



A Brief History of the Conservation Area Designation

Implementing ecosystem, species, and climate science to conserve large landscapes in partnership with private landowners

From Anchor-Point to Landscape-Level Approaches to Conservation

Historically, national parks, forests, and wildlife refuges have been established by acquiring or designating blocks of land set aside from development and heavy human use. Yellowstone National Park was created in 1872, the first reserve was created in 1868, on the Pribilof Islands, now part of Alaska Maritime National Wildlife Refuge, and the first National Forest was created in 1890. This conservation strategy proceeded into the 1970s, but ultimately no matter how large a conservation area is, it is still an island in a sea of human-dominated landscapes. This means on an anchor-point-based conservation strategy that protects an ecologically important, yet, comparatively small portion of a larger ecosystem as a national park, forest, and wildlife refuge are often geographically constrained by privately owned lands such as bison walking out of Yellowstone looking for lower country, pronghorn migrating off Hart Antelope Range in the late summer or canvasback ducks migrating north from Catahoula Lake National Wildlife Refuge nesting in small pothole ponds over millions and millions of acres in the Dakotas.

Recognizing that a landscape-level approach to conservation that collaborated with private landowners and was led by science could solve this anchor-point problem, the U.S. Fish and Wildlife Service (FWS) developed the “conservation area” strategy (originally termed a wetland management district) in the Prairie Pothole Region in the 1970s.

This strategy was developed in response to plummeting waterfowl population levels since the 1930s. FWS entered into a series of conservation easements with private landowners of ecologically significant areas in North Dakota by following waterfowl nesting data for priority bird species, or “Thunderstorm Maps.”² In doing so, FWS established the Lostwood Wetland Management District in 1962--the first Conservation Area in the U.S.--administratively. Conservation Areas are created administratively by purchasing conservation easements on private lands.

¹ A conservation easement (CE) is a voluntary legal agreement between a landowner and a non-governmental organization or government agency in which a landowner can sell certain rights of their property, or a portion of it, in exchange for accepting specified limitations on how they can use their land to protect its conservation values in perpetuity.

²Thunderstorm Maps rank the priority of a region by square mile based on the distribution and population density of a specific bird species; Midwest Region (3) and Mountain-Prairie Region (6) Fish and Wildlife Service, Administrative and Enforcement Procedures for FWS Easements, 161.

Science + Large Landscapes + Private Lands

Facing similar difficulties in preserving critical ecological corridors in Montana, this collaborative private-public partnership model of landscape-level waterfowl conservation was adapted to address wolf, grizzly bear, and wetlands conservation efforts, and in 1994, the Blackfoot Valley Conservation Area was established. Replicating the Conservation Area designation strategy in Montana was successful because the region met the three criteria present in North Dakota: established science, large landscapes, and private lands.

With a successful track record more than a decade long, this strategy was adopted again in 2010 to protect once-vast tallgrass prairies and the species native to them in Kansas rather than waterfowl or grizzly bears. The Flint Hills Legacy Conservation Area protects 80% of the remaining four percent of tallgrass prairie, which is the most impacted



Rainbow over a saltwater marsh © Amanda Hipps

ecosystem in the United States.⁴ Seeing how this landscape-level approach could be used to protect more than endangered species, back in the Prairie Pothole Region--where the Conservation Area designation originated--the Dakota Grassland Conservation Area was established in 2011 to protect tallgrass and mixed-grass prairies.

In 2012, the Everglades Headwaters National Wildlife Refuge and Conservation Area was created in Florida working with farmers and ranchers, sportsmen on more access while protecting grasshopper sparrows, Florida black bears, Florida panthers, rare endemic plants, and the Everglades watershed. Rather than following waterfowl nesting to determine implementation, the Everglades Headwaters Conservation Areas follow CLIP data -- integrating priority species and ecosystem data.

