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## PRIVATE LANDS: THE NEW FRONTIER FOR WILDLIFE AND RECREATION MANAGEMENT

Delwin E. Benson

Colorado State University, [delwin.benson@colostate.edu](mailto:delwin.benson@colostate.edu)

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# Wildlife as an Asset to Landowners

Editor's Note: Six papers were presented in the wildlife as an asset concurrent session, and five were submitted for publication in the proceedings.

The following title was presented in the session but not submitted for publication:

Jim Knight, Montana State University—Introduction: Must Wildlife be a Landowner Liability?

## PRIVATE LANDS: THE NEW FRONTIER FOR WILDLIFE AND RECREATION MANAGEMENT

DELWIN E. BENSON, Department of Fishery and Wildlife Biology, Colorado State University, Fort Collins CO 80523

**Abstract:** Private lands are the new frontier for managing wildlife that covers two-thirds of the United States, provides habitat for 85% of wildlife, and offers opportunities for outdoor recreation. Wildlife and recreation are increasingly viewed as a product of agricultural and forest lands rather than by-products. The role of landowners to manage wildlife on private lands and the incentives to do so are unclear. Historical conflicts between governments and landowners make working together a new challenge. The “debris” of controversy erodes the building blocks for solutions; thus, debates about governmental controls over wildlife must be replaced with the pragmatic recognition that private landowners control the fate of habitats, wildlife, and recreation on private lands. Wildlife administrators must face these changing times and enable the private sector to assist with the governments' missions by enabling the private sector to become guardians and stewards of resources. A new age of trust, empowerment, enfranchisement, and cooperative planning should herald in programs for habitat, wildlife, and recreation management in the new frontier of private lands management for wildlife and recreation. Recommendations are offered.

### PRIVATE LANDS AND NEW FRONTIERS FOR WILDLIFE

Private lands are the new frontier for wildlife and wildlife-based recreation management. It is time for all wildlife interests—local, state and federal agencies, universities, recreationists, landowners, and the business community—to plan positively together toward mutually beneficial programs. One line of thinking contends that wildlife is a public good and that wildlife conservation and related management are matters only for public agencies: land management agencies make decisions about habitats; wildlife agencies manage the animals. No doubt, governments manage public parks, forests and rangelands, refuges, and areas that are set aside for landscape values, species management or acquired for hunting and other types of wildlife-based recreation. Governments can impact conservation on public lands; but, the wildlife conservation movement must recognize the predominance of private land in the United States (about two-thirds of the country) and that many species of farmland and ranchland wildlife are dependent for much of their habitat on private lands.

### LANDOWNERS ARE WILDLIFE MANAGERS ON THE MAJORITY OF LANDS

Kimball (1963) indicated that 80% of the animals taken by hunters and 85% of the wildlife habitat that is economically feasible to improve is found on private lands. Another line of thinking is that proper management of private lands is an absolute necessity if society cares about ecosystem values and quality recreational experiences.

Traditionally, wildlife was a by-product of private agriculture and forestry. Wildlife responded indirectly to land management decisions. If landowners were not interested in the production or use of wildlife, then habitat might be destroyed and wildlife populations reduced. If landowners were not interested in encouraging recreational use of wildlife, people would be denied access to enjoy wildlife on those lands. Landowners calculated monetary claims for wildlife damage, posted land against access, voiced complaints at agency hearings, perpetuated anti-hunter sentiments, and promoted ill feelings toward wildlife management agencies. On the positive side, they allowed access—free or for a fee—and supplied needed

wildlife habitats. Landowners who gained social or economic benefits from wildlife and recreationists found ways to protect and enhance habitats and populations.

Nowadays, wildlife and recreation should not be by-products; rather, they should be planned products. Private land managers can support wildlife conservation and use by becoming wildlife entrepreneurs who produce products and services and reap commensurate rewards.

Landowners can be stewards of nature by including wildlife and recreation as part of holistic land management. Governments can enable the process by supporting landowners' opportunities. Although these positive relationships are not well developed, there is no doubt that landowners are wildlife and recreation managers simply because they possess the base resources and have a significant control over habitats, animals, and human use.

Private landowners have been tolerant or intolerant of people and wildlife on their lands, but few landowners are doing a thorough job of managing those resources. Why should they? How do they benefit? Who encourages them? Who helps them to manage? A few incentives were provided by state agencies: signs to protect property; landowner preference permits to hunt on one's own land; license coupons for monetary redemption; game damage payments; predator control programs; habitat cost sharing; and extension education. Some states offered special seasons and permits to accommodate the management and business needs of landowners who use wildlife as part of providing recreational opportunities.

