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Introduction:
Environmental justice in land conservation requires practitioners to slow down and consider the foundations that exclude or enable relationships with and control over land. The following stories highlight three organizations using conservation finance strategies to advance environmental justice outcomes.
Each considers the history and context that has led to the land ownership, land use patterns, policy decisions, and wealth accumulation in the places where these groups work. In each story, participants have asked: *why is this so?* They have spent time listening to community groups and tribal nations to understand what these groups desire, and have worked creatively to identify solutions towards these aims. These organizations are working in the intersections between land and human justice, giving consideration to the intertwined rights of natural and human communities.

In these cases, justice means broadening the definition of conservation to ensure more people benefit, using conservation funds in new ways in order to ensure co-benefits, and expanding the group of people with power to make decisions about land use. The story of the Swinomish Forest Bank illustrates how ecosystem markets can be inaccessible to Indigenous peoples due to histories of land fractionation and presents a strategy that respects and acknowledges this history while also creating new legal structures to enable that access.
Greenprint Partners' work with the city of Peoria illustrates how community organizing strategies can use public investments in green infrastructure to support community benefits.
The Doris Duke Charitable Foundation is using its philanthropic funding to expand the diversity of people working in the conservation field, encouraging conservation organizations to better connect with justice efforts, and funding organizing capacity at a local, grassroots level in BIPOC communities.
Each of these efforts broadens the definition of what is considered a conservation organization, and what is imperative for conservation groups to consider.

The Swinomish Forest Bank:
The traditional territory of the Swinomish Indian tribe extended throughout the Salish Sea region of northwest Washington state, and includes the lands surrounding the Skagit and Samish River Valleys; the Skagit, Padilla, and Fidalgo bays; and the Fidalgo, Camano, Whidbey, and the San Juan Islands.[1,2] Today, land managed by the Swinomish has been reduced to a 15-square mile reservation on Fidalgo Island. Within the designated reservation boundaries exists a checkerboard of public, private, and tribally owned lands; private lands are owned by both Swinomish citizens and non-Swinomish people. The Swinomish Tribal Government owns in trust and in fee a very small percentage of the overall reservation land in a patchwork of small, non-contiguous parcels. The tribe has been working

[1] https://swinomish-nsn.gov/media/5816/swincompplan96.pdf;
[2] https://swinomish-nsn.gov/who-we-are/the-swinomish-people.aspx

for many years to knit together land, and especially forestland, within the reservation. It currently holds title to about 1,200 of the reservation's 4,500 acres of forestland.[3] Due to this heavily fragmented landscape, the Swinomish have faced significant barriers to implementing landscape-level forest management strategies.

In 2014, the Swinomish asked Ecotrust, a nonprofit that works across the Pacific Northwest to support equitable, climate-resilient land stewardship and economic development, for help developing a new forest management plan. The Swinomish had previously worked with Ecotrust and appreciated both its forestry expertise and willingness to work collaboratively in order to advance Swinomish goals. The Swinomish sought Ecotrust's technical expertise towards their wish to unify land management practices across their fragmented acreage. One strategy involved creating a forest bank, which is a new legal entity wherein the owners of individual parcels of land (which in this case could include the Swinomish Tribal Government, tribal members, non-tribal residents, and others) enroll in the forest bank. The forest bank manages and harvests enrolled parcels per a unified forest management plan, enabling landscape-scale management strategies that are impossible on small parcels. Many climate resilient forest management practices, a priority for the Swinomish, are only possible on this large scale.

As the [Indian Land Tenure Foundation](https://iltf.org/land-issues/issues/) says, "Today, the loss of tribal lands combined with the mixed ownership patterns within reservation boundaries poses serious challenges for the sovereignty and self-determination of Indian nations."[4] The Swinomish's checkerboarded and fractionated landscape exists due to the imposition of private property boundaries atop traditional, collective management regimes. The legacies of fractionation have harmed the tribe's ability to control their land.

