

# ASSESSING PRIVATELY- CONSERVED AREAS FOR ALIGNMENT WITH PATHWAY TO CANADA TARGET 1

## APPENDICES



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A guidance document to help land trusts determine if a privately-conserved parcel is a *Protected Area*, an *Other Effective Area-based Conservation Measure (OECM)*, or neither

Prepared for the  
Canadian Land Trust Working Group

# APPENDICES

## Assessing Privately-Conserved Areas for Alignment with Pathway to Canada Target 1

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## Appendix 1: Addressing Other Rights and Tenures

Almost by definition, private lands will have a more complex dynamic of activities and rights associated with a property than public lands. Sub-surface rights have received much attention in this vein because in many cases they are separate from the surface rights, and held in private ownership or public lease.

The *Pathway to Canada Target 1* National Steering Committee has been clear that the simple existence of sub-surface rights would not preclude a property (public or private) from being listed in the Canadian Protected and Conserved Areas Database (CPCAD). They have also been clear that in cases outside the more typical realm of publicly-protected areas, the concepts of “intention” and “likelihood” should form the basis of assessments.

*Intention* refers to the clear indication that enduring protection of the property’s biodiversity conservation values underlies the management approach.

*Likelihood* refers to making the case that while a negative impact to the biodiversity conservation values of a property is possible, on balance the probability of it happening or the significance of its impact is low.

In the case of sub-surface rights associated with a privately-conserved parcel, the challenge for land trusts and conservancies, then, is to indicate if the *likelihood* of impacts is low, and that the management *intention* is to preclude or limit it wherever possible.

### Ability to Affect Other Rights and Tenures

In some situations, the fee-simple owner of a private land parcel has the ability to control how other rights and tenures will play out, and in some cases they will not. Demonstrating *intention* and *likelihood* will be different for these two situations.

*Changes beyond landowner control* refers to circumstances where a right or tenure may exist beyond the landowner, and the exercising of those rights will happen regardless of the landowner’s wishes. These include the government right to expropriate in the public interest (e.g., roads and other public infrastructure), or the right of a sub-surface mineral rights holder to access those resources.

*Changes within landowner control* refers to circumstances where a right or tenure may exist beyond the landowner, but the landowner still has rights and opportunities to affect it. These includes the right of the landowner to negotiate modifications of a surface access agreement, or to seek a change in the order of interests in the land to affect their priority.

In cases where *changes are beyond landowner control*, the land trust or conservancy can demonstrate *intention* and low *likelihood* in one of the following ways:

- Demonstrate the likelihood is low that an industrial activity that might impact the biodiversity conservation values of the property in a material way will happen
- Develop property-specific thresholds of industrial activity, beyond which CPCAD status would have to be revisited

In cases where *changes are within landowner control*, the land trust or conservancy can demonstrate *intention* and low *likelihood* in one of the following ways:

- Demonstrate the likelihood is low that an industrial activity that might impact the biodiversity conservation values of the property in a material way will happen
- Maintain a board-level policy on how the land trust or conservancy would deal with industrial activity applications were they to arise

Note that in both cases, the land trust or conservancy will have to articulate what those other rights and tenures are.

## Demonstrating Low Likelihood of Industrial Development

While no type of protected area comes with guarantees that industrial activity will never affect them, evidence would have to be provided that the *likelihood* of industrial activity taking place that could significantly affect the biodiversity conservation values of the property is fundamentally low.

Because privately-conserved parcels may have a number of external rights and tenures associated with them, this evidence of low *likelihood* may need to address such activities as:

- Gravel extraction
- Surface mining
- Hydrocarbon exploration
- Hydrocarbon extraction
- Expropriation for roads, power lines, pipelines

As well, some activities associated with lower-impact industries may also need evidence that the likelihood they will exceed sustainable levels is low. These may include:

- Selective timber harvest
- Extensive livestock grazing
- Low-impact recreational access

Such evidence could include information showing:

- Terms of a conservation easement or a management plan preventing gravel pits
- Prevalence of directional drilling in the area indicating drilling platforms could be directed away from the property
- Low economic or technical viability of accessing sub-surface resources in the area
- Lack of hydrocarbon exploration plans established for the area
- Willingness of rights-holders to adapt practices (use of existing roads, timber management restrictions, limits on recreational access, footprint reductions, grazing management plans, etc.)
- Existence of other viable rights-of-way in the vicinity
- Willingness of provincial government to cancel sub-surface leases
- Board-level policy for actively resisting industrial activity applications
- Past successes in resisting, redirecting, or refusing industrial activity

## Industrial access policy

For areas where industrial access is a possibility, land trusts and conservancies should maintain board-level policies regarding how emergent applications for industrial access or activity would be addressed.

