Strengthening Collaborative Conservation for Working Ranch Lands, Water and Wildlife: A State Conservation Fund for Montana

by

Ian Varley

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ABSTRACT

Currently, Montana does not have a state conservation fund (SCF), a funding mechanism designed to fund and strengthen collaborative conservation projects. Recent publications, including the State's Comprehensive Fish & Wildlife Strategy suggest that strengthening collaborative conservation on private lands is essential to the survival of many imperiled species and communities. Recently, Montana's Department of Fish, Wildlife & Parks has shown greater interest in creating more voluntary, incentive-based programs to address non-game wildlife and habitat conservation on private lands.

In this research, I use qualitative market research to evaluate the feasibility of a state conservation trust for Montana using state conservation funds (SCF) from three other states (Nebraska, North Carolina and Wyoming) as exemplars. I interviewed 18 individuals, many of whom were involved in collaborative conservation. Interviewees had professional backgrounds in ranching, game and land conservation, state natural resource agencies, industry/agricultural trade associations and watershed committees. From this work, I suggest specific techniques to conserve and provide sustainability for working agricultural lands, to address water efficiency and to use voluntary measures to protect prioritized species and habitats.

I also conduct a comparative case study of the creation of North Carolina's Clean Water Management Trust Fund to consider whether the origins of this Fund have implications for the creation of an SCF in Montana. However, I found that current conditions in Montana are not analogous to those in North Carolina. Problems such as wildfire and drought are serious but most respondents didn't feel that these issues had reached a critical mass of statewide concern. Overall, there was a general consensus by interviewees on what needs a Montana SCF could address and how it should be governed and administered. However, these issues as well as identifying potential funding mechanisms will require more research and a strong coalition of interested parties.

I. Introduction

In the past 20 years, conservation in America has witnessed a modest but significant shift in the way that it has been conducted. In the 1990s, as legal battles were waged between environmental groups and ranchers, loggers, miners, irrigators and hunters, a small movement emerged. Local groups and landowners, weary of policy gridlock began to take matters into their own hands and began to practice a more collaborative form of conservation (White 2008). Collaborative conservation *emphasizes local participation, sustainability, and inclusion of the disempowered, and focuses on voluntary compliance and consent rather than legal and regulatory enforcement* (Snow 2001 p. 13-14). Some practitioners began calling it the "radical center" and drew on consensus-building techniques (2001). In the 1980s and 90s, state initiatives took the form of dedicated state conservation funds across the West in states such as California, Colorado, Wyoming and Nebraska. A state conservation fund provides grant money to qualified non-profits and local governments to finance conservation projects that are voluntary and site-specific. Given the success of collaborative conservation, my research questioned whether a conservation trust fund would be a valuable asset to Montana, and if so, what features might encourage its implementation and effectiveness.

In the foreword of the *Comprehensive Fish and Wildlife Conservation Strategy* (FWP 2005), FWP's Director Jeff Hagener cited funding as a major limitation to the implementation of the *Strategy*. (FWP 20005 p. 1) Montana's focus areas of greatest conservation need, outlined in this document are overwhelmingly found on private lands. The need for Montana to 1) create new mechanisms for conservation funding, and 2) work in a new context involving local organizations and private landowners form the foundation on which I frame the problem and address my research objectives.

Montana policy makers have recently come to realize that collaborative conservation practices must be improved and increased. Montana's *Strategy* (FWP 2005) and subsequent actions by Montana's Department of Fish, Wildlife & Parks (FWP) have propelled interest in collaborative conservation on private lands. This document revealed that most "tier-one" or priority habitats and species are found on private lands. Montana is ecologically divided into four terrestrial ecotypes: intermountain grassland, montane forest, plains grassland and shrub grassland (FWP 2005). Within these ecotypes, FWP (2005) has designated the areas of greatest conservation importance (or "tier-one" focus area). While an exact figure is not currently available, these areas of greatest importance include valley bottoms, basins and foothills, which are comprised of grassland complexes, riparian areas and sagebrush savannas. Tier-one aquatic

communities consist of valley bottom and prairie streams and rivers. These same areas are also where Montana's ranchlands, irrigated pastures, urban areas and oil and gas leasing occur. The poor management of these human activities provide the bulk of conservation concerns in tier-one communities (FWP 2005).

In 2007, FWP established the Conservation and Restoration Partnership (CRP) (FWP 2008) as a follow-up step to the publication of the state's *Strategy* (2005). The Partnership has grown into a multidisciplinary group, consisting of representatives from Montana's ranching, conservation, energy-extraction, homebuilder sectors and others (MCRP 2008). The groups vision and current road map is to strengthen voluntary conservation on private land (2008). The Partnership's work has built upon previous attempts by Montana policymakers to address issues relating to natural resources and private property (Herring 2008). In 1993, then Governor Marc Racicot initiated the Private Land/Public Wildlife Council (PL/PW) in response to polarizing issues regarding private land and public wildlife. While its primary focus was hunter access, the group's goals included protecting wildlife habitat while engaging landowners who were looking for voluntary, incentive-based solutions. The result of this work was a tremendous boost to Montana's Block Management Program, the goal of which is to provide public access to private lands by providing compensation for landowners participating in the program (Herring 2008).

In Montana, a policy precedents to strengthen collaborative conservation do exist in the form of a handful of state and federal programs. Block Management is one FWP's better known programs, especially among hunters and ranchers. FWP's Habitat Montana, Future Fisheries and the Department of Natural Resources and Conservation's (DNRC) "HB 223 grants" fund voluntary conservation actions on private land. Federal programs provide the bulk of funding for voluntary or incentive-based conservation, most often through the Fish and Wildlife Service (USFWS) and Natural Resources Conservation Service (NRCS). However, few federal and state programs promote habitat conservation on working agricultural lands (McKinney and Bates Van de Wetering 2006). National programs such as the Conservation Reserve Program require lands to be removed from production (these lands are therefore no longer "working" agricultural lands).

The Montana wildlife agency's gradual shift towards identifying voluntary, incentive-based solutions are evident in its formation of citizen councils such as the PL/PW and CRP. This has taken place as part of a general shift on the part of policymakers toward voluntary, collaborative and incentive-based programs (Pretty and Ward 2001). Development of alternatives to "command and control" policies have spurred the development of additional federal, state and

local mechanisms, often facilitated by local organizations. Conservation districts, watershed conservation groups, land trusts and hunter/angler groups have filled important conservation roles by working with landowners. Several examples in Montana, including the Blackfoot Challenge and the Big Hole Watershed Committee, have been touted nationally as success stories (Hurteau 2005; Natural Resources Law Center 2008). The outcomes of these groups, while sometimes mixed, have demonstrated improved natural and social capital (Costanza and D'Arge 1997; Pretty and Ward 2001).

New Jersey was the first to initiate a state-run program to preserve open lands through incentive-based voluntary programs. Since the beginning of the State's Green Acres program in 1961 (Hopper and Cook 2004), the number of state conservation finance mechanisms has multiplied (Levitt 2005). In *Walden to Wall Street*, (Cook and Zeiper 2005 p. 53-54) illustrate what trends seem to be fueling this increase at both the state and local level:

- Use of land conservation to manage growth, often as an alternative to regulation
- Growth of the land trust movement
- Matching funds that stimulate local finance measures
- Expanded authority for local governments to dedicate funds for land conservation
- Growing popularity of programs to purchase development rights
- Concern about water supplies

Many of these same trends seemed to be at the forefront of Montana's political dialogue (Gallatin County Open Lands Board 2000; Eilperin 2006; Missoula County Open Lands Working Group 2006; Thackeray 2006; Furniss 2007).

The North Carolina Clean Water Management Trust Fund (CWMTF), a large and politically popular state conservation fund provides money for projects relating to water quality improvement, with a focus on agricultural lands (Varley 2008). Similar to North Carolina's program, Wyoming's Wildlife and Natural Resources Trust Fund provides financial resources for voluntary, incentive-based projects that address habitat conservation, range improvements, conifer encroachment, irrigation efficiency projects and conservation easements (State of Wyoming 2008). The Nebraska Environmental Trust is also focuses on voluntary conservation actions, much of which occurs on private lands.

Montana does have a number of State trust funds that provide interest income for state government operations, but generally these are not conservation-oriented and were not set up to fund collaborative conservation exclusively (Legislative Fiscal Division 2007). Until very recently, a comprehensive, publicly available analysis of the creation of a conservation fund has never been conducted in Montana (Chiu 2008). Currently, the concept of a state conservation trust is limited to a handful of policy and conservation practitioners in Montana. Some recent works on collaborative conservation, working agricultural lands and policy options for Montana's local and state governments do provide insight into the current conservation issues (Gallatin County Open Lands Board 2000; McKinney and Bates Van de Wetering 2006; Missoula County Open Lands Working Group 2006; Mundinger 2008). These sources (reviewed in Background) demonstrated to me that there was a need for additional mechanisms to strengthen collaborative conservation in Montana. I began to examine what state conservation fund needed to address in Montana, drawing from the CWMTF as well as cases from Wyoming and Nebraska. Given my familiarity and case study of North Carolina's CWMTF, I also wanted to see if any environmental conditions existed in Montana that could demonstrate a need for creating a conservation fund in the State.

My study works to illuminate what Montana can learn from these precedents. Through this process, I intend to inform policymakers and a citizen workgroup, the Conservation and Restoration Partnership, about options that are available to them for devising a state conservation fund.

II. Background

2.1 Study Area

Montana contains 56 counties spread across the nation's 4th largest state. Customarily the state is geographically divided into two regions: East and West. Both regions depend heavily on agriculture, especially ranching and grain production (US Census Bureau 2002). Western Montana contains most of the state's larger cities (Missoula, Bozeman, Great Falls), its major universities, and a more diversified economy based on retail and wholesale trade, construction, transportation and lumber (US Census Bureau 2002). Western Montana has benefited in the last 20 years from the influx of new residents, many of them seeking the natural and scenic amenities of the region. Eastern Montana is less populated; it has not benefitted from the economic prosperity and the influx of new residents that Western Montana has enjoyed over the last 20

years. However, Montana's largest city, Billings, and a handful of regional centers such as Havre and Miles City provide services for an economy based on its agriculture and energy extraction. Coal is the dominant energy resource, but other resources such as natural gas, petroleum and wind have transformed areas of Eastern Montana (Brown 2008). Royalties from expanded energy development in Eastern Montana have recently filled state coffers at a time when many states are looking at severe budget cuts (Johnson 2008).