As part of the process of colonization, the United States Government imposed private property ownership structures and oversight systems on the traditional territories of Native Americans. The government defined a system of reservations and restricted Native Americans to only these areas, which were often a mere fraction of the size of traditional territories. In so doing, the Government also forced participation in the United States' private property frameworks rather than respecting many Native Americans' collective and relational conceptions of land and land use migration patterns. These actions took place by force, by treaty, and by allotment.
In 1855, the U.S. Government and the Swinomish tribe signed the Treaty of Port Elliot, which defined 15 square miles on Fidalgo Island as the Swinomish reservation. Despite this, the Swinomish had to fight to protect their treaty-defined land base in 1873, when President Grant attempted to further reduce their land base (a move which the U.S. Supreme Court blocked).[5] As part of the 1887 General Allotment Act, also known as the Dawes Act, the U.S. government awarded 40- to 160-acre parcels of land within the reservation to individual families, both Native American and settlers, with

[3] https://nwtreatytribes.org/11273-2/
[4] https://iltf.org/land-issues/issues/
[5] https://swinomish-nsn.gov/media/59864/20170130_ltr2landownersfinalwattach.pdf

the aims of encouraging the establishment of settled, agrarian societies.[6] As these parcels went to successive generations, land was subdivided and fragmented into smaller and smaller parcels (thus the term *fractionation)*.

Due to this history, typical barriers to landscape-level management and accessing markets for ecosystem services such as parcel size, forest cover and composition, and past management regimes are compounded. Unifying land through a forest bank would aggregate management across parcels with the potential for both climate resilient and financially beneficial outcomes. The Swinomish anticipated that a large carbon credit sale might help them "seed" the forest bank: proceeds from the sale would create a source of capital to allow purchase of more acreage and compensate individual landowners for ecosystem services.

In 2015, Ecotrust and the Swinomish received a USDA Conservation Innovation Grant to support their work to revise the Swinomish Forest Management Plan. The partners established a stakeholder group of tribal members to provide input on the project. Brent Davies at Ecotrust said about the committee: "Rather than practice co-management, we were seeking to put indigenous communities in the driver's seat." This involved both carefully considering the Swinomish's wishes for how forest resources could be managed using climate-smart practices and considering different governance models for establishing the forest bank within the legal constructs governing tribally owned and managed lands.

Because there are few forest bank models, Ecotrust and the Swinomish worked together to envision what an appropriate structure and entity might look like. The Swinomish and Ecotrust together completed their new forest management plan in 2018, which includes an intention to establish a forest bank. Ecotrust and the Swinomish continue to work together towards this aim.

Peoria, IL and Greenprint Capital Partners: Infusing Community Benefits into Green Infrastructure

Peoria contains one of the poorest zip codes in the country and is a majority minority community. In 2006, the EPA declared Peoria in violation of the Clean Water Act due to stormwater and sewer overflows, and mandated that the city address these hazards. Though underfunding has resulted in significant infrastructure failures, Peoria's leaders have sought to use philanthropic and public capital to upgrade infrastructure while also investing in community assets.

Peoria is not unique. Because of histories of disinvestment and redlining (racially discriminatory mortgage lending practices), many urban areas have underfunded and failing infrastructure. In 2014, Peoria won a Bloomberg Philanthropies Innovation award to create a Chief Innovation Officer staff position. With this added capacity, the city contacted Greenprint Partners, a women-run, green stormwater design and project engineering firm. City leaders knew they needed to make large public investments to comply with the EPA mandate, and wanted to work with a partner who could help them creatively deploy these funds to also benefit the community.

[6] https://iltf.org/land-issues/history/

Greenprint says on its website that it aims to develop equitable, scalable, holistic stormwater solutions that also revitalize neighborhoods, increase public health and safety, and create new job opportunities in low- to moderate-income communities. A key element of Greenprint's model is to thoughtfully deploy large public investments in infrastructure to simultaneously incorporate community benefits and community goals. As co-founder and CEO April Mendez commented: "We believe that infrastructure could be developed and designed with communities in mind, but only if the community is centered from the beginning."

The city of Peoria was a great partner, said April, because it was willing to "design green stormwater infrastructure with the perspective that the parts of the community that most needed this infrastructure also needed other organizational supports." With support from a $940,800 grant from the USDA's Conservation Innovation Grant program, Greenprint established a stakeholder advisory group that was representative of the full community's demographics.