Most cooperative programs between governments and the private sector were not sufficient to meet modern day needs such as: managing increased big game populations and decreased wildlife in general; maintaining and enhancing migratory birds and endangered species; or providing quality recreational experiences for a growing population of outdoor enthusiasts. We need better ideas, new systems, and trust that the private sector can be good stewards.

## **DEMANDS INCREASE ON DWINDLING LANDSCAPE RESOURCES**

Times have changed from the perceived good old days when environmental demands were relatively simple, private altruism and neglect benefited wildlife and wildlife interests, and governments acquired and managed public lands. The days are behind us when government created more government and had all of the answers to society's needs. The big chunks of real estate have been acquired. Public environmental interests and citizen group activism have expanded, and demands on wildlife and wildlife lands have broadened. Society now knows that private lands are important components of the environment; thus landowners face increasing governmental regulations which limit uses of their personal properties. Simultaneously, landowners face poor prices for

agricultural crops, while the lure increases to sell their water and agricultural lands for development interests. Pragmatically, landowners must manage for their best short- and long-term interests. Wildlife, wild habitats, and outdoor recreationists are not always valuable to landowners, but private land is valuable to environmental interests and to recreationists.

Traditional wildlife users and political supporters, the hunters and anglers, want more and better land and wildlife resources. Other users such as viewers, photographers, campers, wilderness hikers, and farm and ranch recreationists also demand more and better places to recreate. Landowners can benefit from this increased demand for wildlife and wildland use, but they need to recoup production and service costs. Recreationists can pay to use private lands, and society can pay for its demands.

## **COOPERATION BETWEEN PUBLIC AND PRIVATE SECTORS IS NOT AUTOMATIC**

Meaningful cooperative programs are difficult to develop when participants fear a loss of rights or responsibilities. The founding principles from which land and wildlife agencies seek to continue their system of public-based wildlife management do not include giving up rights and responsibilities to the private sector. Governments' budgets currently depend upon public-managed systems. Professionals in government do not want to give up their jobs, working budgets, prestige, or the control that they have attained by being in charge of management. Recreationists who were accustomed to free use of wild land resources are increasingly having to pay for quality experiences on private lands. Public lands remain essentially available for use with no or minimal use fees, and taxpayers' dollars are insufficient to manage the lands properly.

Landowners are balancing the costs and benefits of their enterprises and determining whether and how wildlife, natural habitats, and outdoor users fit private management plans. Society is demanding cleaner and less exploitative uses of our environment, and there is no doubt that private land contributes to the problems and can provide some solutions. Conflicts arise when some of society is asked to give at the expense of the other parts. Conflicts arise when resources and opportunities are taken without just compensation.

Groups in conflict are less likely to cooperate when they perceive that the issues are polarized and the other participants are not listening. Perpetuating conflicts, rather than solutions, becomes more important to the philosophies of some individuals and to the survival of some agencies and organizations. Solutions become clogged with the "debris" of symptoms, self preservation, divisiveness, and mistrust. Wading through the debris-filled currents of change in search of higher ground is often too much of a risk or too great a task for society to

bear; therefore, no clear philosophy, policy, or practice has emerged that North Americans can document for wildlife and recreation management on private lands! Perhaps a new philosophy can emerge, but not without appreciating how debris affects the current of change.

## DEBRIS IN THE CURRENT

Conflicts among governmental agencies, landowners and recreationists have generated a state of “debris” in our perceived system for wildlife management. Debris is often necessary because it caused “noise” in the system and draws attention and causes thought and action. At first, the debris is destructive because it serves only to block actions rather than to create new actions. Debris is found floating in the current on polarized sides of issues where advocates do not agree and they probably do not listen. Over time, debris can be cleared and resolutions are possible when thoughtful minds focus on the true issues, see the problems more clearly, and seek constructive solutions. One needs only to read James Bovard’s book (1995) entitled *Lost Rights: the Destruction of American Liberty* to understand the anxieties and fears among some private individuals and groups that governments cannot be trusted and should in fact be feared. That sentiment alone compels some landowners to stay away from management of habitats, wildlife, or users because governments are involved.