Montana is undergoing a rapid transformation. The conversion of farms and ranches to roads and subdivisions has consumed 3.7 million acres since 1974 (US Department of Agriculture 2007). According to the American Farmland Trust, over 5 million acres of prime ranchlands are at risk of development in Montana (American Farmland Trust 2005). The price of real estate in Montana has continued to climb. Appraisal and real estate valuation expert Norman C. Wheeler has documented the increasing value and sales of what are known as "high-amenity properties;" these are often tracts which offer water frontage, mountain views, wildlife, national forest boundaries, irrigated croplands and riparian pastures (2007). High-amenity properties are often the same places that are also most valuable to Montanans, either as ranch lands, wildlife habitat or recreation areas, especially for sportsmen and women.. In many parts of Montana, multi-generational ranchers of these properties are selling their ranches either as complete, large acreage high-amenity units to people from outside the state (Gosnell 2007), or subdividing their ranches into 20 acre or smaller units (Hernandez 2004). The negative effects of this on biodiversity (Maestas, Knight et al. 2003) and agriculture viability (American Farmland Trust 2005) have been documented.

Subdivision and residential/commercial development aren't the only environmental concerns that have been widely discussed in Montana. Fire and drought have been common topics causing various miseries for the past 20-30 years. New residents to rural western Montana are often surprised to learn they are living in an "urban-wildland fire interface" an area of low density residential growth that is well dispersed in fire-adapted forests. Recent studies have revealed the tremendous cost and logistic difficulty of providing services, especially fire protection to this type of development (Rasker 2008). Oil and gas development, mostly in Eastern Montana has grown steadily in the last eight years (Kemmick 2008). Modern coal development and power generation has been a fixture in many parts of Eastern Montana since the 1970s but high energy prices and interest in "clean coal" technologies have recently expanded its development (Brown 2008).

Current climate predictions forecast continued drought combined with warmer winter conditions (Hall and Fagre 2003; Westerling, Hidalgo et al. 2006). In the summer of 2007, the State of Montana experienced the hottest July in recorded history. Typical daily temperatures hovered in the 90s and often jumped into the 100s during the afternoon (Briggeman 2007). While these conditions were unusual, they came on the heels of eight consecutive years of drought. In 2008, average temperatures and slightly above average precipitation eased drought conditions in much of the state.

2.2 Definition of a state conservation fund and examples from other states

A state conservation fund provides grant money to qualified non-profits and local governments to finance conservation projects that are voluntary and site-specific. Every state conservation fund is different, responding to the different concerns and priorities of each state. Some are trust funds that operate based on interest earned from a dedicated, permanent account. Most funds have a source of funding that remains stable through the years. This source can be legislative budget appropriations, lottery revenue or a dedicated portion of tax revenue.

Montana does not have a state conservation fund but it does have dedicated constitutional and statutory state trust funds. These trust funds provide $85 million in interest income for the operation of state government. The largest and most widely known is the Permanent Coal Tax Trust Fund followed by the Resource Indemnity Trust (Legislative Fiscal Division 2007). Most of Montana's state trust funds are funded tax and royalty income from resources such as hard-rock minerals, coal, gas and oil. These state trust funds differ from an SCF because they primarily provide funding for state government functions while an SCF provides funding through a grant program to qualified non-profit organizations and local governments.

A state conservation fund has tremendous ability to leverage other money from other funding sources. Wyoming's trust, for example, matches each dollar spent at an average ratio of six-to-one . They often allow for in-kind donations and actively support collaborative approaches to conservation (State of Wyoming 2008). Almost all conservation trust funds go beyond just protecting wildlife habitat. They typically fund very diverse objectives, often meeting the needs of urban and rural residents.

State conservation trusts are established by law with certain program areas or objectives. Within these program areas there is considerable flexibility regarding the makeup and types of

projects that are funded. Because Montana doesn't have a conservation fund, I examined existing conservation funds including Nebraska, Wyoming and North Carolina. I assumed from the outset, that while these states might provide useful examples, Montana's program should not be limited to what other states had established.

Below, I present descriptions of state conservation funds for Nebraska, Wyoming, and North Carolina. In Table 1, I provide a table showing four similar program program areas from each state.

Table 1: Four common elements among three SCFs (State of Nebraska 2008; State of North Carolina 2008; State of Wyoming 2008).

	NE Environmental Trust	**WY Wildlife & Natural Resources Trust**	**NC Clean Water Management Trust Fund**
Habitat restoration	Actions to preserve or restore native habitats and areas critical to at-risk, rare or endangered species	Grassland restoration, changes in management, prescribed fire, or treatment of invasive plants	Wetlands, riparian buffer and stream restoration
Preservation of open space/natural habitat	Focus on protecting natural habitats by fee-simple purchase of property or acquisition of development rights	Land conservation through purchase or partial-donation of development rights, contractual obligations, or other means of maintaining open space. Emphasis on critical habitat to attain or preserve desired wildlife or fish populations	Includes fee-simple acquisition of stream buffers, floodplains, wetlands, and greenways
Surface and/or ground water	Preserve or restore surface and ground water from degradation or depletion; research, design or foster best management practices; conserve water and/or efficiently and effectively manage water use;	Improvement and maintenance of aquatic habitats, including wetland creation or enhancement, stream restoration, water management or other methods	Improvements to wastewater treatment & collection systems; storm water management; repair of septic tanks and removal of straight pipes; wetlands, riparian buffer and stream restoration, agricultural best practices

Some SCF are more explicit about restricted activities in their enabling legislation, while other SCFs rely on internal regulation or other state laws to outline restricted activities. For example, all SCFs are unable to fund *quid pro quo* natural resource mitigation activities and do not have the power of eminent domain.

2.2.1 Nebraska Environmental Trust (NET)

The Nebraska Environmental Trust was established by the state legislature in 1992 to "*conserve, enhance and restore the natural environments of Nebraska. The Trust was created on the belief that a prosperous future is dependent upon a sound natural environment, and that Nebraskans could collectively achieve real progress on environmental issues if seed money were provided*" (State of Nebraska 2008).

According to the NET's online description, it places a high value on bringing partners together, especially from public and private sectors. NET also strives to create high-quality, cost-effective projects that leverage matching funds provided by project applicants (State of Nebraska 2008). The state has established criteria in order to ensure that the goals of the trust are met with a high degree of transparency. Local governments and non-profit organizations are eligible for funding.

In its authorizing legislation, NET makes a clear distinction that payment for land or land rights such as the purchase of land or land rights, does not qualify as private benefits (2008). While NET can't own any land or land rights itself, a qualified organization such as a land trust could hold land or land rights, if public benefit (such as habitat or scenic quality) is established. In this sense, NET has acknowledged the public benefit of habitat and scenic landscapes following what the federal and state governments have established through federal tax benefits for conservation contributions of real interests in land (Wolff 2001; Byers E. and Ponte K.M. 2005).

NET makes an interesting example for Montana in that it brings together rural and urban interests, emphasizing the inclusion of multiple stakeholders. For example, the program has funded tree planting programs in City of Omaha as well as livestock manure treatment programs for small agricultural producers.

2.2.2 Wyoming Wildlife and Natural Resource Trust (WWNRT)

Wyoming's state budget has benefitted in recent years by increasing income from coal, oil and gas revenue. In an effort to mitigate the "boom and bust" cycle, the State has looked to invest in permanent accounts that can continue to benefit the state during downturns in the cycle (Riccardi 2005). The Wyoming Legislature created the WWNRT in 2005 to invest in the State's wildlife and natural habitat. WWNRT is funded primarily by interest earned on a permanent account; since its inception however it has received additional appropriations from the State Legislature. The purpose of the program is to "*enhance and conserve wildlife habitat and natural resource values throughout the state"*(State of Wyoming 2008). State agencies, local governments and non-profit organizations are eligible for funding.

All projects are required to provide a public benefit. Applicants are encouraged to fully document all public benefits, such as continued agricultural production to maintain open space and healthy ecosystems; enhanced opportunities for outdoor recreation; enhancements to air, land, or water quality; maintenance or enhancement of wildlife habitat; preclusion of soil loss or disease; or other perceived public benefits (2008). Public access can be a public benefit but is not required.

The authorizing legislation for the WWNRT specifically outlines what trust fund dollars can NOT be spent on. These restrictions include (State of Wyoming 2008):

- *No funds shall be made available for the reintroduction of any native or non-native game or non-game species pursuant to the Endangered Species Act.*
- *No funds shall be disbursed for fee simple acquisition of real property.*
- *No funds shall be disbursed to purchase water rights, and no water rights may be accepted as gift, transfer, bequest, or donation unless such water rights are attached to real property.*

Wyoming neighbors Montana to the south and has in common many environmental, social and political aspects. Its focus on restoring wildlife habitat and enhancing opportunities for outdoor recreation already have precedents in Montana conservation policy, such as the Habitat Montana and Block Management programs (FWP 2005). Wyoming also places a strong value on its ability to leverage the Trust's fund. In 2007, the Trust managed to match eight dollars to every one dollar of project funding (Bob Budd, WWNRT Executive Director, Personal Communication 2008).

2.2.3 North Carolina Clean Water Management Trust Fund (CWMTF)

Established in 1996 by the state's General Assembly, the mission of CWMFT is to "*help local governments, state agencies and conservation non-profit groups finance projects to protect and restore surface water quality"*. Since its creation the CWMTF has awarded 1,148 grants totaling $832.7 million. Through its grants, it has leveraged $1.4 billion in public and private funds and permanently protected 4,560 stream miles of riparian buffers (State of North Carolina 2008). Of the three state conservation funds profiled in this paper, CWMTF is by far the largest program. However, the program had successful trust fund predecessors and has built its legislative appropriation steadily through the years (Varley 2008).