Greenprint asked this group what they needed and what they wanted to see in their community. Rather than rely upon traditional, expert-driven infrastructure project models, Greenprint asked the community to say what their goals were and figured out how to create infrastructure that would satisfy those goals. The advisory group identified local employment opportunities, access to healthy food, and accessible urban green spaces as priorities.

Together, Greenprint, the city of Peoria, and the stakeholder advisory group decided to develop a 1.5 acre farm that can slow, sink, and store stormwater runoff while also providing job training and educational opportunities in growing food and running a farm business. Greenprint facilitated a placemaking visioning exercise, inviting community members to share ideas about what the farm might look like, and the types of infrastructure it would have. The farm was intentionally located in one of the poorest parts of Peoria, thus ensuring that both its stormwater retention and job training benefits stayed in the community of most need. The project team named this farm The Well Farm. In major rainstorms since this infrastructure was installed, it has absorbed 98% of rainfall.

Greenprint seeks to bring principles from its founders' community organizing backgrounds to its work. Though April Mendez acknowledged that equity-centered work can cost more in staff and design time, she said: "Community engagement changes the end product… It's not box checking, it's about changing the design of what you're building." She continued, "It's important to have the creativity to design things from a multi-benefit and place-making perspective and not just think about putting the facility in the ground."

This multi-benefit perspective has had important ripple effects. This project is one that the community is excited about and will benefit from in multiple ways. It also has created potential opportunities for public utilities and public infrastructure funding programs to simultaneously fund equity and community development outcomes. Greenprint estimates that for every $1 invested in establishing Well Farm, $1.50 in community benefits flow out.[7] Upon its completion in 2019, the $1.9 million Well Farm received a number of accolades from green infrastructure thought leaders,

[7] https://static1.squarespace.com/static/5b1490f731d4dfc24eb042a8/t/5d84ecc80a997e4f96ad9157/1568992457608/Greenprint+Partners+Water+Prize+Award_Press+Release_09.19.19+.pdf

industry groups, and foundations, such as the prestigious U.S. Water Prize from the U.S. Water Alliance, the Illinois Green Alliance Emerald Award, and the Sun Foundation Making Waves Award. This project also informs Peoria's stated goal to address its clean water mandates with entirely green infrastructure.[8]

Greenprint is working with the National Green Stormwater Infrastructure Exchange to design an educational accelerator program to train other municipal planning and finance entities who are interested in implementing similar "water equity" projects. With the recently signed Infrastructure Investment & Jobs Act committing $55 billion to wastewater, stormwater, and drinking water infrastructure, there is an opportunity to use public funds to support community benefits and water infrastructure goals simultaneously.

The Doris Duke Charitable Foundation: re-orienting decision making power and redefining conservation

The Doris Duke Charitable Foundation ("Doris Duke" for short) has rethought its goals and processes to better root its grantmaking in equitable decision making and work under an expanded definition of conservation. Four programs of the foundation highlight this evolution.

In 2020, approximately 30% of staff, 25% of leadership, and 32% of board members at U.S. environmental nonprofits identified as people of color.[9] Each of these metrics has increased significantly since 2017, when Green 2.0 began compiling this data. Doris Duke has carefully considered *who* holds power and positions in the environmental movement, and it has reoriented grantmaking in support of a more diverse talent pipeline. For many years, the Doris Duke Conservation Scholars program supported masters-level students in environmental studies and land conservation. In 2013, Doris Duke changed the Doris Duke Conservation Scholars program to fund college-age, BIPOC (Black, Indigenous, or People of Color) youth to work in the conservation field. By funding students at the undergraduate level, Doris Duke seeks to create earlier exposure to environmental work for BIPOC youth, making this a more tangible professional path. Building a diverse pipeline of young conservation practitioners will help facilitate a more diverse group of staff and leadership at environmental non-profits.