Antagonists are right- and left-wing advocates, even militants, and a complement of middle roaders who don’t want government to take from them, control them, tax them, tell them what to do, or how to do it. A similar group thinks government does too little. Advocates fight for animal rights, states’ rights, race rights, and private rights. They bomb government buildings, protest against taxes, lay in front of bulldozers, place metal spikes in trees, vote for guns, and vote against guns. They believe in God and they are Godless. They support “traditional” family values and they have “family orientations” with a twist. They love wildlife, hate wildlife, and tolerate wildlife, but certainly they influence decisions that impact the future of wildlife and management of public and private lands.

Unfortunately, when private landowners get involved with wildlife, opponents to involving the private sector use scare words and phrases to pile up intellectual debris such as “privatization,” “commercialization,” and “European System.” The argument is that private interests take away from public interests. These attempts serve only to cloud progressive thinking. Advocates have three points in common: (1) they are trying to create certainty as they see it, out of uncertain times; (2) they have a conviction that their approach is the only course of action with arguments bolstered by truths and debris as needed; and (3) they want more personal involvement in outcomes. Polarized influences are growing, and each extreme thinks the other

is radical and dangerous. Uncertainty about the future has become a major concern in their life and in the lives of those whom they impact.

The United States Congress creates further debris and uncertainty by championing changes in environmental legislation that enable opportunities for some persons and enrage others. Two contrasting examples include laws to prevent regulatory takings of private and business opportunities and the endangered species legislation which could limit private activities. Other contested issues include legislation associated with water quality, wetlands, and clean air which are promulgated to protect environments, yet uses of private lands may become limited.

The people feel apart from decisions that are made on their behalf. They feel imposed upon. At the same time, when the federal government is making congressional laws to “protect” people and environments, there is also rhetorical and fiscal shifts of decision making powers and authority to lower levels of government, ostensibly to involve the people who are the ultimate targets of reform. However, landowners who want to manage wildlife on their properties lack appropriate empowerment and the needed authority and responsibility to do the job properly.

## WHO OWNS THE WILDLIFE?

Wildlife entrepreneurship is complicated in North America by the question of who owns the wildlife. Wildlife theoretically belongs to the people in common, but actual use of wildlife is governed by law. Consequently, governments have become the owners of wildlife in administrative, regulatory, and conceptual ways regardless of the rhetoric that wildlife belongs to the people. Governments tell the people if and when they may use wildlife. Going one step further, some employees of government behave as if wildlife belongs to them personally and wildlife cannot be managed without their sole and direct involvement. The custodial powers assumed by governments in North America have created one of the best public land-based wildlife and land management systems in the world, yet governments’ relationships with private landowners and private lands is in need of improvement.

In practice, landowners may be the wildlife owners because they control much of the lands and waters that animals, recreationists, governments, and society need. Models exist in Europe, Africa, and even in the U.S. where conservation and outdoor recreation are served well by actions of interested recreationists and landowners on private land. Examples include German hunting districts, South African game ranches, or private hunting areas managed in Colorado, Texas, and probably every other state in the nation.

Government-controlled wildlife and recreation management is not the only possible paradigm for success, and the specter of "ownership" should not stand in the way of wisdom and practical application. We can add governments' efforts to the wealth of interest, knowledge, and money available through private, university, and non-governmental organizations to focus proper resource management on private land. Wildlife and natural resources management professionals have developed a storehouse of knowledge and practices that promote wildlife, hunting, viewing, and recreation on public land that could be applied to the private sector.

Not only must our existing professionals redirect their thoughts and actions toward private objectives and practices, but so too must landowners redirect their thoughts from wildlife as a detriment to wildlife as an asset. The private sector as a whole has not been eager to cooperate. It may have been more socially acceptable to complain about wildlife and recreational problems and to bash governments than to work positively and proactively. It will take a great deal of good will by professionals and the "sharing of ownership" with users and landowners to provide sufficient incentives to compensate landowners for wildlife production and recreational access.

## **TRUST, PLANNING, EMPOWERMENT, AND ENFRANCHISEMENT**

Reasons for public and private sectors to work together are more obvious than the willingness to do so. There is a mutual level of distrust that prevents clear and cooperative thinking and a more trusting relationship must be developed. Each sector has been harmed by the other. Each sector reaps benefits from the other. Each sector manages now under authorization and constraints imposed by the other. Each sector does not admit wanting help from the other, but help is needed. Sectors cannot work positively together with those attitudes. Sectors cannot see obvious programs of mutual benefit because they will not look. But, there is hope! Words mean a lot especially when persons believe in them. Wildlife agencies and landowners would work together nicely if they believed in and practiced the meaning of four words: Trust, Planning, Empowerment, and Enfranchisement.