For conservation easements / covenants, such policies could include:

- Clauses in conservation easements / covenants requiring landowners to refuse industrial access wherever it is within their rights to do so;
- Clauses in conservation easements / covenants requiring landowners to notify the conservation easement / covenant holder of any such applications;
- Clauses in conservation easements / covenants requiring landowners to work with the easement / covenant holder in negotiating required low impact practices;

For fee-simple conservation properties held by a land trust or conservancy, such policies could include:

- Board-level policies requiring the land trust or conservancy to refuse industrial access wherever it is within their rights to do so;
- Parcel-specific management plans that contain terms of engagement for industrial operators and direction on pressing for specific low-impact practices

In both cases, low-impact practices policies could include:

- Avoidance of the property wherever technically feasible
- Use of existing roads for access
- Minimization of footprints for well pads, staging areas, pump stations, etc.
- Highest-standard reclamation practices that include use of native species, and re-use of original soil horizon

- Avoidance of areas critical for the property's biodiversity conservation values (riparian areas, wildlife movement corridors, nesting areas, native vegetation, etc.)

## Threshold of Environmentally Damaging Industrial Activities and Infrastructure

A limited amount, or certain types, of industrial activity may not affect the conservation values of the property in a material or significant<sup>1</sup> way. However, in cases where expropriation and sub-surface access are a possibility, land trusts and conservancies should maintain property-specific policies that identify a threshold of such activity beyond which it can be said the elements of biodiversity targeted by the conservation area have been significantly or materially affected in an environmentally damaging way.

At that point, the property's status within Canadian Protected and Conserved Areas Database (CPCAD) would need to be re-visited.

Such threshold guidance could include:

- A minimum acreage required to maintain the identified biodiversity conservation values
- A maximum percentage of the property that can be affected before the identified conservation values are impacted (3% has been proposed in several discussions)
- Ecologically sensitive areas that cannot accommodate any impact (i.e., zero-threshold areas)

Threshold exceedance responses could include:

- Assessment by a qualified conservation biologist / ecologist to confirm the significance of the impact
- Re-submission of the property to CPCAD with the boundaries adjusted to exclude the area of the industrial activity.
- Change in CPCAD status to 'Interim Protected Area' pending completion of the industrial activity and restoration of its impacts

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<sup>1</sup> While all properties could be said to be environmentally damaged by industrial activity (acid rain, micro-plastics, climate change, roads, etc.), 'material' or 'significant' effects could mean large footprint changes/impacts, enduring impacts, cumulative effect impacts, etc.

## Appendix 2: Representative Land Trust Standards and Practices

The Canadian Land Trust Alliance's *Canadian Land Trust Standards and Practices* (2019) is a comprehensive set of guidelines addressing all aspects of a land trust or conservancy's operations, including fundraising, board oversight, human, resources, etc. While all of these are important for land trusts and conservancies, not all are important for the Natural Heritage Conservation Program (NHCP).

For the purposes of the NHCP, the following standards and practices are the most relevant, as they relate directly to ensuring land conservation agreements will meet the biodiversity conservation goals and protection standards of the *Pathway to Canada Target 1*.

### **STANDARD 1: Ethics, Mission and Community Engagement**

B-1: Adopt a mission that advances conservation and serves the public interest

### **STANDARD 8: Evaluating and Selecting Conservation Projects**

A-1. Identify specific conservation priorities consistent with the land trust's mission and goals

B-3. Document the conservation benefit of every land and conservation agreement project (

C-1. Visually inspect properties before buying or accepting donations of conservation land or conservation agreements to determine and document whether: a) There are important conservation values on the property

C-2. Evaluate and document potential threats to the conservation values on the property and structure the project to best protect those conservation values

D-1. Individually plan all land and conservation agreement projects so that: b) The property's important conservation values are protected

### **STANDARD 9: Ensuring Sound Transactions**

A-2: As dictated by the project, secure appropriate technical expertise, such as in financial, real estate, tax, scientific, indigenous and land and water management matters.