In addition to local governments and non-profits, CWMTF is can fund projects solicited from other state agencies, which makes it unique among the three examples listed here.

North Carolina's program focuses on water through a very comprehensive set of program tools. As mentioned in the *Strategy* (FWP 2005), many of Montana's waterways suffer form poor quality and quantity. However few resources are as treasured in Montana as its rivers, either as sources of irrigation water or for recreational activity.

2.3 Montana's need for additional conservation resources

In the foreword to the *Strategy*, MTFWP's Director, Jeff Hagener cites funding as a major limitation to the implementation of the *Strategy* (FWP 2005 p. 1). Based on their own wildlife conservation strategies, states have developed State Wildlife Action Plans that have received funding support through programs such as US Fish & Wildlife Service's Teaming with Wildlife and State Wildlife Grant Program. However, a major analysis of this program (Stoms 2008), suggest that current funding levels are insufficient for states (including Montana) to implement their State Wildlife Plans and ultimately their conservation strategies.

In 2006, Montana Public Policy Research Institute's *Sustaining Montana's Working Landscapes* (McKinney and Bates Van de Wetering 2006 p. 15) talked about the issue of increased state funding:

Many interviewees expressed support for state funding programs that help landowners access available federal and private funds. Many federal programs require matching funds, and in some cases private monies are more available if they are leveraging public funds... Several interviewees suggested new or expanded funding mechanisms to support conservation, such as a statewide open space bond, sales tax

(including local option taxes) and a real- estate transfer taxes aimed at second homes and recreational ranch purposes. In general, respondents appeared pessimistic about implementing new statewide taxes.

A number of recent publications have called for increased conservation funding- but in ways that had not yet been developed. An good example of this are the recommendations made by the Governor's Upper Yellowstone River Taskforce. This taskforce, set up in 1997 by Governor Racicot, made the following recommendation (among others) in 2003 to then Gov. Judy Martz (GUYRT, 2003 p.2):

IIIc .A fund should be established with the State of Montana to receive legislative allocations, agency grants, and private donations for the purpose of matching, on a dollar-for-dollar basis, all projects that have been funded by the Citizens' Advisory Council pursuant to a Park County Bond Issue to protect and preserve agricultural lands, scenic views, socially desirable riverscapes, and important riparian habitats along the Yellowstone River.

IIIc. State, federal, and private sources should be developed to increase the funding available for conservation easements on lands in close proximity to the upper Yellowstone River.

The findings of the Governor's Taskforce was echoed in the recommendations to the Missoula County Board of Commissioners by a group of 18 citizen landowners (Missoula County Open Lands Working Group 2006): purchased conservation easements are important tool for preserving open lands. Both Missoula and Ravalli Counties subsequently passed open space bonds by wide majorities. In Gallatin County, voters passed a ten million dollar open space bond in the fall of 2000. The Gallatin Valley Land Trust (GVLT), operating in Gallatin and surrounding counties had protected with conservation easements a little under 10,000 acres in 12 years. After open space bond money became available in Gallatin County, GVLT was able to protect almost 18,000 acres in less than 5 years (Gallatin Valley Land Trust 2008). Many Montana landowners are in a position of being "land rich and cash poor" and would prefer an alternate method to federal income tax incentives for the donation of development rights (McKinney and Bates Van der Wetering 2006). This case illustrates the tremendous power additional cash funding can do for land conservation in a given region.

McKinney and Bates Van der Wetering's (2006) study acknowledged the important role that working lands, especially ranchlands and forests, play in protecting wildlife habitat. However, in their study opinions differed widely regarding ways to ways to proceed: almost all landowners are skeptical of programs that mandate public access, many objected to state or federal government holding easements as opposed to a local land trust. McKinney and Bates Van der Wetering (2006) also considered the option of transferable state tax credits, a mechanism that is currently used extensively in Colorado, Virginia and recently, New Mexico. These programs have proven to be somewhat controversial and many states are waiting for further guidance from

the IRS and Colorado's State Department of Real Estate before proceeding with similar programs (Ozarski 2007).

Conservation easements may work for some but serious doubts exist regarding the concept of perpetuity. Many landowners who are hoping to pass land on to a next generation are hesitant to tie the hands of future owners by encumbering a property with an easement. Encumbering a property with a conservation easement seems to run contrary to the business sense of agricultural operators who would like to leave future landowners with more options (often their children or relatives). This a sentiment echoed in other recent publication about land conservation and agriculture (Wolff 2001; Glynwood Center 2008). Some interesting alternatives expressed by landowners included term management agreements (McKinney and Bates Van der Wetering 2006) and affirmative obligations for continued agriculture as provisions in easements (Glynwood Center 2008). Increasingly land trusts and real estate lawyers have encouraged landowners to reserve certain development rights, even if they feel that they won't need them. A significant problem exists regarding the lack of information itself about what conservation easements do and do not restrict and what perpetuity means for a landowner and his/her children.

A long term debate between land conservationists and researchers has been the effectiveness of conservation easements to improve or even maintain quality wildlife habitat (Fairfax 2005). More often the missions of land trusts more focused on preserving open space or working lands, regardless of what conditions may actually exist on the ground (2005).

Mundinger (2008 p. 9) found that cooperative conservation activities working at the watershed or landscape level were key to fulfilling the goals of habitat conservation:

> *A new approach to natural resource conservation has emerged in Montana. The new model and conservation and restoration of habitats necessary to support those groups; a greater emphasis on sustaining the communities of people who depend on working landscapes as well as sustaining ecological systems; conservation as a result of local initiatives and partnerships; a more strategic approach, based on species and habitat objectives, in response to long term cooperation.*

III. Methods

3.1 Tradition of Inquiry

My overall strategy is that of *qualitative market research* (QMR). QMR is a research method for collecting primary data, especially when little is known about consumer preferences. It is

frequently used to get a "rough idea" of what a consumer is thinking before more exhaustive qualitative or quantitative data is gathered (Kumar 2002) . However, the use of QMR is not necessarily limited to the realm of commerce. Qualitative market research can also be applied to social or policy research, with the goal of gauging and/or improving social policies or conditions (Imms and Ereaut 2002). QMR is defined below (Kumar 2002 p. 186-187) :

The purpose of qualitative [market] research is to find out what is in a consumer's mind. It is done to access and also get a rough idea about the person's perspective. It helps the researcher to become oriented to the range and complexity of consumer activity and concerns.

The basic assumption behind qualitative methods is that an individual 's organization of a relatively unstructured stimulus indicates the person's basic perceptions of the phenomenon and his or her reaction to it. The more unstructured and ambiguous a stimulus is, the more subjects can and will project their emotions, needs, motives, attitudes and values.

QMR is typically used to early on in a marketing research process, often as a preamble to other marketing research methods. Its methods are less structured, which according to Kumar (2002) provides a window for the researcher to identify new insights and perspectives. The number of respondents is typically small and does not assume to be representative of a target population. Typical research methods in QMR include nondirective interviews, semi-structured interviews and focus groups.

In this study, my stimulus was the possibility of establishing a state conservation fund. The consumer was the interviewee. The stimulus was an "unstructured" concept for most interviewees; most had not heard of a state conservation fund before the interview. Only one interviewee (Whitney[*]) was familiar with state conservation funds prior to the interview. Suspecting this, , I supplied a basic definition of a state conservation fund and supplied examples from other programs to the interviewees (see Questionnaire in Appendix A).

My research was exploratory in nature, given that this research has not been conducted before in Montana. Its purpose was to get preliminary reactions to a new concept (an SCF) and the results will hopefully suggest new avenues for additional research. Within the context of policy development, my study attempted to take a step by getting preliminary reactions from potential stakeholders. Potential stakeholders in this case were those people that might support or oppose, participate in or otherwise see the program as beneficial or detrimental.

[*] All names in this report are pseudonyms to protect the confidentiality of the interviewees.

I incorporated elements of comparative case study strategy to inform my interviewees and myself. Montana does not have a state conservation fund so I used cases of existing state funds from North Carolina, Nebraska and Wyoming. While each conservation fund is unique, they all have common elements that can be generalized: program areas, objectives, governance, administration and funding sources.

In the case of North Carolina I have additional information about the origins of North Carolina's CWMTF, especially the ecological crisis and impending state regulation that propelled lawmakers to support the Fund. Using this information, I intend to compare the conditions that lead to creation of the CWMTF (Varley 2008) and ask my interviewees if similar conditions are present in Montana. While North Carolina and Montana are very different states, I wanted to see if my interviewees in Montana perceived similar regulatory and crises motivations. The application of comparative case studies is especially important to explain the "*causal links in real life interventions that are too complex for other research strategies*" (Yin 1989 p. 15).

Epistemologically, I draw from a post-modern tradition that acknowledges my own positionality vis-à-vis my research subject. I also acknowledge that human values are at the core of my research. Therefore, I expect the perception of problems and solutions to be different from one person to another. While I do not intend to critique or educate through the research process, my presence throughout the research process will effect how people respond (Rossman and Rallis 2003).

3.2 Fundamental assumptions about the research

As a researcher its important to acknowledge some fundamental assumptions about the Montana's future that I considered before beginning my research. This is important in terms of transparency- I share these with the reader to acknowledge that no research is truly unbiased. Every researcher works hard to remain impartial and neutral in a professional setting. However, I wouldn't be asking these questions if I didn't hold certain assumptions about the nature of the social, economic and environmental situation in Montana. These assumptions are largely based on the background literature which is discussed above:

- Montana will face increasing development, through both increasing urbanization and the energy resource industries.

- Climate change is a proven trend and its effect on the western US tends towards drier and warmer conditions.

- Both climate change and development will coalesce with other pressures such as noxious weeds and other invasive species to place increasing stress on natural resources, especially in aquatic environments.