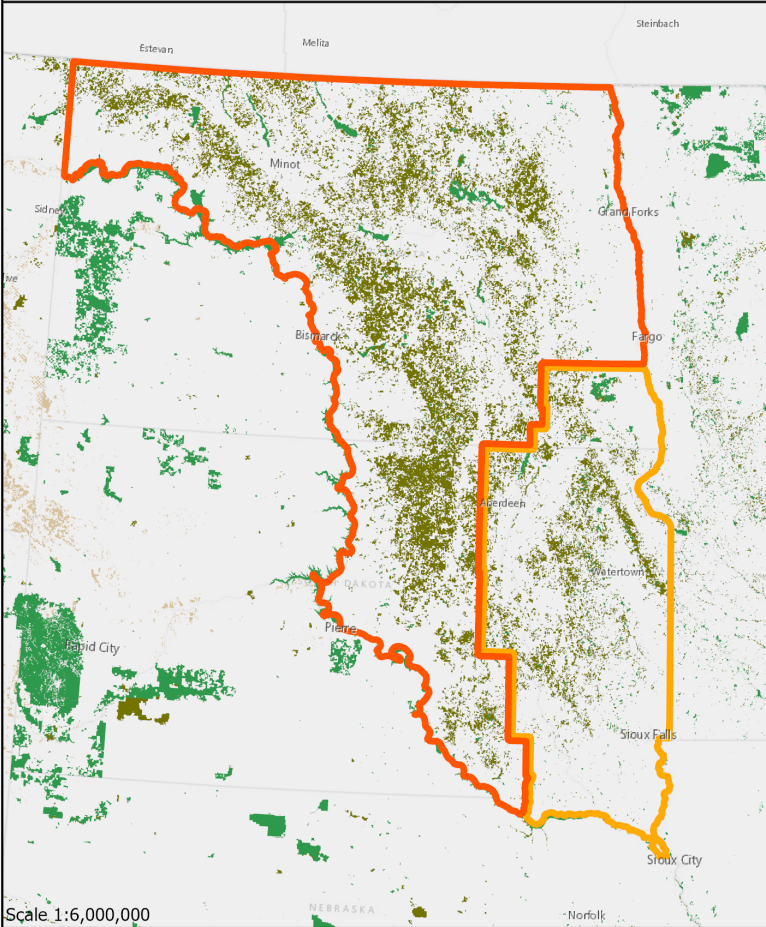
The Mechanics of a Conservation Area Designation

The acquisition authority of the Fish and Wildlife Act of 1956 (16 U.S.C.742aa-j) allows FWS to purchase critical wetland and grassland easements and, thus, establish conservation areas. Conservation Areas were further formalized by the passing of the Refuge Improvement Act of 1997.

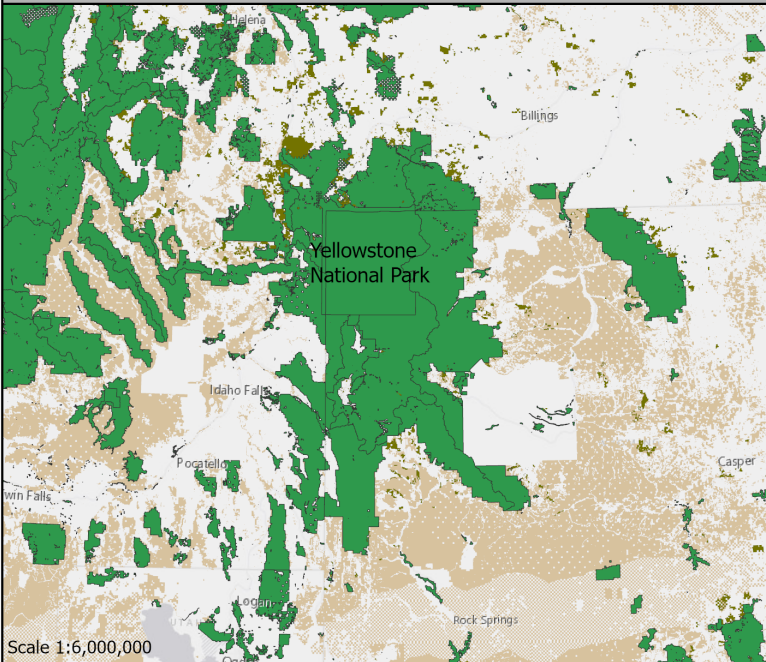
³ "Waterfowl Production Areas," Fish and Wildlife Service, last modified June 14, 2019, <https://www.fws.gov/refuges/about/public-lands-waters/wetlands-management-districts-and-waterfowl-production-areas/>

⁴<https://www.doi.gov/news/pressreleases/Secretary-Salazar-Marks-Establishment-of-Flint-Hills-Legacy-Conservation-Area>

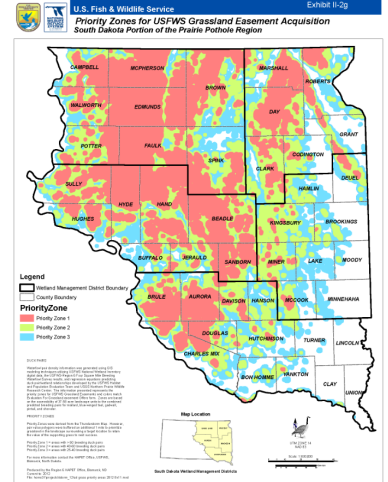
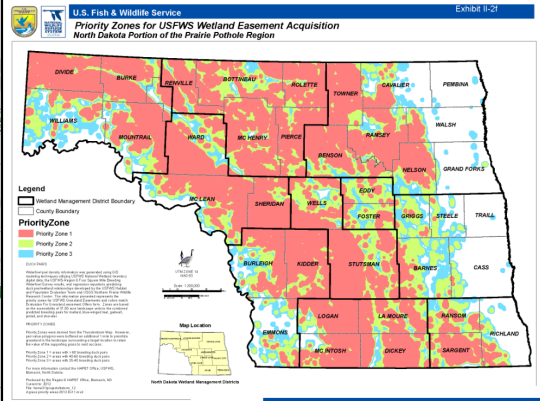
Conservation Lands at Dakota Grassland Conservation Area & Dakota Tallgrass Prairie Wildlife Management Area



