Leefmilieu Vlaanderen (SBNL), a non-profit organization supporting private landowners in the management of nature reserves with the financial support of the Fund Baillet Latour. Under the guidance of the Land Is For Ever LIFE+ project SBNL has been transformed into the first land trust in Flanders, a new instrument to be used for private land conservation. The land trust will support private land conservation by supporting private landowners in the purchase and the management of nature on private land.

More info: <https://limburgs-landschap.be/slangebeekbron/>



Domain Vuyle Plas, Kontich (Belgium)

Land Stewardship

The Vrijsselhof is located against the backdrop of "De Vuile Plas" in Kontich. On the land and inside the buildings, the family tries to work out a permaculture project in harmony with their environment, complemented by principles from the circular economy and in compliance with the legislation for organic production. The principles of circular production are possible because of the management combination of agriculture, nature and forest land. Through a management agreement with the competent authority the family uses parts of public land in their system. They restore the biodiversity values of the land while using the land's outcomes for free. In return the Vrijsselhof has to develop an approved conservation plan and manage the land according to this. They must (if possible) use all outputs of the forest management in their circular business. More info: <https://www.dezuidrand.be/het-vrijsselhof-0>

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About the methodology

The outcomes are based on moderated discussions among private landowners and land managers in 14 European Member States (February - March 2019) and an online survey (May - June 2019) among landowners and managers in 28 EU European Member States, Workshops around 7 cases studies (May – August 2020), 4 Webinars on Private Land Conservation (September – October 2020) and the LIFE FFA event (March 2021). The survey and focus group research was conducted by The Nature Conservancy (TNC) and The European Landowners' Organization (ELO), granted by the European Commission LIFE program. The countries in which discussions were held are: Belgium, France, Poland, Romania, Estonia, Scotland, The Netherlands, Denmark, Spain, Finland, Sweden, Germany, Bulgaria, and Czech Republic. The online survey was available in eleven languages. Participants were invited by e-mail, newsletters, websites, and social media. For the data analysis, only complete surveys filled in by respondent currently owning or managing land were used. This resulted in 747 respondents.

The graphs in this brochure are based on a report prepared by K&DM International analysing the results of the above mentioned online survey.

Partners



The European Landowners' Organization (ELO) is committed to promoting a sustainable and prosperous countryside through private owners' activities and family businesses and to increasing awareness relating to environmental and agricultural issues. While pursuing its goals ELO takes into account the climate change and the biodiversity loss challenges which we are facing today. ELO promotes a balanced approach between strong economic performance and a sustainable use of natural resources that considers economic, social and environmental dimensions. Engaging various stakeholders and a network covering 28 EU Member States, ELO develops policy recommendations and programs of action.
<https://www.europeanlandowners.org/>



The Nature Conservancy (TNC) is a leading conservation organization working around the world to protect ecologically important lands and waters for nature and people. The Conservancy works with landowners, communities, cooperatives and businesses to establish local groups that can protect land. Over its 65-year history, TNC has protected more than 119 million acres of land and has pioneered the use of numerous private lands tools and approaches. Some of the main tools used to achieve these goals include land trusts, conservation easements, private reserves and incentives. Outside the U.S., the Conservancy does not generally acquire land for protection but instead works with local communities and national governments to encourage the protection of ecologically-sensitive land.
<https://www.nature.org/en-us/>

AGENCY FOR NATURE & FORESTS

ANB (Agency for Nature and Forest) is an agency of the Flemish Government (Belgium) and is part of the Ministry of Environment, Nature and Agriculture. ANB provides for the realization of the nature and forestry policy throughout the Flemish region. The agency is responsible for the implementation of the Habitat and Bird Directives and the EU Biodiversity Strategy, and as such is assigned with the management of Natura 2000 in Flanders.
<https://www.natuurenbos.be/>

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