D-1: Determine both the legal description and physical boundaries of each property or conservation agreement

D-2: If a conservation agreement contains restrictions or permitted rights that are specific to certain zones or areas within the property, include the locations of these areas in the agreement document so that they can be identified in the field

E-1: For every conservation agreement: b) Identify the conservation values being protected; c) Allow only uses and permitted rights that are consistent with the conservation purposes and that will not significantly impair the protected conservation values; e) Include all necessary and appropriate provisions to ensure it is legally enforceable

I-1: When selling land, conservation agreements or other real property interests, a) Establish protections as appropriate to the property

I-2: When selling or transferring conservation land or conservation agreements to another charitable organization or public agency, consider whether the new holder can fulfill the long-term stewardship and enforcement responsibilities

### **STANDARD 11: Conservation Agreement Stewardship**

B-1: For each conservation agreement, have a baseline documentation report signed-off by the necessary technical expertise, with written descriptions, maps and photographs, that documents: a) The conservation values protected by the agreement; b) The relevant conditions of the property as necessary to monitor and enforce the agreement

B-2(a): Baseline documentation reports that require technical data collection are prepared with the support of professional(s) having appropriate background and expertise

B-3: In the limited circumstances when there are significant changes to the land (such as a result of a wildfire or bank erosion) or the conservation agreement (such as a result of an amendment or the exercise of a permitted right), document those changes in an appropriate manner, such as through monitoring reports, a baseline supplement or current conditions report

C-1: Adopt a written policy and/or procedure for compliance monitoring of conservation agreements that establishes consistent monitoring protocols and recordkeeping procedures

E-1: Adopt a written policy and develop written procedures for documenting and responding to potential conservation agreement violations

F-2: Establish written procedures to guide the land trust's decision-making regarding approvals and permitted rights



H-1: 1. Adopt and follow a written policy or procedure addressing conservation agreement amendments so that they are consistent with the following principles: a) Are consistent with the land trust's mission, e) Are consistent with the conservation purpose(s) and intent of the conservation agreement, g) Have a net beneficial or neutral effect on the relevant conservation values protected by the conservation agreement

**STANDARD 12: Land Stewardship**

B-1. Develop a written land management plan for each conservation property within 12 months after acquiring the land to: a) Identify the property's conservation values, including any significant cultural, Indigenous, historical and natural features, and identify threats to those features; b) Identify the overall management goals for the property; c) Identify activities and timeline to achieve the goals and to reduce any risks or threats to the conservation values; d) Specify the uses that are appropriate for the property, in keeping with the property's conservation values, any restrictions and donor or funder requirements

## Appendix 3: Management Intention

Because a number of factors related to a private parcel may ultimately be out of the control of the land trust or conservancy (e.g., other rights holders, expropriation, climate change), the Pathway to Canada Target 1 National Steering Committee has been clear that management “intention” is an important part of assessing properties for inclusion in the Canadian Protected and Conserved Areas Database (CPCAD).

*Intention* refers to the clear indication that enduring protection of the property's conservation values underlies the management approach.

For a land trust or conservancy, this will relate to the current use, the management plan, the term of the agreement, restoration plans, re-sale of conserved properties.

### Current Use

The current use of the property should be one that supports conservation and produces biodiversity outcomes. In this case, the “intention” for it to some day produce biodiversity outcomes, which laudable, is insufficient for it to be recognized as a conservation area.

### Management Plan

A management plan may be a part of a conservation easement, and must be a part of a fee-simple conservation area in order to demonstrate the management intention is aligned with the CBD / IUCN / PT1 requirement to provide sustained in situ biodiversity conservation.

The management plan's principles and required actions would show how land use and management practices will be restricted or prescribed with the intent of supporting in situ biodiversity for the long term.

### Agreement Term (Time Frame)

A key element of management intention is the time frame of an agreement, and the clauses related to that. The intent of a Protected Area or OECM agreement should be that the time frame is perpetual.

Ten-year agreements could be eligible if there is a clear intent by all current parties for it to be renewed. In the absence of that clear intent, the term of the agreement should be at least 25 years (i.e., a generation), though a written commitment to perpetuity is ideal.

In all cases, the agreement should reflect that the *conservation goal* is for the long term.

## Restoration

Areas with the potential to provide biodiversity outcomes when restored, would only be considered for inclusion in CPCAD once that restoration has taken place, and desired biodiversity outcomes are occurring or imminent. Again, here the *intention* to restore is insufficient.