Conservation Lands at Yellowstone Complex

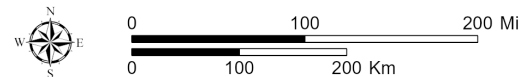


Thunderstorm Maps for the Dakotas



Landscape-scale Conservation Successes in North and South Dakota

-  Dakota Grassland Conservation Area
-  Dakota Tallgrass Prairie Wildlife Management Area
-  Easement
-  Protected Lands
-  Bureau of Land Management



*This map is a representation of the Protected Lands of the United States. Data: U.S. Geological Survey; Esri, HERE, NPS, Esri, HERE, Garmin, USGS, EPA, NPS.

Figure 1. The success of conservation areas and this collaborative private-public partnership model is best indicated by the overlap between the waterfowl ecological priority “Thunderstorm” maps and the areas held under conservation easements in North and South Dakota. Today, wetland CE in the Prairie Pothole Region produce more than 50% of the duck population in the continental United States.³ Yellowstone National Park Complex is included for a size comparison of the conservation areas.

The Refuge Improvement Act legally established refuges as being for wildlife by setting up a new planning process for National Wildlife Refuges. A Comprehensive Conservation Plan (CCP), which follows the National Environmental Policy Act, is required in order to expand or establish a refuge as it outlines refuge management for the next 15 years. Within a CCP, land protection plans (LPPs) and preliminary project proposals (PPPs) require USFWS and Natural Resource Conservation Service to prove the ecological importance of lands to be protected through conservation easements.

The Process of Designating a Conservation Area as a Unit of the National Wildlife Refuge System

Successful conservation area expansions are about stakeholder engagement, trust building, and making investments in local communities through collaboration. Unsuccessful efforts, no matter how ecologically important they are, often fail because they were met with strong local pushback that stalled and eventually ended progress. Therefore, success heavily depends on developing collaborative grassroots solutions that not only benefit the conservation community and society at large, but also address the local cost of the conservation strategy.

While the U.S. Fish and Wildlife Service can establish Conservation Areas administratively, the process follows National Environmental Policy Act (NEPA), which is a public-oriented process. NEPA hinges on multiple stages of stakeholder engagement as it includes a series of scoping meetings, draft Environmental Assessment meetings, and a final meeting with a finished document. At each of these opportunities for public input, it is critical to have already developed an approach with diverse local stakeholders that addresses the issues they may have with the creation of a conservation area. For example, connecting ranchers involved in the creation of the Blackfoot Valley Conservation Area to ranchers in Florida was key to building trust and eventually support for the Everglades Headwaters National Wildlife Refuge and Conservation Area.

Although stakeholder engagement requires compromise, it does not block important conservation steps from being taken. A conservation area can still accomplish 70-95% of the conservation efforts of an uninterrupted protected area like a national park could.

- 1. Stakeholder engagement** - defining problems, developing strategies, mitigating costs, maximizing benefits
- 2. Trust building** - work with stakeholders on common goals and objectives with short time horizons - such as wetland restoration, invasive species removal, and cattle watering systems to get cattle out of sensitive wetlands and riverine systems
- 3. Preliminary Project Proposal (PPP)** - the primary focus of a PPP is to outline how the long-term management of the project will meet biological and ecological needs of the area
- 4. More stakeholder engagement** - critical point for stakeholder outreach to assess and address potential concerns before connecting with leaders of key stakeholder groups

⁵“Landowners,” Fish and Wildlife Service, last modified December 3, 2020, <https://www.fws.gov/refuges/get-involved/landowners/>; Niall G. Clancy et al., “Protecting endangered species in the USA requires both public and private land conservation,” *Scientific Reports* 10, no. 11925 (2020): 2

5. Scoping meetings

6. **More stakeholder engagement** - following the public scoping meeting, it is likely that additional, previously unidentified stakeholder groups may come forward. All stakeholder groups need to be checked in with and subcommittees should be formed to work through issues that come up and further build trust

7. Developing conservation strategy alternatives and seeking input from stakeholders and the public



8. **More stakeholder engagement** - the primary goal of stakeholder engagement at this point is to ensure an efficient Land Projection Plan draft meeting. This involves working with the wide net of stakeholders to ensure the major public concerns have already been addressed before boundary maps are drawn up

9. Land Protection Plan (LPP) draft

10. Presentation of said draft to the public and take comments

11. **More stakeholder engagement** - clarify existing comments and address unforeseen concerns

12. Incorporate comments and develop final Land Protection Plan

13. **Director of the U.S. Fish and Wildlife Service signs Land Protection Plan and Conservation Area boundary is authorized**

14. **First 10 acres or more of real property is acquired or donated to the U.S. Fish and Wildlife Service** - the Conservation Area is established and becomes a unit of the National Wildlife Refuge System