### **Trust**

No one works well when trust is low. Private and public sectors have to trust before they can be willing to cooperate. Trust is not given; trust is earned! Both sectors need to look for opportunities that earn trust and then be able to recognize trusting relationships when they arise.

### **Planning**

"Planning" is a word often used synonymously with "organizing," but organizing is still a ways down the stream to success. Public and private sectors cannot

organize if they are on different spectrums of thought and action. Here, "planning" suggests looking toward the future, working to trust, or as *Webster's Dictionary* puts it, "to devise or project the realization or achievement of," and to "intend." Public and private sectors must plan to work together in a spirit of trust, then prudently evaluate the outcomes with a fair and open mind.

### **Empowerment**

Empowerment is a philosophical willingness to share authority and responsibility. Persons want to work together when there is trust and when they find ways to do so. Public and private sectors each have powers to share. When they entrust some of that power to the other sector, that enables cooperative action.

### **Enfranchisement**

Enfranchisement is the official way that public and private sectors can agree and begin to organize their objectives, roles, and responsibilities. Private landowners are enfranchised by governments to become wildlife and recreation managers with expectations that land, animal, and user management will be of high standards. When standards are breached, privileges of the private sector are lessened. This is not a "parent to child relationship" however, because governments and the private sector are expected to do their share as "adult" partners. This relationship is new to the former governmental and "parental" approach to wildlife stewardship. Hunting, fishing, viewing, and other wildlife-based recreational uses of private land provide natural and pragmatic enfranchises where public and private sectors can cooperate.

## **CONCLUSIONS AND RECOMMENDATIONS**

Modern wildlife managers can overcome conflicts between landowners, government, wildlife, and people by seeking positive solutions that benefit hunters, recreationists, landowners, agencies, local communities, and ultimately wildlife and the land. Private lands need management attention. Private lands will be managed for wildlife—good or bad—with or without governments' help because landowners have the land and their actions influence nature! The goals of governmental wildlife managers, recreationists, landowners, and business leaders should be to encourage, not to deny proactive and positive wildlife and landscape management by the private sector. Participants must trust and be trusted, and governments can enfranchise private partnerships for action.

The following ideas set the stage for critical thinking about what private landowners, users, and natural resource management professionals can do to manage wildlife and recreation on private lands.

1. Calculate the real costs for producing and maintaining wildlife, habitats, and recreation on private lands.
2. Like any business, find ways to reduce costs and receive enough benefits to justify production.
3. Recognize private landowners as equal partners in conservation to provide habitat, wildlife, and access.
4. Reduce costs of taxes and threats of liability for landowners who manage lands for wildlife and recreation.
5. Provide special incentives to landowners who increase wildlife through proper management. Such incentives can include special timing and duration of hunting seasons, permits used at landowner's discretion, compensation for managing threatened and endangered or other non-hunted species, and a simplified and stable regulatory environment.
6. Recreationists can form working and financial relationships with landowners and public agencies. Management practices can be initiated, funded, and implemented by committed and dedicated recreationists on private land.
7. Landowners and recreationists can form associations to manage and market resources.
8. Landowners should not illegally restrict access to public lands nor should they use public lands for personal gain to the detriment of other publics who have similar interests in the values on public lands. These practices only infuriate parts of society who will retaliate by trying to restrict legitimate activities on private lands.
9. Where public lands are isolated and intermixed with private lands, management and recreation plans can allow those lands to be used by the public during managed periods and for private objectives at other times if habitats, wildlife, and recreational developments merit such consideration.
10. Wildlife and the natural environment should never be valued solely by economic terms. Intrinsic and emotional values should always weigh in the balance of how resources will be valued, allocated, and used on public and private lands.
11. A wildlife, recreation, and habitat plan should be written for every property with potential for free or fee use. Perhaps several parcels of land would need to be combined into functional ecological and economic units. One would hope that plans will be written cooperatively between wildlife agencies and landowners. Some plans will be simple, while others will require detailed input. In each case, wildlife and recreation should be included within the whole management scheme. Holistic management considers the resources and markets available (supply and demand) along with human resources necessary to carry out plans. One of the major benefits to landowners from fee-hunting has been the knowledge of and control gained over persons using their lands. Control could have been developed without the fee if landowners would have had a plan; but, money helped the plan to develop.
12. Wildlife, their habitats, and associated recreation are assets from which whole communities should recognize, nurture, and profit. The protection of open space afforded by making wildlife, habitats, and recreation valuable to communities is reason enough to bring governments, landowners, private individuals, nongovernmental organizations, recreationists, and businesses together to protect their resources and to invest in that protection.

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