

Conservation Easements:

A mechanism for fulfilling religious & ethical duties for conservation



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Faith, Ethics, & the Biodiversity Crisis

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Importance of Private Land Conservation

- Even if all national parks worldwide were protected, **93%** of land would remain vulnerable to developmental pressures which are increasing as world's population grows. (World Resource Institute *et al.* 1998)
- 95% of all federally threatened plants & animals live on private lands 19% of these species live **ONLY** on private land (Wilcove et al 1996)

Options for private land conservation:

- governmental restrictions (eg. air pollution, water quality, zoning laws)
- fee-purchase agreements (buy the land outright)
- **conservation easements**

Increased popularity of easements:

- Use of easements increased five-fold between 1998 and 2003 when 5 million acres were protected in the United States (LTA)
- Gaining popularity on an international scale, including Latin America, Australia, the Caribbean, and Canada. (TNC)

What is a conservation easement?

As stated on the nature conservancy website...

"A conservation easement is a restriction placed on a piece of property to protect its ecological or open-space values. It is a voluntary, legally binding agreement that limits certain types of uses or prevents development from taking place now & in the future. In a conservation easement, a landowner voluntarily agrees to donate or sell certain rights associated with his or her property, such as the right to subdivide, & a private organization or public agency agrees to hold the landowner's promise not to exercise those rights."



Benefits of Easements

- **For the land trust:**
 - Cheaper than fee-purchase agreements, thus allowing conservation dollars to be used more efficiently (TNC)
 - Fewer political issues than when buying the land outright
- **For the landowner**
 - Financial incentives (Environmental Law Institute)
 - Income tax deduction
 - Property tax deduction
 - Federal estate tax deduction
 - Allow continued use of land for farming, etc.
 - Preservation of open spaces for future generations
 - Habitat protection

Additional Benefits

- Easements help protect habitat & benefit the public
- **Public Benefits (LTA):**
 - Protection of open space
 - Increasing open space in a community has been shown to attract jobs and increase property values in the area.
- **Habitat Protection (TNC)**
 - Expand the wilderness areas of national parks such as Yellowstone to improve wildlife habitat
 - Improve the water quality by protecting watersheds & aquifers
 - Protect open space in rapidly developing areas
 - Ensure the continued use of land for agriculture or ranching

Steps to create an easement

1. Contact a land trust in the area
2. Determine the specifics of the easement contract.
Easement contracts are flexible and reflect the wishes of the landowner and conservation needs of the land.
 - Restrict land use to the extent necessary to protect the environmentally important aspects of the land
 - Can include all or part of a landowner's property
 - Does not have to allow public access
3. After the easement is created, it is the duty of the land trust to monitor the land to ensure that the terms of the easement are followed

Ethical Perspectives on Stewardship



Stewardship

- “An attitude of active care and concern for natural lands. It is the ethical and moral framework that informs our public and private actions.” (Wright & Nebel)
- Stewardship as a vocation: Caring on behalf of future generations or on behalf of God
- Through easements, landowners can practice their ethical duty to protect the land. This allows for the careful and responsible management for something entrusted to one’s care.

Reasons for Respecting Nature

- Responsibility to future generations
- Humans should value God's creation
- Nature should be valued for its beauty
- Importance of preserving biodiversity
- Preservation of natural features of the land
- Nature holds intrinsic value



Implications of Stewardship

- Humans have developed the ability to destroy land and cause species to go extinct at rates nearing past extinction crises
- Change in our valuation of land and species is required
- “A solution...can be found only if we undergo in the most radical way an inner change of heart, which can lead to a change in lifestyle and of unsustainable patterns of consumption and production.” -Pope John Paul II and Ecumenical Patriarch Bartholomew
- Importance of personal connections between people and the land in order to foster care and love for the environment
- Land protection alone is not enough—rather societal changes are required in order to reduce human impacts.

Religious Perspectives on Stewardship



Genesis 1

- *"And God blessed them, and God said unto them, Be fruitful, and multiply, and replenish the earth, and subdue it: and have **dominion** over the fish of the sea, and over the fowl of the air, and over every living thing that moveth upon the earth."* (Genesis 1.28)
 - Perhaps a better translation of the original text would have been "stewardship" rather than "dominion"
 - Highlights importance of responsibility rather than absolute power.
- *"And God saw every thing that he had made, and, behold, it was **very good**."* (Genesis 1.31)
 - "Very good" comes from the translation of "Tov," which also means morally good or beautiful.
 - Nature is God's gift to all creation

Connectedness of all Creation

- *"Of fowls after their kind, and of cattle after their kind, of every creeping thing of the earth after his kind, two of every sort shall come unto thee, to keep them alive." (Genesis 6.20)*
 - Covenant between God and Noah, his descendants, and all living things
 - Stresses the importance of biodiversity
 - Role of Noah as steward
- *"O LORD, how manifold are thy works! in wisdom hast thou made them all: **the earth is full of thy riches.**" (Psalm 104.24)*
 - Shows God as creator and sustainer
 - Coexistence of creatures under God

Biblical Implications of Land Conservation

- False interpretations of the Bible have led humans to mistreat God's creation
- The importance of stewardship and care for creation is shown in various passages in the Bible
 - Coexistence with nature
 - Interconnectedness of all creation
- In order to properly worship God, one must also respect creation and all its creatures
- Through conservation easements, landowners can practice good stewardship and respect of God's creation

Citations

Slide	Source
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