3.3 Participant Interview Protocol

Before beginning the qualitative research, I submitted a summary of my research protocol to the coordinator for Institutional Review Board for the Protection of Human Subjects in Non-medical Research (IRB) at Duke University. I received an exemption from review from the IRB, because my research did not meet any of the requirements to necessitate a review by the IRB. I developed a form for informed consent for each interview I informed the interviewees that the interview would be completely confidential. I requested permission to make an audio recording both ahead of time and immediately prior to the in-person interview. I let participants know that they were free to not answer any questions, have the recorder turned off or terminate the interview at any time. Following this protocol during the preparation of this document, all quotes appearing here were chosen in such a way so that the identity of the speaker could not be identified. To protect the confidentiality of my interviewees, I have selected pseudonyms that I use throughout the text

3.4 Research Steps

My research involved conducting 18 semi-structured interviews study using qualitative market research with respect to the establishment of a state conservation fund. I used interview data and examples of other state conservation funds to provide questions that might provide the most guidance for Montana State Conservation Fund. The use of interviews is consistent with my two traditions of inquiry: qualitative market research and the comparative case study.

My interviewees come from different economic sectors and geographical regions. They represent ranching/agricultural backgrounds, collaborative conservation organizations, industry groups and state government. I wanted to capture a plurality of viewpoints, but I focused on the perspectives of the rancher/stockgrower group because of the need to focus on private land (FWP 2005). My institutional urged me to take a special consideration of the needs and concerns of agriculture operators (especially ranchers). This is especially relevant given that ranchlands often harbor critical habitat and wildlife (2005) and Montana state conservation policy has recently shifted towards working with private landowners (2005).

My research involved four steps:

1. Interview guide development and testing
2. Interviewee list development
3. Interview process
4. Analysis

3.4.1 Interview guide development and testing

My primary method of research was the semi-structured interview (Rossman and Rallis 2003). My interview guide provided me with a framework to ask respondents about their lives, occupations, opinions and perceptions, but the flow of conversation sometimes took precedence over adhering to the strict order of the questions (a full list of questions is included in Appendix A).

In my first phase, I asked 5 individuals working in voluntary and collaborative conservation to provide input on my draft interview guide. Several of these people came from the land trust community, one from academia, and several from state government. In addition to providing input on the guide, these "informational gatekeepers" directed me towards an initial list of interview subjects.

Subsequently, I held a test interview with a land conservation professional, and received comments and feedback from my project advisor project at Duke University. This test interview was not included in my results. My final guide contained 10 questions that I asked all interviewees, plus three additional questions that related to funding needs, and were asked only of individuals working full-time for grassroots conservation organizations: land trusts, watershed associations and hunter/angler groups. Table 2 relates my research objectives to the questions I asked and provides a rationale that relates the questions and objectives.

Table 2. Research objectives, questions and rationale.

Primary objective	Questions asked of interviewees	Rationale
To qualitatively assess what interviewees would want in a state conservation fund.	1. What kind of programs or objectives should a conservation trust have? 2. What should it not do? 3. How should it be governed and administered? 4. How should it be funded?	The purpose of these questions is to find out from the interviewees the range of programs an SCF should or could encompass. These questions were presented with examples from SCFs from three other states. Interviewees were also encouraged to think in terms of Montana and its own unique conservation problems.
Through the use of comparative case study, compare the origins of the North Carolina's CWMTF to analogous conditions in Montana.	5. Do you see any crisis situations that could motivate the MT legislature into considering a conservation trust fund? 6. Do you feel that there are more environmental regulations coming to Montana?	For example, North Carolina created its Clean Water Trust Fund after a series of devastating accidents brought to the public's attention the vulnerability of the state's water bodies to pollution. This crisis situation propelled the legislature to create the NC Clean Water Trust Fund.

Table 3. Ancillary questions and rationale.

Questions asked of interviewees	Rationale
1. Tell me a bit about yourself? How long have you lived in MT? What qualities about the state do you and your family enjoy most? 2. In your opinion, what are the leading "environmental" problems in Montana? 3. What is the priority for state government conservation dollars? Where would you put this in a priority list with other Montana needs? 4. What conservation programs are poorly funded in Montana?	Questions acted as introductory or warm up question. They helped provide valuable background information on the interviewees and some of their concerns. Questions three and four helped me gauge the interviewees knowledge about current state government involvement in collaborative conservation.
Conservation Group, Watershed Association, Soil & Water Conservation District questions [asked only to members of these groups] 5. What are your greatest funding needs? 6. To what extent does funding limit what your group can do? 7. What capacity do Montana's collaborative conservation groups have to raise money from private foundations?	Questions five through seven were only asked of local Montana conservation groups. Through these questions I wanted to get a better idea about how small conservation organizations are funded in Montana, what their needs are and what capacity they have to raise money to support their efforts.

Table 3 lists questions that did not directly relate to my research objectives. These were important to either facilitate the conversational flow of the interview, to provide context to certain interviewee opinions, or as a way to check the consistency of people's opinions or desires.

4.4.2 Development of an interviewee list

My informational gatekeepers originally suggested a list of seven individuals to interview. Of these seven, I was able to interview five. Hopper and Cook (2002) specifically

suggest meeting and interviewing community leaders as an initial step in understanding public opinion that will ultimately inform. This step is also recommended in a growing body of literature about the development of conservation finance initiatives (McQueen and McMahon 2003; Levitt 2005). To build a sample I used a qualitative method called "snowballing" (Rossman and Rallis 2003). This method identifies cases of interest through networks of people who know what cases are information rich (Kumar 2002). At the end of each interview I would ask my interviewee to recommend another individual that the interviewee though would be interesting cases. Often, but not always, these were well respected and well known practitioners in collaborative conservation. As a part of my methods protocol, I attempted to contact everyone who was recommended to me. However, because of time constraints and respondent availability, I didn't get the opportunity to interview everyone who was recommended to me. A significant limitation to conducting research in the summer was people's busy work and vacation schedules. If I succeeded to make an appointment with an interviewee, I often attempted to schedule other interviews with other recommended individuals on the same day and in the same region. In this way I attempted to cluster interviews in a given location to reduce the amount of travel time and expense.

3.4.3 Interview process

My interviews typically lasted 45 to 90 minutes. If I felt that a certain issue needed more depth, I followed up with additional questions. If a question was covered during the course of conversation, I did not revisit it.

My interviews were recorded using a digital audio recorder. All but two interviews were conducted in person; individual schedules required that two be carried out over the phone. Most often these interviews took place in the interviewee's house or place of business.

3.4.4 Data Analysis

Most of my interviews were transcribed manually into Microsoft Word documents. These were then imported into QSR's NVivo software package (QSR International 2008). NVivo allowed me to create themes through a process called coding. This involves identifying topics that emerged during the interviews. In several cases, I imported the actual audio interview into NVivo, and coded directly onto the audio timeline rather than producing and coding to a textual transcript. This allowed me to consider which coding technique was preferable to me.

In developing themes, I looked for salient issues that were either prompted by my questions or produced through the course of conversation. While my questions encompassed

certain parameters, my themes were developed inductively; that is I didn't have preconceived categories into which that I would then fit the data. Rather I chose to let my reading of the interview data inform theme development. Over time, themes were identified in the interviews and the process of coding themes became more deductive. That is, the vast majority of ideas, phenomena and NVivo.

To further define what constitutes a theme I considered the following four points (Van Maanen 1983):

1. A theme is the pared down heart of the point, the meaning of the point. *What is the meaning, its point?*

2. A theme is a simplification of the subject, just the essence.

3. A theme is not an object encountered at a certain point or a movement in a text.

4. A theme is the statement that captures the phenomenon one tries to communicate. *Theme depicts an aspect of the structure of lived experience.*

In NVivo, themes are called nodes and hereafter in this text they will be referred to as such. This terminology stems perhaps from the idea that the same theme can be repeated by an individual and by others. A node may link to many interviews. NVivo tallies the number of sources or interviewees that I coded to each node. I identified a total of 51 nodes: 23 tree nodes and 28 free nodes. Free nodes had no hierarchical relation to each other. For example, when I asked interviewees if there were any environmental crisis issues that affected the State, I created two free nodes: "crisis situations" and "no crisis." I coded to the appropriate free node depending on whether they felt that there was a crisis or not. Tree nodes provided a hierarchical structure so that subsets could be created and nodes organized accordingly. This help organize certain nodes that had a common element. For example, I created a parent node called "ranching", and child nodes under ranching of "losing experience on the land", "mentorship/youth", "stewardship", and "keeping the ranch profitable". Table 4 and 5 provide the nodes to which the data were coded. Note that a source is a particular interview (therefore an individual), and reference is a single area of contiguous text in a source. Thus, multiple references to a node could appear in a single source.

Table 4. Free nodes exported from NVivo

Name	Sources	References

Name	Sources	References
continuity	1	2
crisis situations	8	18
education	2	2
environmental services	2	5
fear/spoilers issues	15	42
Funding sources	16	58
Funding challenges	9	20
general negativity	8	23
governance/administration	18	51
govt. programs	9	29
increasing regulation	9	9
local control by communities	5	14
matching	4	5
monitoring	1	1
need for market incentives	2	3
negative reaction to SCF	4	9
No crisis situations	5	5
organizational needs	2	8
perpetuity/term CE	6	21
plum creek timberlands	4	11
positive reaction to SCF	9	18
private foundations	1	3
public access	5	26
regionalism	5	14
SCF should not	17	29
somehow important	12	28
state government	12	58
tax issues	2	5
Weeds	1	1

Table 5. Tree nodes exported from NVivo

Tree node	Child node		Sources	References
Environmental problems				
	development		11	19
	fish, riparian, water		4	8
	mining reclamation		4	4
	oil and gas		5	7
	subdivision, land use conversion		11	25
	weeds		5	7
	other		7	13
Funding needs				
	alternative energy		3	6
	water/fisheries		14	29
	conservation easements		8	20
	communities		4	11
	wildfire/urban interface		6	7
	native species/habitat		8	14
	other		6	8
	Ranching and working lands			
		general	14	45
		losing experience on the land	4	45
		Mentorship and youth	5	6
		stewardship	5	13
Making the case for collaborative conservation			12	61
	policy and process		3	13

IV. Results

Characteristics of interviewees

I conducted interviews with 18 individuals. Of these, 13 interviews were conducted with one interviewee, and two were conducted with two concurrent interviewees. One individual chose to respond to my questions in written format because of time constraints. Of these 18 individuals, five were working ranchers, five represented industry or agricultural associations, three had land conservation backgrounds, two represented hunter/angler groups, two worked for state government, one worked for a agriculture/conservation policy institute and one worked for a watershed committee. Many individuals had multiple backgrounds and this plurality of perspectives was a desirable quality. For example, one rancher is also a member of a watershed committee, and one land conservationist is also a member of a hunter/angler group. Often, many of the ranchers had full- or part-time jobs off the ranch but still strongly identified themselves as ranchers. All the ranchers had multiple-generational ties to their land, often back to the territorial era of Montana's history (from the late 1850s till statehood was granted in 1893). Seven of my interviewees were women, 11 were men. Only six of my interviewees were born and raised outside of Montana. All of my interviews took place during an eight-week span from late June to mid August 2008. Table six provides background information on the 18 individuals I interviewed.