Doris Duke's Diversity, Equity and Inclusion Capacity Building Program was created in 2020 to provide capacity to both white- and BIPOC-led conservation organizations. Doris Duke awarded 2-year grants of up to $60,000 to organizations ranging in size from The Conservation Fund (with hundreds of staff) to the Utah Diné Bikéyah (8 staff), to support staff engagement in diversity, equity, and inclusion capacity building, organizational assessments, and structural changes.

Doris Duke's new "Inclusive Conservation" grant program launched in 2021. Doris Duke partnered with an advisory committee of conservation practitioners who primarily represent and serve BIPOC communities to develop this program, which invests in "culturally driven and community-centered

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[8] https://static1.squarespace.com/static/5b1490f731d4dfc24eb042a8/t/5d84ecc80a997e4f96ad9157/1568992457608/Greenprint+Partners+Water+Prize+Award_Press+Release_09.19.19+.pdf

[9] https://diversegreen.org/wp-content/uploads/2021/11/2021-ngo-foundation-transparency-report-card.pdf

conservation work that builds more positive outcomes for biodiversity, nature and people." These expanded parameters of what conservation is creates a broader set of activities for Doris Duke to fund. The advisory committee nominated organizations who could then apply for grants. This program awarded long-term, unrestricted, $300,000 grants to five organizations (‘Aina Momona, Ekvn-Yefolecv, McIntosh S.E.E.D., Native Movement and Soul Fire Farm) for the work that each organization does to "prioritize the bridge between environmental and land justice" and "in recognition of and contribution to the pivotal leadership roles they play" in doing inclusive, human- and equity-centered conservation work.

Doris Duke and the Robert Wood Johnson Foundation, together with the Prevention Institute, created the People, Parks, and Power program to geographically redistribute where conservation dollars go. These partners initiated this partnership in 2021 in order to support community organizations "working in urban, low-income communities of color across the United States to increase park equity through local policy and systems change." Histories of racially exclusionary housing finance (i.e. redlining and racially restricted federal lending programs) and racial covenants prohibiting home ownership by people of color or other ethnic groups have shaped today's cities.[10] Historically redlined neighborhoods typically are made up of majority renters, have less-well funded schools, have fewer public funds invested in natural amenities, and are often majority BIPOC communities. Black, Latinx, and Asian communities are more likely to live in historically redlined and today, nature-deprived areas - meaning, areas without access to trees, streams, or parks, or poorly maintained park amenities - and thus less access to the benefits parkland offers, such as physical exercise, mental well-being, and clean air, water, and cooling.[11]

Lack of urban access to green space is also a result of the rural bias of land conservation. This is a result of factors like the funding priorities of private, philanthropic, and public conservation funders and the fact that conventionally defined biodiversity conservation targets (i.e. presence of large carnivores or minimum acreage thresholds) most often are found in the large tracts of undeveloped land more readily found in rural landscapes.[12] Because conservation is reliant on philanthropic gifts to support its work, it often happens nearer to where well-resourced communities live. As Sawyer Cresap commented in her recent article on equitable conservation finance, "Low-income communities and communities of color are markedly deprived of access to privately conserved open spaces and less frequently affiliated with private land conservation as land donors, visitors, members, staff or board." Conservation dollars are much less often invested in urban landscapes, and the outcomes that conservation organizations seek to achieve have been defined by perspectives and beliefs that give less weight to urban parklands.

Doris Duke is seeking to support the organizations and community members who are working on the ground to address the underlying reasons why certain places are underserved by park and other

[10] Richard Rothstein, *The Color of Law*
[11] https://www.tpl.org/parks-and-an-equitable-recovery-parkscore-report; https://treeequityscore.org/
[12] http://enviro-history.com/unsettling-wilderness

infrastructure. As it brings a portion of its grantmaking into urban areas, it hopes to not only improve green spaces in urban areas, but more importantly to seed power and capacity among local groups in order to help build new narratives and greater participation, access to resources, and authority over land use decisions. Philanthropy "holds normative power to make things mainstream and render them visible" through deciding what to fund and which stories to elevate, said Sean Thackurdeen, Program Associate for the Environment at the Doris Duke Charitable Foundation. Through continued consideration of how it invests philanthropic dollars, Doris Duke seeks to give both resources and power to BIPOC communities, enabling them to create, implement, and share their visions for what land conservation could be.