## Sale of conservation properties

In the case of fee-simple properties, there are rarely conservation restrictions on title, so in the case of a sale it is more difficult to indicate that the conservation intention will follow the property.

To indicate the necessary management intention, holders of fee-simple properties should have board-level policies indicating one or more of the following:

- Properties listed in CPCAD will only be sold once conservation restrictions are placed on title (e.g., a conservation easement).
- Properties will only be sold when doing so will guarantee an opportunity to provide equal or greater biodiversity conservation.
- CPCAD will be notified so the listing can be deleted or amended

## Appendix 4: Evidence for *In Situ* Biodiversity Conservation Focus

The IUCN and the Pathway to Canada Target 1 criteria for both Protected Areas and Other Effective Area-based Conservation Measures reference ‘conservation of in situ biodiversity.’ These draw directly from the Convention on Biological Diversity’s (CBD’s) definition of *biodiversity*:

*“The variability among living organisms from all sources including, inter alia, terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are part: this includes diversity within species, between species and of ecosystems.”*

However, defining *biodiversity* is different from describing what is an effective effort to *conserve* it. Recognizing this, the CBD has also produced a definition of ‘in-situ conservation’, one which underpins much of the guidance for identifying and screening OECMs:

*“The conservation of ecosystems and natural habitats and the maintenance and recovery of viable populations of species in their natural surroundings and, in the case of domesticated or cultivated species, in the surroundings where they have developed their distinctive properties.”*

However, while these definitions and guidance work well at a high level, it still leaves those who actually govern and manage potential PAs and OECMs with limited direction as to whether their area will qualify.

In an effort address this, the IUCN’s World Commission on Protected Areas has released further guidance, stating that “OECMs will effectively protect one or more of the following elements of native biodiversity:

- *Rare, threatened or endangered species and habitats, and the ecosystems that support them, including species and sites identified on the IUCN Red List of Threatened Species, Red List of Ecosystems, or national equivalents.*
- *Representative natural ecosystems.*
- *High level of ecological integrity or ecological intactness, which are characterised by the occurrence of the full range of native species and supporting ecological processes. These areas will be intact or be capable of being restored under the proposed management regime.*
- *Range-restricted species and ecosystems in natural settings.*
- *Important species aggregations, including during migration or spawning.*
- *Ecosystems especially important for species life stages, feeding, resting, moulting and breeding.*

- *Areas of importance for ecological connectivity or that are important to complete a conservation network within a landscape or seascape.*
- *Areas that provide critical ecosystem services, such as clean water and carbon storage, in addition to in-situ biodiversity conservation.*
- *Species and habitats that are important for traditional human uses, such as native medicinal plants. (IUCN WCPA 2019)*

Privately-conserved areas proposed as either Protected Areas or Other Effective Area-based Conservation Measures should provide evidence that one or more of these elements of biodiversity is being targeted for conservation. This may be accomplished by:

- The enabling clauses and restrictive terms of a conservation easement / covenant which specifically target one or more of these elements.
- The principles and required actions of a management plan attached to a fee-simple parcel owned by a land trust or conservancy which specifically target one or more of these elements.
- A regional conservation plan or strategy, encompassing the privately-protected parcel, which specifically targets one or more of these elements.

## Appendix 5: Protected Area vs OECMs

### Summary

The definitions for *Protected Areas* (PAs) and for *Other Effective Area-based Conservation Measures* (OECMs) follow the same basic structure, drawn from the work of the IUCN, aimed at identifying the critical characteristics of an area-based conservation measure.

While there are numerous small but important differences, for the purposes of land trusts and conservancies, the key distinction is that a *Protected Area* has the “conservation of nature” as its primary objective, while an *Other Effective Area-based Conservation Measure* (OECM) may not have the “conservation of nature” as its primary objective, but its protective mechanisms and management regime ensure the sustained conservation of nature, nonetheless.

As well, if an area meets the criteria of a Protected Area, then it should be reported as such.