Table 6. Interviewee's pseudonyms, professions and background information.

Pseudonym	Ranching	Collaborative conservation non-profit	Industry or agricultural association	State government	Ranching background	Member of a collaborative conservation organization	Background information
Dwight	X				X	X	Rancher. Member of an agricultural/conservation association
Logan	X				X	X	Rancher. On the board of a local conservation org. advisory committee
Leonard	X				X	X	Rancher. Member of a local watershed association
Duncan	X				X	X	Rancher. On the board of a local conservation advis committee
Carl	X				X	X	Rancher. Member of a local watershed association
Josh			X		X		Agriculture association representative
Damien			X		X		Industry representative
Nora			X		X		Agriculture association representative
Dalia				X			MTFWP employee

Pseudonym	Ranching	Collaborative conservation non-profit	Industry or agricultural association	State government	Ranching background	Member of a collaborative conservation organization	Background information
Ruben				X	X		State environmental policy expert
Larry		X			X		Director of a local ranching/conservation collaborat group
Laura		X			X		Director of a local ranching/conservation collaborat group
Mario		X			X		Employee of a state hunter/angler group
Matthew		X					Employee of a national hunter/angler group
Zondra		X					National land trust employee
Julie		X				X	Coordinator of a watershed association.
Bruce		X					Director for an agriculture/conservation policy insti
Patty		X				X	Montana regional land trust employee

4.1 Questions and answers

In this section I consider the research objectives and questions asked during the interview process. As Rossman (2003) noted, interpreting the results of interviews is similar to putting together a story. My results synthesize the elements that were most common. While not everyone agreed with each other, I suggest that certain trends are observable.

Below each question I list the nodes that I coded during the response to each question. In parentheses after each node are the number of sources and references which correspond with that node. This total number of references and nodes are an approximation of how many times a given theme came up during the all interviews.

Research objective: To qualitatively assess what interviewees would want from a state conservation fund.

Question: What kind of programs or objectives should a conservation trust have?

Nodes	**Sources**	**References**
ranching/working lands	14	45
water/fisheries	14	29
conservation easements	8	20
native species/habitat	8	14
Forests/urban interface	6	7
Communities	4	11
Alternative energy	3	6

In terms of new ideas that a Montana State Conservation Fund could address, a wide range of topics were discussed and suggested while discussing this question. Everyone whom I spoke with felt that working lands were integral to the continued health of Montana's environment and its economy. All ranchers and most interviewees felt that an SCF should include programs that directly address ranch lands and the needs of those who steward and manage those lands as a business. However, ranchers and conservationists often disagreed about

how an SCF could be most effective and if it could be effective at all in addressing the problems face by ranchers and their lands.

Ranchers focused on the stewardship that they provided for the land, losing experience on the land as older ranchers retire and fewer young people step up to take on the role, and the need for creating and strengthening agriculture mentorship programs. Dwight and Laura appreciated Nebraska's efforts to mentor and ultimately usher in the next generation of ranching land stewards. A pressing concern of the farming and ranching how they will pass on their operations to a new generation. They generally liked providing more avenues for youth to participate in and learn from agricultural operations.

Dwight, Laura, Duncan, Josh and Nora all observed that many of problems that beset ranching and working agricultural lands in Montana couldn't be solved by the creation of an SCF. Duncan mentioned:

> *I think there's opportunity in agriculture , but I also think as a whole we're very reluctant to change. We're very reluctant to adapt to new ideas, new thinking, and I think that's gonna be our downfall more than anything. It's not gonna be high fuel prices and fertilizer prices, it's not being able to adapt to change, to use less of those things. It's not low calf prices that's gonna kill us, and it's not changing our operations and that's really hard for people, but I think we're gonna have to and there's gonna be some fall out in the next ten years because, you know people are gonna have to change or they simply are not gonna be able to continue.*

Dwight and Laura talked at length about the need for new market mechanisms that would create more sustainable and profitable ranches:

> *So what we want is to create more markets that if we produce a good product, that the market will sustain us through times so don't set it up so it's like if you guys do this, if you take your wildlife from here to here, Fish, Wildlife and Parks will give you this amount of money. That's not what we want. What they want is to be able to do have help – maybe you could use some of the trust fund money to develop the markets and the agreements to make that run.*

Nine out of 18 interviewees mentioned water and/or fisheries as being a potential component of an SCF. Problems and solutions related to this topic were varied, even within the profession groups. While many opportunities exist to focus on water, many individuals noted that water is and will continue to be an extremely controversial topic. Very succinctly Zondra mentioned:

> *And there's always water, just water rights and water use.*

Water rights, water use, water as a natural hazard and the sense of increasing regulation were frequent themes among the interviewees. What were consistent themes were the need to respect

water rights while maintaining and restoring the resource to the highest quality possible.

Josh and Nora spoke at length about the need to respect Montana's "first-in-time, first-in-right" water rights laws and that water resources were integral to the economic well-being of many ranching operations. They also indicated that many water problems have their origins in the historical infrastructure and use patterns. For example, Josh mentions:

> *Back when people settled this area there was no infrastructure, limited ability to provide water to livestock. Almost every ranch was built on water- on the river, on the crick, so that you could water your animals. Well grandpa didn't build his barn here so that he could screw up the water in the crick. That was the technology and the knowledge at the time. We know better now. It's hard for us now to take our barn and corrals and move them back off the crick. I know people with feedlots that would gladly move them, they're more than happy to do that. But NRCS comes along and we'll cost-share that with you: your share of that will be $300,000.*

In this quote Josh also illustrates the tremendous cost and limited resources available to assist agricultural operators change their operations to benefit water resources. Duncan made a similar observation, noting that irrigation water delivery and application could be improved in Montana:

> *I would like to see the right heads in a room together that understand, will arrive at a really good plan for our water use. If there's agriculture use there that say we've got to stop dewatering these streams and if there's conservation and fish people saying no matter what, it's vital, not just to these ranchers and farmers, but it's vital to us, it's vital to this state, that we have good irrigation systems in place. And if people would come to the table with that in mind, and both of them extremely sincere about that, that's one area I think where some public money really would be beneficial to the masses is in irrigation redesign, re-vamping, improvement, and we need to do a lot better job of irrigating.*

In this quote, Duncan also hints at the controversy and distrust inherent in western water issues. Mario elaborates on the controversy surrounding water issues:

> *[water is what] I spend 80% of my time working on, but unfortunately it, it's extremely controversial. I've never worked on a water issue that hasn't been incredibly controversial from every angle. I wish I could find some water issues that were easy, but the easiest one I have worked on is water leasing.*

Julie spoke about maintaining and restoring water quality through collaborative action as an important part of the success that her watershed group had achieved:

> *We have been able to maintain better stream flows through cooperative efforts, voluntary cooperative efforts that ask for shared sacrifice from different constituents and what that has done is it has educated people about what's important from various perspectives. It has engendered a trust and ability of people to work together over the long term and then what that has resulted in is an increased conservation of the fishery, of cold, clean water.*

Private land conservation through the use of conservation easements deeply divided most conservationists and ranchers. While Ruben noted that conservation easements are a voluntary, incentive-based private property transaction, many ranchers felt that it shouldn't be the only tool in the land conservation toolbox. Behind the rancher's reluctance to use conservation easements, was the question of perpetuity. Every rancher and Josh and Nora expressed a similar unease with perpetual conservation easements and a few suggested term-management agreements as alternatives. Dwight felt term-management agreements might interest more ranchers:

> *I think that the acceptability would go way up. I think that we both have the same concerns – I'm gonna' – butcher 'in perpetuity,' but that's a big alarm system going off in every old rancher's front lobe right up here and you can't hardly get by that.*

Eight interviewees felt that a SCF should focus on native species and wildlife, especially in prioritized regions and for prioritized species. Conservationists and ranchers both mentioned the need to strategically protect species before they become candidates for the Endangered Species Act. To further this mission, some respondents indicated that they would like to see the program operate under a prioritized plan that gave precedence to tier-one species in Montana. Larry, a conservation professional who works closely with ranchers in SW Montana said:

> *How can we avoid not having species become listed, well let's look at the whole picture. Let's not dance just to the tune of the endangered species act, let's dance to the whole orchestra of landscape and how the landscapes tie together.*

Mathew and Patty felt that recreation and public access were important components of protecting wildlife and habitat. They agreed that if the general public were to support the creation of a SCF, the public (especially sportsmen and women) would likely want access to those areas. The idea of public access was a controversial and not uncommonly appeared in the next question.

Question: What should an SCF not do?

Node	Sources	References
SCF should not	17	29

In this question I provided specific examples from Wyoming's SCF. All agreed with some components of Wyoming specific prohibitions: no fee-title acquisition of land or water, no support of endangered species recovery. Eleven respondents felt that a SCF should be prohibited from buying land or water for state or federal government. The most common reason provided was that so much of Montana was under government ownership already that to add more would

take private lands out economic production. Matthew and Dwight both observed that while buying land for government ownership may not be politically popular in Montana, in some cases it may be appropriate. Matthew observed that the flexibility to use SCF money to support land swaps would allow the state to consolidate key lands while not creating a net gain in government ownership.