Conclusion:

These case studies showcase ways in which some conservation practitioners are taking responsibility for the histories, policies, stories, and circumstances that have led to the patterns of land and wealth ownership we see today. These patterns are rooted in discriminatory practices like fractionation and redlining, which have harmed many non-white communities and restricted their ability to own and manage land. Said in a different way, traditional measures of conservation success will feed off of longstanding and systemically-reinforced inequities in wealth, power, and control, and will continue to produce inequitable outcomes in who the benefits of land and resource conservation accrue to. Without directional shifts and justice-oriented recalibrations, those with historical access to resources like land will be able to access conservation benefits predicated on land ownership and accumulate additional and compounding wealth, while those who have been systematically denied access to land will not have the same opportunity.

The organizations above have sought to ensure that the outcomes and benefits of their work do not only accrue to those who already have resources. In place-based, historically informed, and community-defined ways, they have both broadened and expanded what conservation is and who conservation is for. They are working with and ceding power to new partners. How can these groups' willingness to listen and learn and change serve as models? How might these examples inspire future steps along the long journey towards just conservation?

Practitioner Reflections:

- How would your organization answer the question, *why does property ownership in our landscape look the way that it does*? How is unequal access to land and wealth evident in your operating area today? What historical responsibility might you, individually or organizationally, hold? What could your organization or firm's role in addressing these histories be?
- How would your organization answer the questions, *what is the conservation we practice*, and *who is it for?*
- Who has authority and decision making power in your organization? How do you partner with other groups in your community? Who is in the "driver's seat" in your partnership projects?

- What are the specific histories of Native American communities in your region? Who used to call your current region home (see native-land.ca)? Which Native American communities continue to call this place home? If they are no longer here, where did they go (see https://nativeland.info/)?
- What do the actions of Ecotrust, the Doris Duke Charitable Foundation, and Greenprint make you think about? Is there anything in the above three case studies that your organization might consider adopting?

Additional Resources: the following resources are but a subset of perspectives, histories, and stories of land injustice that add further context to the stories shared above … we encourage you to find and study resources on land justice and human histories specific to your region.

- The racist roots of conservation:
    - Books like Dr. Dorceta Taylor's *The Rise of the AmericanConservation Movement: Power, Privilege, and Environmental Protection*; articles like Julian Brave Noisecat's "The Environmental Movement Needs to Reckon with its Racist History"; and resource compilations like this one from the Southern Maine Conservation Collaborative or this one about Decolonizing Conservation offer thoroughly researched and beautifully written summaries of the histories of exclusion perpetuated by and through conservation actions.
    - William Cronon's *The Trouble with Wilderness* explains one dimension of the rural orientation of conservation: conservationists often seek to protect a false, pristine vision of nature with no people in it, as a place for the wealthy to "escape" the trappings of civilization. This narrative erases the ways that humans have influenced and lived within the landscape for centuries, and creates a false dichotomy between humans and nature. Other authors on this topic include Dina Gilio-Whitaker, Mark Dowie, and Keith Pluymers. In this podcast, Dr. Kyle Whyte reflects more broadly on how indigenous peoples' relational conceptions of land differ from western efforts to control and demarcate land use.
    - Typical conservation metrics stem from a particular type of conservation science, one that paints a false narrative that "untouched" landscapes have the most biodiversity, ignoring the ways in which indigenous people have lived *with* landscapes for centuries and *created* the natural landscapes we see today. Political science professor Prakash Kashwan summarizes these ideologies in "American Environmentalism's Racist Roots have Shaped Global Thinking about Conservation."
- Indigenous land ownership:
    - Fractionation is illustrated in this video and article from Ecotrust.
    - This overview of Indian land tenure history from the Indian Land Tenure Foundation illustrates how the U.S. Government's actions have led to the land ownership systems we see today.

