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Sally K. Fairfax, Darla Guenzler. *Conservation Trusts.* Lawrence: University Press of Kansas, 2001. xii + 255 pp. $19.95 (paper), ISBN 978-0-7006-1079-2; $40.00 (cloth), ISBN 978-0-7006-1078-5.

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New Strategies for Land Conservation: Conservation Trusts in America

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In an era when federal ownership and control of natural resources is under suspicion, conservation trusts have emerged into the policy limelight after more than a century in the shadows. This book is a most welcome analysis of whether conservation trusts can live up to their promise as an efficient and responsive environmental protection policy. Both practical and theoretical, this book will be useful for local protection advocates as well as scholars interested in the history of environmental governance.

Fairfax and Guenzler locate the emergence of conservation trusts in the historical context of the devolution and dispersal of federal authority for environmental policy. Conservation trusts, they argue, "are one part of a major challenge to the well-established terrain of Progressive Era land management ideologies and agencies" (p. 6). This older approach, they claim, equated federal ownership of specific land parcels with environmental protection. The new era differs from this in two fundamental ways. First, applying the concept of ecological interrelatedness and habitat protection requires that entire landscapes, whole ecosystems, be protected. This includes working landscapes and private lands, so public ownership is not always an option. Second, and more important, Fairfax and Guenzler suggest, a new era in land conservation is needed because the public has lost faith in the responsiveness of a distant federal bureaucracy, while critics have amassed a long list of failures of the heavy-handed regulatory approach. Political analysts write about "captured" agencies, scientists lament that ecological principles are lost in the political process, economists worry that regulation ignores market principles which might allow for flexibility and efficiency, and activists charge that federal agencies are sometimes the worst offenders. As federal authority devolves to newly strengthened state governments and federal functions are dispersed to a variety of private corporations, conservation trusts appear especially well suited to shape the new climate for policymaking. According to Fairfax and Guenzler, they combine the "clarity of purpose" (p. 12) that Theodore Lowi and subsequent critics have asked for with the "business-like approach" (p. 11) that the new resource economics so admires.

The core of the book, and its most practical sections, are the chapters which define the features of a conservation trust and explain these features in nine case studies. Fairfax and Guenzler delineate the specific requirements for a trust–money or other property, a beneficiary, and the intent of the property owner to create a trust–and show how these apply to conservation purposes. They note that many of the familiar land trusts are not, legally speaking, trusts at all. The most visible of the case studies is the trust established to clean up the Exxon Valdez oil spill. Many of the trusts deal with wetlands protection, including Platte River whooping crane habitat, prairie potholes in North Dakota, and critical wetlands near the Everglades. Also included are studies of a Great Lakes fisheries trust and land trusts in New England and California. Most of these were formed to mitigate damage done to the environment from oil spills, power plants, water diversion projects, or suburban development. The trusts tended to spend their funds in land acquisition for habitat protection, environmental education, and scientific research. Only a few chapters cover the familiar land trusts in which either land or a conservation easement is donated in perpetuity to a trust.

Taken together these case studies show an uneven record for conservation trusts. As Fairfax and Guenzler demonstrate, the most successful trusts have clear legal and organizational arrangements, and it seems clear that the trusts are most successful when conservation goals can blend with local politics and land use preferences. For instance, the Platte River whooping crane trust, with a clear mandate and careful management, has preserved habitat for endangered cranes while using the same land for crop production. In North Dakota, however, a sloppy legal structure combined with political pressures have tipped the balance so that trust funds spent in the name of preserving prairie potholes, a crucial avian flyway habitat, have done more for increasing agricultural production than saving bird life. Outright land purchase for habitat protection has been more successful in Dade County, Florida, and in Alaska after the Valdez. Land trusts in New England and California, as Fairfax and Guenzler tell it, have been able to protect parcels of critical land which have then been the catalyst for larger conservation efforts. Anyone looking for practical advice about setting up a conservation trust will find these case studies most valuable. What should the legal arrangements be? How much "management density" is necessary? How can a trust balance income generation with conservation practices? How to assure accountability? Should land use restrictions in perpetuity such as fire restrictions or motorized vehicle limits be specified in trust documents?

Although Fairfax and Guenzler provide much practical instruction and tell of successes and failures evenhandedly, one wonders if they are on the whole more positive about the new era in land conservation than the record justifies. Conservation trusts, along with collaborative planning, natural resource economics, ecosystem management, and devolution of powers, form a significant claim to being a new era in land preservation. As with Mark Twain, the rumors of the death of the old era may be greatly exaggerated. Fairfax and Guenzler's case studies, for instance, tell of local conservation efforts being whipsawed by federal decisions–a tax code change in 1964 which makes land easements deductible, an expected decision to build the Garrison Water Diversion Project in North Dakota, interstate highway construction that brings a remote area in New England or California within easy commute of a large city. Rather than a new era of conservation policies replacing the old, it is more accurate to think of the new strategies, including conservation trusts, as complementing the old.

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