The issue of public access to rivers and state/federal lands came up in this section or could be related to it. Both Dalia and Julie felt that SCF money should not be used for the private benefit of a landowner. All three SCF that I examined prior to beginning my field research had clauses addressing private benefit and explicitly forbid it. Julie illustrated how tricky the balance between public and private can be:

> *[I would disagree with] funding a private entity that is going to benefit financially for instance. Maybe where the purpose of a project might be to develop a spring creek which would be beneficial to everybody but really the only reason that the landowner is doing it is so that they'll make big bucks off of their new spring creek so that they can commercial fishing. Well maybe it's okay to support that but then if that's the case then there would need to be some kind of an agreement that public benefit is there.*

Leonard spoke at length about public access and felt strongly that it should not be mandated by a SCF program:

> *I would feel that conservation practices carried out on private land, or public, land, either one, have a benefit beyond the boundaries of the particular practice. So you can do a wetland enhancement project, the benefit of the wetland enhancement project go beyond the perimeter of the project significantly. Consequently I do not necessarily believe that every public dollar spent would necessarily have to be tied to public access.*

Question: How should it be governed and administered?

Node	Sources	References
Governance/administration	18	51

All 18 respondents who responded to this question agreed that politics should be kept out of the governance and administration of a SCF. Nine interviewees expressed concerns that the political appointment of boards (as it is done in other states) would likely have affect how the SCF is perceived and potentially corrupt the process of selecting projects for funding.

Overall, it appeared that all 14 interviewees wanted an independent board that represented different geographic regions of the state and different economic sectors. As to how

that could be done however everyone suggested different options. One respondent suggested a direct election of representatives by the people. Another wanted certain interest government, business and non-profit groups to have a permanent seat on the board. So while the 14 respondents all felt strongly about what they wanted, opinion diverged regarding the paths to get there. Duncan summed up what I think many interviewees felt:

> *Obviously [an SCF] needs to be administered by a board, what exactly that board's make up should be, I don't know, but conservation is, more importantly, the human perception of what conservation is and should be is an ever evolving and changing thing, and so it shouldn't be something chiseled in stone. It needs to be flexible enough so that, and there's going to be different issues and items that are going to be irrelevant and important at different times throughout the years, and so whoever's administering it needs some flexibility at the time to address hot button issues and things that are important to the majority of the people in Montana.*

Damien felt that stricter guidelines would be important to maintain the integrity of an SCF:

> *How it should be formed if it were to be formed, with all the stakeholder groups the FWP, oil and gas, farm bureau, stockgrowers, whoever your mind thinks ought to be the stakeholders around the table, whatever they agree on what the money can be used or spent on a proposal, then that's it. It ought to take next to an act of god to get that money to be used for something else. That's a concept of trust.*

Four respondents felt strongly that supermajority voting or consensus decision making should be a component of an SCF board's decision making. Bruce offered an example from an earlier state program:

> *Look up the structure of the Montana Agriculture Heritage Project board. It had diverse representation and required a supermajority vote to approve projects. That's how a Trust board should be structured. It forces people to find common ground, AND assures them at the outset – when trust is lowest – that they will not be "rolled" by a majority of others. Each major interest has a built-in veto.*

Few respondents felt strongly about SCF administration but those that chose to comment all liked the idea of keeping the operational overhead as low as possible, not unlike the examples from Nebraska and Wyoming. One respondent suggested that the headquarters of the fund be established outside of the state capital in Helena to escape the partisan political atmosphere that he felt resided there.

Question: How should it be funded?

Node	Sources	References
Funding sources	16	58

Node	Sources	References
Funding challenges	9	20

All 16 respondents acknowledged that creating or developing a funding mechanism would be difficult in Montana; raising taxes is extremely unpopular and diverting money from an existing source would likely create stout opposition. Ruben, an individual who has been close to the Montana General Assembly for years, put it this way:

> *All options for funding are tough. Go after an industry? Real-estate transfer tax? A similar impact tax shot down in the 1990s. Resource-extractive industries? All would be tough. Bonding? Politically it may be more possible. This would require bypassing the legislature and taking the initiative process. If it had enough support it could perhaps become constitutionally enshrined.*

Julie put it this way:

> *I'm a great believer in sin taxes and so I think anybody, any industry that is involved in destruction of the natural resources ought to have a sin tax levied upon them.*

Many ranchers and industry folks felt that expanding natural resource extraction would not only provide more money for conservation but also other state infrastructure such as schools and health care. This latter group felt that Wyoming's model was a good one for Montana. Larry summed up what many in this group were feeling:

> *You know the gas and oil tax, that, and the coal tax that we have. I think are really a viable way [to fund an SCF] because, you know it's a benefit from a natural resource and an appropriate place to use that would be to enhance the natural resources.*

Larry later went on to say:

> *If you drive through Wyoming and go to these little hick towns, the nicest place in town are the schools. You go through Montana and the nicest places in town are the banks, and that should tell you something bout what's going on. But in Montana, you now, we have the potential for huge severance taxes in regards to energy development, but we haven't balanced out how to develop the energy and not impair our natural resource, you know, our landscape. And it can be done, it's just a lot of people just have to have a different mind set about how things happen.*

A smaller group of six interviewees felt that funding should come taken out of existing state resources or be diverted from one of Montana established trust fund, like the Permanent Coal Tax Fund.

Research objective: Through the use of comparative case study, compare the origins of the North Carolina's CWMTF to analogous conditions in Montana.

Question: Do you see any crisis situations that could motivate the MT legislature into considering a conservation trust fund?

Node	Sources	References
Crisis situation	8	18
No crisis	5	5

This question was presented with an example from the creation of North Carolina's Clean Water Management Trust Fund. The example depicted a environmental/human health crisis that occurred in the state during the mid 1990s when a hurricane washed toxic levels of hog waste into local rivers and streams causing widespread damage to North Carolina's waterways. The fallout from the crisis helped legislators coalesce around the idea of a "clean water" trust fund.

Five individuals felt that wildfire, in particular the wildfire in the urban/wildland interface as the most pressing issue facing the State. This expansion of low density development in forested areas, especially adjacent to large tracts of national or state forest land presents a dangerous situation for homeowners. Its expensive and logistically complicated for firefighters. Matthew summed up the problem this way:

> *You know one of the biggest things is probably fire. They've got this fire suppression committee going around, Glenn Marx* could tell you about it. I mean, two really big issues and they are kinda related: fire so the scare and the worry that the state and its resources are going to burn up and somebody sets a fire out there and its going to drain the state's or the federal coffers or whoever's fighting that fire. Fire is huge. So you could build in a component of this in Montana that abates or mitigates or prevents the chance of wildfire, especially in the urban interface.*

Four individuals said that drought and its effects on water resources were a looming crisis. Shifting priorities may shift the need for water for agriculture to accommodate the needs of urban Montanans, whether to facilitate urban development or to maintain the health of streams. First considering the increasing demand for water in urban areas in other western states, Duncan follow this by saying:

* Director of the Montana Association of Land Trusts

that's where I think we need to address water because we're not gonna have, at some point in time there's gonna be more fly fishermen at the legislature than there are cowboys, and it's gonna be a different game and might be next year, or 20 years from now, but at some point in time the people are gonna say, you know what I don't care about your hay field or your grain field.

Dalia and Damien both noted that North Carolina's hog sewage crisis was a crisis of human health. Dalia pointed out that a similar crisis of human health I Montana had provoked on legislation (or at least public outrage) in Montana. She cited the constitutional referendum banning open-pit cyanide leach mining passed in 1998. Damien felt strongly that a no public health crisis existed currently:

No, I don't see anything like that right now. The one possible exception is the water coming into the Butte pit. And I know if they don't figure out how to deal with the water that's coming in there that could be a serious issue. I can't think of another serious issue that needs to have some focus.

Question: Do you feel that there are more environmental regulations coming to Montana?

Node	Sources	References
Increasing regulation	9	9

The fallout from the hog sewage crisis in North Carolina spurred the creation of the Clean Water Management Trust Fund but it also invoked a series of new regulations that targeted the swine industry. Five individuals felt that the threat of ESA listing was a serious concern for rural landowners. Many felt that fish species such as the arctic grayling and bird species like the sage grouse were likely candidates in the short term. Three other individuals noted that stream setbacks and county zoning measures were becoming more common, especially in the more populous western Montana counties.

What conditions favor or complicate the creation of a SCF?

Node	Sources	References
Fear/spoilers	15	42
General negativity	8	23
Funding challenges	9	20

Node	Sources	References
Making the case for collaborative conservation	12	16

The many different issues were brought up by this question. Respondents overwhelming brought up issues that would frustrate the creation of an SCF instead of considering what conditions favored its creation.

Much of what individuals boiled down to the same problems that complicate collaborative conservation: fear of change, distrust and a lack of information that people trust. Both conservationists and rancher/industry groups feared action by the political fringes. Some raw feelings came out in discussing the issues that complicate collaborative conservation. Joe summed up what many ranchers feared:

> *In the livestock business, a lot of guys in my business are a little fearful of that because there's all these kind of radicals out here on the fringe that want to get rid of livestock because that's the one that's causing the problem.*

Julie also expressed her concerns regarding Montana's citizenry:

> *There's always the old standby argument of infringing on people's private property rights. That some fund would be developed that would somehow affect people's ability to make decisions for their own land no matter how bad those decisions might be. I think the biggest impediment that I see is that there is a great deal of resistance on the part of the local community to any agency that does not collaborate at the local level so there's not a lot of trust for agency based decision making*.

Distrust between conservation and ranchers (or at least those who often represent these groups) and vice versa sometimes came out in this question. Zondra put her fear of spoilers this way:

> *There is this myth floating around that you sell an easement to a land trust and the next step is that the federal government buys your land… there's the private property rights folks who are a small minority in Helena, but who are very, very vocal, and whether or not they get traction [on any program that promotes conservation easements] it will be an issue. Whether or not the Montana Association of Land Trusts is able to make progress in sorta debunking the myth regarding private voluntary land conservation I don't know, but I think [the private property advocates] can really be a spoiler quick.*

Josh felt strongly that distrust of many conservationists is similarly widespread:

> *We have public access issues at six bridges in Montana so we need to change the law God forbid. So we were at the table with Trout Unlimited and [Montana] Wildlife Federation and Montana Stockgrower's Association, County Commissioners. We get*

some guy from Billings who starts to sir up trouble and saying how wildlife are the property of all citizens, well they're not, they're held in public trust. So what they're saying is that they are property OF the public, saying that you can not make money by the harvest of the public's wildlife. So our members, some of whom may be outfitters or that lease their place to outfitters and they're saying 'why the hell are we sitting at the table with these people who are sticking us in the back?