### Definitions - Whole

#### Protected Areas (PAs)

“A clearly defined geographical space, recognized, dedicated and managed, through legal or other effective means, to achieve the long-term conservation of nature with associated ecosystem services and cultural values”. (Dudley 2008)

#### Other Effective Area-based Conservation Measures (OECMs)

“A geographically defined area other than a Protected Area, which is governed and managed in ways that achieve positive and sustained long-term outcomes for the in situ conservation of biodiversity with associated ecosystem functions and services and where applicable, cultural, spiritual, socio-economic, and other locally relevant values.” (IUCN WCPA 2019)

“Protected areas and OECMs are both expected to result in the long-term and effective *in-situ* conservation of biodiversity. However, whereas protected areas have nature conservation as the primary management objective, OECMs may or may not have nature conservation as an objective.” (IUCN WCPA 2019)

## Definitions - Parsed Out

Area-Based Conservation Measures can be divided into two categories: Protected Areas and Other Effective Area-based Conservation Measures (OECMs). The IUCN, WCPA, and Pathway to Canada Target 1 all take the same approach to assessing if a conservation area is a PA, OECM or neither: they parse out the definition into its component parts, or ‘criteria’, and assess the proposed conservation against each one.

Though the two definitions are different, there is significant (and intentional) overlap.

Protected Area	OECM
A clearly defined geographical space	A geographically defined area
	other than a Protected Area
recognized, dedicated and managed	which is governed and managed
through legal or other effective means	in ways
to achieve the long-term conservation of nature	that achieve positive and sustained long-term outcomes for the in situ conservation of biodiversity
with associated ecosystem services and cultural values.	with associated ecosystem functions and services and where applicable, cultural, spiritual, socio-economic, and other locally relevant values.

## Distinguishing Between Protected Areas and OECMs

Because the critical difference between Protected Areas and OECMs is whether nature conservation is the 'primary' management objective, the IUCN provided the following direction on making those distinctions:

*Excerpted from (IUCN WCPA 2019)*

1. **"Primary conservation"**—refers to areas that may meet all elements of the IUCN definition of a protected area, but which are not officially designated as such because the governance authority does not want the area to be recognised or reported as a protected area. For example, in some instances Indigenous Peoples and local communities may not want areas of high biodiversity value that they govern to be designated as protected areas or recorded in government protected area databases. Assuming an area meets the OECM criteria, the governance authority has the right to withhold or give its consent to the area being recognised as an OECM. (p14)

A site that has a primary conservation objective and delivers effective biodiversity conservation but is not reported as a protected area could be recognised as OECMs if the governance authority so wishes.

Examples can include:

- Some territories or areas (marine, freshwater or terrestrial) governed by Indigenous Peoples, local communities or private entities that have a primary and explicit conservation objective and deliver the *in-situ* conservation of biodiversity, but where the governing body wishes the territories or areas to be recognised and reported as OECMs, rather than as protected areas.
  - Privately conserved areas, which are managed with a specific conservation objective but which are not recognised as protected areas under national legislation (Mitchell et al., 2018), e.g. ecosystem restoration areas in Indonesia (Utomo and Walsh, 2018\*).
  - Areas identified as Key Biodiversity Areas that are managed in ways that deliver long-term *in-situ* conservation of biodiversity through, for example, regulation or other effective approaches.
  - Some permanently set-aside areas of a managed forest, such as old-growth, primary, or other high-biodiversity value forests, which are protected from both forestry and non-forestry threats.
  - Some natural areas managed by universities for biological research. (p27)
2. **"Secondary conservation"**—is achieved through the active conservation of an area where biodiversity outcomes are a secondary management objective. For example, enduring watershed protection policies and management may result in effective protection of biodiversity in watersheds, even though the areas may be managed



primarily for objectives other than conservation. Sites managed to provide ecological connectivity between protected areas or other areas of high biodiversity, thereby contributing to their viability, may also qualify as OECMs. (p15)

Examples can include:

- Territories and areas managed by Indigenous Peoples and/or local communities (ICCAs, or sections of these areas) to maintain natural or near- natural ecosystems, with low levels of use of natural resources practised on a sustainable basis and in a way that does not degrade the areas' biodiversity. This includes coastal and marine areas where local community-based harvesting and management practices result in de facto conservation of fish populations and other associated marine biodiversity such as some locally- managed marine areas (LMMAs).
- Traditional management systems that maintain high levels of associated biodiversity. These could include certain agricultural or forest management systems that maintain native species and their habitat (see, for example, Eghenter, 2018; Mwamidi et al., 2018\*).
- Urban or municipal parks managed primarily for public recreation but which are large enough and sufficiently natural to also effectively achieve the in-situ conservation of biodiversity (e.g. wild grassland, wetlands) and which are managed to maintain these biodiversity values (e.g. Gray et al., 2018).
- Military lands and waters, or portions of military lands and waters that are primarily managed for the purpose of defence, but with specific secondary objectives focused on the conservation of biodiversity.
- Watersheds or other areas managed primarily for water resource management that also result in the in-situ conservation of biodiversity. This can include, for example, water meadows, riverine forest, coastal forests, wetlands, streams, upland catchments, or other areas managed for long-term soil and slope stabilisation, flood mitigation, or other ecosystem services (e.g. Matallana-Tobón et al., 2018\*).
- Permanent or long-term fisheries closure areas designed to protect complete ecosystems for stock recruitment, to protect specialised ecosystems in their entirety, or protect species at risk through the in-situ conservation of biodiversity as a whole, and are demonstrated to be effective against fishery and non-fishery threats alike.
- Hunting reserves that maintain natural habitats and other flora and fauna as well as viable populations of hunted and non-hunted native species.
- Areas successfully restored from degraded or threatened ecosystems, to provide important ecosystem services but which also contribute to effective biodiversity conservation e.g. freshwater and coastal wetlands restored for flood protection.
- Areas that contribute to conservation because of their role in connecting protected areas and other areas of particular importance for the conservation of biodiversity, thereby contributing to the long-term viability of larger ecosystems (e.g. Waithaka and Warigia Njoroge, 2018). (p27)

3. **“Ancillary conservation”**—refers to areas that deliver *in-situ* conservation as a by-product of management activities, even though biodiversity conservation is not a management objective. For example, Scapa Flow in the Orkney Islands protects shipwrecks and war graves. This protection has led to the ancillary conservation of important biodiversity (see Box 3). (p15)

Examples can include:

- Sacred natural sites with high biodiversity values that are conserved long-term for their associations with one or more faith groups (e.g. Matallana-Tobón et al., 2018\*).
- Coastal and marine areas protected for reasons other than conservation, but that nonetheless achieve the *in-situ* conservation of biodiversity e.g., historic wrecks, war graves, etc.
- Military lands and waters, or portions of military lands and waters that are managed for the purpose of defence, but also achieve the effective conservation of biodiversity in the long term. (p27)

## Appendix 6: Describing and Defining Protected Areas

The following definitions and concepts are used, repeatedly, in IUCN, WCPA, and PT1 documentation in explaining what is meant by Protected Areas. When it comes to determining when private land conservation is a 'protected area', they can be foundational source material.

### **IUCN Protected Area Definition (Dudley 2008, Stolton et al 2013):**

*"A clearly defined geographical space, recognized, dedicated and managed, through legal or other effective means, to achieve the long-term conservation of nature with associated ecosystem services and cultural values".*

### **IUCN Privately Protected Area Definition (Stolton et al 2014):**

*"Our recommended definition is: a privately protected area is a protected area, as defined by IUCN, under private governance (i.e. individuals and groups of individuals; non-governmental organizations (NGOs); corporations – both existing commercial companies and sometimes corporations set up by groups of private owners to manage groups of PPAs; for-profit owners; research entities (e.g. universities, field stations) or religious entities),"*

*"... or put more simply a privately conserved area is only a PPA if it is a protected area as defined by IUCN. "*

### **PT1 Protected Area Definition (One With Nature 2018):**

*"A clearly defined geographical space, recognised, dedicated and managed, through legal or other effective means, to achieve the long-term conservation of nature with associated ecosystem services and cultural values."*

### **IUCN Protected Area Principles (Dudley 2008):**

Existing general protected area principles particularly relevant to PPAs:

1. Protected areas must prevent, or eliminate where necessary, any exploitation or management practice that will be harmful to the [management] objectives of designation
2. For IUCN, only those areas where the main objective is conserving nature can be considered protected areas; this can include many areas with other goals as well, at the same level, but in the case of conflict, nature conservation will be the priority
3. Protected areas should usually aim to maintain or, ideally, increase the degree of naturalness of the ecosystem being protected.