- Roxanne Dunbar-Ortiz's *An Indigenous People's History of the United States* tells this history of land theft and dispossession in ways both powerful and heartbreaking, and illustrates the calamity that is the United States' treatment of Native Americans.
- The Yale Forests Reading Group developed both a syllabus of readings and a series of Instagram stories that provide both resources and reflective questions to guide inquiry into topics of indigenous land loss. This resource will be particularly helpful for readers based in the Northeastern United States, but its themes extend across the United States.
- Resources like https://native-land.ca/, https://nativeland.info/, and Invasion of America help illustrate the stories and geographic extent of the places Native peoples called home before colonization of the United States
- Kelli Mosteller's article, For Native Americans, Land is More than Just the Ground Beneath Their Feet, describes how individualized, westernized conceptions of land and land stewardship practices often directly contradicted tribal beliefs and collective governance practices.
- The U.S. Department of Arts and Culture has produced a guide for how research and learning about the communities that historically inhabited a space is but a first step in making amends. Land acknowledgements are inadequate. USDAC states, "Acknowledgment by itself is a small gesture. It becomes meaningful when coupled with authentic relationship and informed action. But this beginning can be an opening to greater public consciousness of Native sovereignty and cultural rights, a step toward equitable relationship and reconciliation" (p. 3).
- The recent article Effects of land dispossession and forced migration on Indigenous peoples in North America illustrates the restriction in both geographic area and access to natural resources that the U.S. Government forced upon Native Americans. Across the United States, Native American tribes have lost 99% of their traditional land base. In many cases, forced relocation to new regions has meant that current Native American lands have both fewer and different natural resources than their traditional territories held.[13]
- The following resources outline the Swinomish's land tenure history: https://swinomish-nsn.gov/who-we-are/the-swinomish-people.aspx; https://swinomish-nsn.gov/qyuuqs.aspx; https://swinomish-nsn.gov/media/5816/swincompplan96.pdf; https://swinomish-nsn.gov/media/59864/20170130_ltr2landownersfinalwattach.pdf; https://www.slideshare.net/SWCSevents/july-301100ciglizzie-marsters; https://ecotrust.org/project/forest-bank/; https://nwtreatytribes.org/11273-2/.

* Histories of land dispossession through both legal and illegal means:
  - Land use planning and redlining histories are thoroughly documented in resources such as Race: the Power of an Illusion and Richard Rothstein's The Color of Law.

[13] https://www.science.org/doi/10.1126/science.abe4943

    - Rothstein's book describes both de facto and de jure segregation, illustrating how many marginalized groups have suffered from both restricted land ownership and outright land theft. It wasn't until the early 1900's that women across the U.S. could own land. Formerly enslaved people were prohibited from owning land until the 1860's. Alien Land Laws prohibited Asian Americans from owning or leasing land in 15 states (these laws persisted until 1952 when the Supreme Court ruled them unconstitutional). Deed restrictions have prohibited people of certain ethnicities from owning homes and land in cities across the United States.
    - Discriminatory policy and lending practices, especially through federal decisions at the USDA, have caused Black farmers to lose nearly 90% of the farmland they owned at the turn of the century. In 1920, 1 out of 7 US farms were run by Black people; in 1992, only 1 of every 100 US farms was Black run. The Great Land Robbery by Vann R. Newkirk II and This Land is Not Your Land by Andrea Guzman and Piper McDaniel catalog histories of dispossession of black-owned farmland. Leah Penniman of Soul Fire farm has a comprehensive bibliography of sources describing Black farmland loss. This article and webinar from the American Farmland Trust also discuss this history. Groups like the National Black Food and Justice Alliance and the National Young Farmers Coalition are fighting for policy changes that seek reparations and to address these wrongs.
- The Trust for Public Land and Tree Equity quantify disinvestment in parks and how access to green space is restricted on racial lines in urban areas.
- This report from Green 2.0 outlines trends in BIPOC staffing and leadership at nonprofits and foundations.

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- Brent Davies, Ecotrust
- Catherine Godschalk, Calvert Impact Management
- April Mendez, Greenprint Capital Partners
- Peter Stein, the Lyme Timber Company
- Alexa Sutton Lawrence, The Ocean Conservancy
- Sean Thackurdeen, Doris Duke Charitable Foundation

This essay summarizes my own understandings of the conservation field and its intentional and unintentional perpetuation of injustice. Any mistakes or omissions in this story are my own.