4.2 Process and Research Evaluation

Thirteen interview participants represented current practitioners of collaborative conservation. The remaining five were state employees and industry representatives. I feel that all of my interviewees provided a valuable perspective on conservation. Ranchers, conservationists, state employees and industry representatives regularly weigh in on environmental issues in Montana. However, my 18 interviewees represent a narrow subpopulation of Montanans who are familiar with agriculture, land use and conservation.

Other sectors that could have provided perspectives but I did not get the opportunity to interview individuals from these sectors. These sectors include representatives from federal government (especially the Bureau of Land Management and Forest Service), county governments, real estate and homebuilding associations, irrigation and water use experts. I would have especially liked to speak with representatives from Soil and Water Conservation Districts in Montana. The Conservation Districts are among the earliest practitioners of collaborative conservation, with long histories of activity stretching back to the 1930s (Montana Department of Natural Resources and Conservation 2008). Another important perspective could have obtained from one of Montana's Native American tribal governments.

All of my interviewees either lived in rural Montana or worked closely with those who do live rurally. According to the US Census, over 54% of Montana's population lives in urban areas, the majority of these live in one of the state's three metropolitan areas: Billings, Missoula and Great Falls (US Census Bureau 2007). Not including urban interests in my sample likely omitted a great deal of valuable information.

Montana is the fourth largest state in the union with 147,000 square miles of territory. In total, I travelled a total of 2,420 miles to conduct in-person interviews at a time when the average gallon of gas was typically over $4.00 per gallon. The cost of fuel and the large distances involved severely limited my ability to conduct in-person interviews. Because I was based out of Bozeman, Montana for my summer research, most of my interviewees were from southwestern Montana. In summary, my selection of interviewees was driven by opportunities and limitations. It does not reflect a random sampling process. This is not uncommon however in field

qualitative research. (Rossman and Rallis 2003 p. 174) comment on the balancing act between planning and flexibility in data collection:

> *[Decisions about gathering data] may be forcast in the research design but, because flexibility and responsiveness are integral to qualitative research, the researcher repeatedly revisits those initial decisions and modifies them in light of the unfolding subject. Thus, what the researcher does at any given moment is influenced as much by what he encounters and what evolves in the field as by what he anticipated in the project design.*

In my case, this was balancing my snowball selection method with the need to adapt to people's schedules and my own financial and logistical limitations.

I conducted phone interviews with Mario and Zondra and I did solicit written comments from Bruce. All three of these people came recommended to me by my institutional gatekeepers. Their schedules precluded in-person interviews. The phone interviews, while not ideal, did allow me to fully question Mario and Zondra. Bruce's written comments were scantier. My informational gatekeepers and interviewees often recommended individuals who could "see both sides of an issue". White (2008) writes eloquently about the need for people to see and understand both sides of a natural resource issue in order for collaboration takes place. He asserts that collaborative conservation is on the rise but its still the exception rather than the rule (White 2008). Evaluating this method, I feel that I captured a range of perspectives, but many of these perspectives were perhaps more open minded than the average Montana citizen. That I was steered towards individuals that could "see both sides of an issue" limited my contact with polarized individuals.

In terms of geographical representation, my interviewees are overwhelmingly from western Montana. Only Laura and Dan lived and worked in eastern Montana. However the industry and agricultural associations are state-wide organizations and not uncommonly, interviewees from these associations would comment on issues that they felt represented the opinions of either western or eastern Montanans.

4.2.1 Testing NVivo's audio coding functions

I used NVivo's audio coding function to analyze Patty and Tim's interviews. The rest of my interviews were transcribed and section of text were used to code. NVivo's audio capacity is a new feature in its latest version. I estimate that I saved approximately four to six hours of time by not transcribing Patty and Tim's interviews. However, I found NVivo's audio coding function to be problematic and difficult to use. Coding discreet sections of audio was more tedious than I expected. Once a section of audio was coded, I found it difficult to move on and listen to the rest

of the interview. Thinking I had selected a new section of audio, more than once I mistakenly coded a previous section to the wrong node. After discovering these errors, I returned to the audio and used a different technique to code the interviews. This new method involved transcribing in short hand sections of relevant audio sections. This method made reviewing the nodes easier as well as all coded sections were text and not audio clips that would oblige me to listen to them.

4.2.2 Positionality

As an interviewer, I needed to acknowledge what about me may change the response of interviewees and consider my ability to get the data I wanted. As a 31-year-old graduate student conducting research on environmental policy, interviewees could easily perceive me as being skeptical about the needs or motivations of private landowners, especially ranchers. The mutual mistrust between agricultural sectors and environmentalists has been a common element of western life, especially its politics (White 2008). After interviewing Josh and Nora, Nora remarked that she had had a positive experience in an interview with a graduate student some years ago. The theme of the interview was the reintroduction of wolves to Yellowstone National Park. Before the interview, Nora was skeptical about the open-mindedness of the student and was worried that her (Nora's) views would not be respected. In the end, Nora's experience with the student was positive. I think this case represents the skepticism that many landowners and industry representatives may have felt about my point-of-view. As a Montanan born and raised in the state, I feel that this may have helped my interviewees feel more comfortable. However, I introduced myself first as a graduate student and I made it was clear I wanted to talk about state conservation policy so my credentials as a Montana native may not have provided much assurance. Skepticism or distrust of the interviewer will likely change the answers and interviewee provides (Rossman and Rallis 2003). Ultimately, I tried to assure interviewees that I respected and valued their opinions. To the best of my ability, I attempted to create an atmosphere that encouraged interviewees to share their thoughts and feelings freely.

V. Discussion and conclusion

5.1 Discussion: A state conservation fund for Montana?

All respondents agreed that an SCF should strive to conserve working ranch lands. This conclusion is backed up by the literature (Wolff 2001; FWP 2005; McKinney and Bates Van de Wetering 2006; Mundinger 2008). What differed was the divide that emerged between what ranchers and conservationists thought was the best way to conserve and restore ranch lands.

Many ranchers and groups who work closely with them believed that this program should create avenues for innovational projects that could then serve as instructive demonstrations for others. These grants should also be used to promote markets and products, especially local markets. Effective programs would tie good stewardship to market interests. These ideas stemmed from the fundamental belief that keeping people on the land and helping the next generation of youth participate in agricultural projects would serve the long term interests of habitat and wildlife in a way that many conservationists have not considered.

Conservationists tended to focus more on the environmental services that ranchlands provide: open space, wildlife habitat and a less fragmented landscape. For many conservationists, private land conservation through the use of permanent conservation easements appeared to provide an important tool (although certainly not the only one). Most felt that conservation easements should not require public access or be a requisite for attaining SCF resources. They acknowledged that this would be a hard sell to Montana's urban population, many of whom would want public access to areas that had been protected or restored with public monies. While the public conservation and scenic benefits of easements have already proven to be sufficient justification for federal and (in many cases) state tax incentives, interviewees felt that Montana's public would want more in return for their investment, namely increased public access. Most respondents preferred that easements be held not by government but by qualified, local land trusts. This was followed by a belief that easement interpretation and possible problems in the future could more easily be resolved by land trusts with a local board that includes farmers and ranchers rather than state or federal government Regardless, many ranchers and some conservationists felt that a smaller, less permanent step towards land conservation might need to created in order attract ranchers who are skeptical of perpetuity. Term stewardship agreements

Water and fisheries were another item that was discussed a potential program area for an SCF. Looking for voluntary projects to increase water efficiency was an area that many ranchers and conservationists agreed on. Like conservation easements however, water tends to attract controversy. Building on successful programs like water leasing and cost-sharing the improved delivery and application of irrigation water would placate some skeptics. Very likely an SCF would have to put clear prohibitions on the purchase of water rights. In this sense many of the prohibitions that Wyoming's program has in place would apply in Montana.

While my interviewees were divided on the importance of spending government money to protect species for species sake, all acknowledged that having an ESA species listing in their

backyard was not in their best interest. This same group of ranchers and industry representatives stressed that an SCF should work with a prioritized list of species and habitats. My interviewees, most being well acquainted with collaborative conservation, preferred the prospect of working with their neighbors and communities than government agencies.

There was a near consensus that diverse citizens from different geographic regions of Montana have seats at the table. However, there was a high degree of skepticism expressed about the political appointment of board members. Interviewees expressed concerns that the political appointment of boards (as it is done in many states) would likely affect how projects would be selected and who would benefit from them. Some felt that a politically appointed board would ultimately lead to political maneuvering and cronyism. Most preferred an independent board but voiced uncertainty on how that would be accomplished. A myriad of options were suggested. Some felt that assigning governmental and non-governmental organizations, such as Montana Stock growers Association or county commissioners, permanent seats on the board would be a step in providing a balance. Others felt that giving seats to organizations would ultimately become political appointments and turn out to be just as detrimental to the operation of the board. Everyone agreed that it would be difficult to find a middle road that would minimize political meddling and provide a diversity of non-partisan viewpoints.

Almost all respondents acknowledged that there would be no easy way to create a funding mechanism for an SCF. A number of suggestions were put forth, the most popular being increased or diverted royalties from natural resource extraction industries. Almost in the same breath, these same interviewees said that levying extra taxes on such an influential industry would be next to impossible. One astute observer of the Montana politics said,

> *Nothing will like this will pass the legislature unless its perceived as a win-win: a win for industry and a win for the environment.*

How this could be accomplished was rarely elaborated upon. Within the legislature, a State Conservation Fund would likely attract the ire of either anti-tax and/or property rights activists. Several observers who where very familiar with Montana politics mentioned that a state referendum bond was the most realistic option for passage. In this scenario however, the SCF would likely be tied to public access to attract the attention of Montana's numerous and well organized hunting and angling groups. This option would be unpopular with many of the ranchers that I interviewed.