### **Ownership Types (Stolton et al 2014)**

PPA [Privately Protected Areas], according to the IUCN governance matrix, could thus include ownership and/or management by:

- Individuals and groups of individuals
- Non-governmental organizations (NGOs)
- Corporations (both existing commercial companies and sometimes corporations set up by groups of private owners to manage groups of PPAs)
- For-profit owners (e.g. ecotourism companies)
- Research entities (e.g. universities, field stations)
- Religious entities

### **Governance Type (Stolton et al 2014)**

Private Governance [means] declared and run by:

- individual landowner
- non-profit organizations (e.g. NGOs, universities, cooperatives)
- for-profit organizations (e.g. individual or corporate landowners)

## Appendix 7: Glossary

### **Biological diversity**

The variability among living organisms from all sources including, inter alia, terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are part; this includes diversity within species, between species and of ecosystems. (CBD, Article 2. Use of Terms)

### **Domesticated or cultivated species**

Species in which the evolutionary process has been influenced by humans to meet their needs. (CBD, Article 2. Use of Terms)

### **Ecosystem**

A dynamic complex of plant, animal and micro-organism communities and their non-living environment interacting as a functional unit. (CBD, Article 2. Use of Terms)

### **Ex-situ conservation**

The conservation of components of biological diversity outside their natural habitats. (CBD, Article 2. Use of Terms)

### **Habitat**

The place or type of site where an organism or population naturally occurs. (CBD, Article 2. Use of Terms)

### **In-situ conditions**

Conditions where genetic resources exist within ecosystems and natural habitats, and, in the case of domesticated or cultivated species, in the surroundings where they have developed their distinctive properties. (CBD, Article 2. Use of Terms)

### **In-situ conservation**

The conservation of ecosystems and natural habitats and the maintenance and recovery of viable populations of species in their natural surroundings and, in the case of domesticated or cultivated species, in the surroundings where they have developed their distinctive properties. (CBD, Article 2. Use of Terms)

### **Sustainable use**

The use of components of biological diversity in a way and at a rate that does not lead to the long-term decline of biological diversity, thereby maintaining its potential to meet the needs and aspirations of present and future generations. (CBD, Article 2. Use of Terms)

## **Governance**

In the context of protected areas, governance has been defined as: “the interactions among structures, processes and traditions that determine how power is exercised, how decisions are taken on issues of public concern, and how citizens or other stakeholders have their say”. Governance arrangements are expressed through legal and policy frameworks, strategies, and management plans; they include the organizational arrangements for following up on policies and plans and monitoring performance. Governance covers the rules of decision making, including who gets access to information and participates in the decision- making process, as well as the decisions themselves. (Dudley, 2008)

## **Governance type**

Governance types are defined on the basis of “who holds management authority and responsibility and can be held accountable” for a specific protected area. (Dudley 2008, Borrini-Feyerabend 2004)

## **Management effectiveness**

How well a protected area is being managed – primarily the extent to which it is protecting values and achieving goals and objectives (Hockings et al 2006)

## **Private**

In the context of IUCN governance types, ‘private’ is all ownership types that are not ‘governments’, ‘indigenous and community’ or ‘shared’. (Stolton et al 2014)

## Appendix 8: References

- Canadian Land Trust Alliance (CLTA). 2019. *Canadian Land Trust Standards and Practices*.  
<https://cltstandardspracticesrevision.ca>
- Convention on Biological Diversity (CBD), Article 2. Use of Terms  
<http://www.cbd.int/convention/articles.shtml?a=cbd-02>
- Dudley, N. (Editor). 2008. *Guidelines for Applying Protected Area Management Categories*.  
Gland, Switzerland: IUCN. x + 86pp.
- IUCN WCPA. 2019. *Guidelines for Recognising and Reporting Other Effective Area- based Conservation Measures*. IUCN, Switzerland.
- Pathway to Canada Target 1 (PT1). 2018. *One With Nature*. A Report of Canada's Federal, Provincial and Territorial Departments Responsible for Parks, Protected Areas, Conservation, Wildlife and Biodiversity.
- Stolton, S., P. Shadie and N. Dudley. 2013. *IUCN WCPA Best Practice Guidance on Recognising Protected Areas and Assigning Management Categories and Governance Types*, Best Practice Protected Area Guidelines Series No. 21, Gland, Switzerland: IUCN.
- Stolton, Sue, Kent H. Redford and Nigel Dudley. 2014. *The Futures of Privately Protected Areas*. Gland, Switzerland: IUCN.
- Worboys, G.L., M. Lockwood, A. Kothari, S. Feary and I. Pulsford (eds). 2015. *Protected Area Governance and Management*. IUCN, World Commission on Protected Areas (WCPA), BIOPAMA. ANU Press, Canberra.