Many of the uncertainties regarding the creation of an SCF came from individuals who voiced skepticism about the creation of another state bureaucracy and that the fund could become another political cake for Montana's political parties to opportunistically divide among themselves. Critics also pointed out that the problems facing Montana's farmers and ranchers could not be solved by any government program, no matter how well implemented or designed. This last argument has an undeniable logic to it; in many senses, the problems faced by agriculture are too complex to be solved with a "silver bullet".

What conditions in Montana are analogous to the origins of the North Carolina's CWMTF?

A significant number of interviewees felt that fires in the wildland/urban interface and/or drought and its effects on water resources were crises that could propel the creation of an SCF. Perhaps just as many felt that currently there was no crises that or had no opinion. Many of the crises that were discussed were more regional than statewide. Montana is such a large state that problems faced in specific regions may not be felt by large portions of the population. Several individuals noted that drought and wildfire are crises that disappear from citizen's minds as soon as the flames are put out or the first snow falls. It may be difficult to shape an SCF initiative that specifically addresses fire or drought because of the short attention span Montanans have for crises. Therefore, based on my interviews I conclude that currently there aren't conditions in Montana that are analogous to those of North Carolina. Similarly, most interviewees felt that new regulatory restrictions were serious enough to warrant the creation of a voluntary, incentive-based program to provide "the carrot to the stick." Likely, it would take a major new listing on the ESA or the impending passage of a widespread state regulation for state lawmakers to consider an SCF. In my examination of the origins of the NC CWMTF (Varley 2008), I found that the fact that North Carolina already had several popular State conservation trusts funds: lawmakers new what SCFs did and did not do (2008). This eliminated the fear that new policy mechanisms sometimes entail. As I mentioned in the introduction and background, Montana has a number of statutory and constitutional trust funds. The largest of these is funded by the royalties on coal extraction (Legislative Fiscal Division 2007). Montana's legacy of using coal/gas/petroleum/mineral taxes to create stable sources of funding provides some evidence that Montana does have legal precedents that could guide the creation of an SCF.

5.2 Conclusion

5.2.1 Creating options for farmers and ranchers

The interviews clearly indicated that working with agriculture through voluntary conservation would be a key component of a state conservation fund. Many ranchers I spoke with talked about the need for innovation, seed money, mentorship projects and the promotion of good stewardship. These ideas stemmed from the fundamental belief that keeping people on the land and helping the next generation of youth participate in agricultural projects would serve the long term interests of habitat and wildlife in a way that many conservationists have not considered.

Montana needs a larger toolbox if its going to protect work lands. Conservation easements and income tax breaks, while valuable options, are not for everyone. A broader range of voluntary management agreements should be expanded on.

5.2.2 Empowering local organizations and landowners to conserve critical species and wildlife

America's Western states and environmental groups are seemingly willing to go to any extreme to determine the fate of a species listing on the ESA. Collaborative conservation offers an alternative to the litigation and policy gridlock of the business-as-usual environmental battle. What the evidence from my research shows is that a clear majority of my interviewees feel that efforts should be made whenever possible to keep a species from ESA listing. The tremendous fear and anger that the ESA provokes suggests that many rural communities would rather try and manage species on their own terms before forfeiting control to the federal government.

Research has also confirmed what longtime residents have seen: winter precipitation falls increasingly as rain rather than snow, snow melts earlier, river flows decrease in summer months, and overall warming is exacerbating dry summer conditions (Barnett, Pierce et al. 2008).

The actions of collaborative conservation organizations demonstrate what was repeated in the interviews: local involvement with management and restoration of habitats help maintain healthy species populations while building social capital.

5.2.3 Empowering local organizations, local ideas

Success stories from Montana's local conservation groups are not usually headline grabbers, but perhaps they should be. Conservation districts, watershed committees, land trusts and hunter/angler groups often work with local individuals on a shoestring budget, or no budget and just muscle power. While the projects are often small in scope, the trust and relationships that are

built through them have the potential to be great, and multiple small projects add up to be greater. Private land projects have a much better chance of success if the landowner and members of the community have a hand in them from the outset.

5.2.4 Leveraging

The ability to use state conservation fund money to leverage additional monies is an important component to their success. This can happen through different mechanisms. Many conservation funds will allow for in-kind donation (volunteer labor, donated equipment or supplies) while others do not. Another form of donation takes place through partial-purchase conservation easement deals. Another increasingly important component of leveraging is the ability to meet matching requirements necessary for federal, local and private grant sources, and these programs seem to be prospering as outright grant programs seem to be declining. Montana's existing programs are too few and poorly structured to meet matching requirements.

5.2.5 Future Research

Qualitative market research is often used to inform more in-depth qualitative or quantitative research on a subject. This research focused on a limited number of practitioners of collaborative conservation. The perspectives shared in this study are not easily captured by quantitative methods. The information presented in this paper reinforces the conclusions of MicKinney et al (2006), specifically that the conservation community should explore other options besides conservation easements to maintain the valuable environmental services that these lands provide. Some candid assessments by ranchers and industry practitioners spoke of what the agricultural sector can do to improve the stewardship and viability of their lands and operations. While these practitioners have a valuable perspective on what an SCF should programmatically focus on, there are many other perspectives in Montana that should be captured. Future research should expand to consider the perspectives of more Montanan citizens and policy-makers.

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VIII. Appendix A

Ian Varley, interview guide, 07/28/08

Initial Questions

1. Tell me a bit about yourself? How long have you lived in MT? What qualities about the state do you and your family enjoy most?

2. In your opinion, what are the leading "environmental" problems in Montana?

3. What is the priority for state government conservation dollars? Where would you put this in a priority list with other Montana needs?

4. What conservation programs are poorly funded in Montana?

Conservation Group, Watershed Association, Soil & Water Conservation District questions [read only to members of these type groups]

a. What are your greatest funding needs?

b. To what extent does funding limit what your group can do?

c. What capacity do Montana's collaborative conservation groups have to raise money from private foundations?

State Conservation Trust Fund Questions [everybody]

In considering a state conservation trust fund, there are four things I'm trying to ascertain: Should a fund be created? What should be money be spent on? What should it not be spent on? What is the source of revenue? Let me read to you a little about the structure and functioning of state conservation trust funds.

Conservation trust fund missions

5. Conservation trust funds or conservation trusts are statewide programs that provide money through a competitive grant process to non-profit organizations, local governments and sometimes state agencies. They finance voluntary conservation projects that fit a unique set of objectives and criteria established by each state. Here are three examples. The first two programs show that state programs can bring together urban and rural interests. Two examples include:

- In North Carolina, the Clean Water Management Trust Fund provides money to purchase land in riparian areas to protect water quality for wildlife and people. It also funds the construction of sewage treatment plants and parks and trails systems for towns and cities.

- In Nebraska, the Nebraska Conservation Trust funds private land conservation projects (conservation easements for example) to protect fish and wildlife habitat as well as municipal recycling programs, water conservation and air pollution mitigation.

A third example shows a program that focuses more narrowly on wildlife and habitat:

- The Wyoming Wildlife and Natural Resources Trust Fund is largely focused on wildlife habitat. Some of its programs include: grassland restoration, prescribed fire, the treatment of exotic weeds, wetland & stream restoration and private land conservation. It also funds projects that mitigate conflicts and disease transmission between wildlife and domestic livestock.

In your opinion, what objectives should Montana's program include? What types of projects would you like to see it fund? Feel free to take from the examples above but consider other conservation and natural resource problems that Montana faces.

6. Some programs specifically outline what trust fund dollars can NOT be spent on. Wyoming's program's does not allow for the fee simple purchase of land or water. It also is prohibited from spending money on reintroduction of species pursuant of the Endangered Species Act. What constraints should a conservation trust fund operate under?

Conservation Trust Fund governance and administration

Conservation trust funds are generally managed by boards of directors appointed by elected officials. The North Carolina, the Clean Water Management Trust Fund is overseen by a board of 21 members: seven appointed by the governor, seven by the state senate leader and seven by the speaker of the state house of representatives. In Nebraska, the Trust is managed by a 14 member board. Nine representatives are appointed by the governor, three from each of three of the state's congressional districts and five from each of the state's wildlife, agriculture, health and environment agencies. With regards to administration and overhead personnel, conservation funds tend to be fairly small: Nebraska's fund employs only 5 people, larger funds such as North Carolina's or Colorado's have as many as 14 employees.

7. Based on this information, how do you think a MT state conservation trust fund should be governed and managed?

Conservation Trust Fund finance

Conservation trust funds are funded through a diverse array of mechanisms. North Carolina's state legislature funds the Clean Water Management Trust Fund through direct appropriations from the state's general fund. In Colorado and Nebraska, the conservation trust funds are financed through a share of the state's lottery proceeds. Wyoming's trust is funded by interest earned on a permanent account, donations, and legislative appropriation.

As an incentive based program, conservation trust funds rely on public tax dollars or special funds (such a lottery revenue) to fund their work. However, state budgets are often tight and raising taxes can be politically unpopular.

8. Do you have any opinion on how a conservation trust fund could be funded in MT?

Political "realities":

Its often said that governments only react when in a crisis situation. For example, North Carolina created its Clean Water Trust Fund after a series of devastating accidents brought to the public's attention the vulnerability of the state's water bodies to pollution. This helped propel the legislature to create the Clean Water Trust Fund. Do you see any crisis situations that could motivate the MT legislature into considering a conservation trust fund?

Another issue that helped create North Carolina's Clean Water Trust Fund was the creation of strict environmental regulations in certain regions of the state. It was felt by many that these regulations would spread statewide. As a counterbalance to regulations and strict policies, state legislators supported the creation of the voluntary, incentive-based Clean Water Trust Fund. Do you feel that there are more environmental regulations coming to Montana?

9. What are the stumbling blocks of "spoiler issues" that a creating a fund will encounter?

10. Can you recommend a question I could ask my next interviewee?