



MIDDLEBURY COLLEGE

A Creative Approach to Conservation Leads to the Protection of an Iconic Campus

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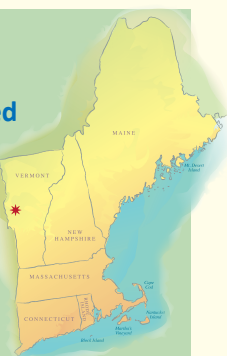
Academic Conservation Briefs



An autumn panorama of the Bread Loaf Campus. Credit: Brett Simison

At a glance:

- 2,100-acre conserved campus
- Creative multi-partner approach
- Preservation fund
- Used for research, education, literature conferences, carbon sequestration, and recreation



“The conservation of Bread Loaf required a collaborative effort across the institution that involved faculty, staff, generous alumni, students, local land trusts, a visionary president, committed trustees, and innovative financing. It demonstrates that the conservation of academic lands is not only achievable, but can be instrumental in safeguarding an institution’s long-term financial and environmental sustainability.”

Middlebury College is a residential liberal arts college in Vermont. The college campus programs include immersive summer language schools, the School of the Environment, and the renowned Bread Loaf School of English and Writers’ Conferences. All of these are held at Middlebury College’s Bread Loaf mountain campus located in scenic Ripton, Vermont.

Middlebury College is known for its leadership in environmental education, action, and sustainability. The school’s strong reputation as a leader in these areas has much to do with its deep sense of, and commitment to, place. The main campus, situated in the shadow of the Green Mountains, is inextricably tied to the landscape. Whether students study with Middlebury College for a semester, ten weeks in the summer, or four years, none of them leave unchanged. They are shaped by place as much as the knowledge that they acquire.

Middlebury College’s Mission Statement, which was updated in 2006, reflects both this connection and commitment: “At Middlebury College we challenge students to participate fully in a vibrant and diverse academic community. The College’s Vermont location offers an inspirational setting for learning and reflection, reinforcing our commitment to integrating environmental stewardship into both our curriculum and our practices on campus.”

It was owing to this long institutional commitment to place and the environment that, in 2015, the College permanently protected its unique 2,100-acre Bread Loaf campus through a conservation easement. As one of just a small number of colleges that have conserved its land, Middlebury College can offer a roadmap of the process to others that are considering a similar path. The conservation of Bread Loaf required a collaborative effort across the institution that involved faculty, staff, generous alumni, students, local land trusts, a visionary president, committed trustees, and innovative financing. It demonstrates that the conservation of academic lands is not only achievable, but can be instrumental in safeguarding an institution’s long-term financial and environmental sustainability.

Bread Loaf project leaders worked with multiple stakeholders to ensure wide support for the initiative. They identified the land's multiple values and determined how best to balance those values through a combination of protection and stewardship. In recognition of the leadership and creative thinking involved in the Bread Loaf project, Middlebury College received in 2016 the first-ever Charles H.W. Foster Award for Exemplary Academic Leadership in Land Conservation from ALPINE, Harvard Forest, and the Lincoln Institute of Land Policy in 2016.

Academic institutions do not often protect their land. Many institutions consider their land a critical part of their asset base and are hesitant to reduce the value of that asset with permanent restrictions, such as a conservation easement. Middlebury College decided that the non-fiscal values attached to the Bread Loaf campus could be balanced with financial optionality. The following case study explores both why and how Middlebury protected its Bread Loaf campus.

History of the Bread Loaf Campus

Legacy of Joseph Battell

In the late 1800s, at a time when much of Vermont's forestland was heavily logged or cleared to pasture for grazing sheep, Joseph Battell made a name for himself as the largest landowner in Vermont. Battell, who studied at Middlebury College, was a man with a commitment to land stewardship and preservation, characteristics that were unusual in his era. He inherited great wealth from his uncle, and, in his estate, bequeathed 35,000 acres of land and the Bread Loaf Inn to the College, with 9,000 acres of the gifted lands restricted in use.

Since receiving Battell's original gift in 1915, the college has acquired additional parcels that neighbor Bread Loaf, building out the lands that would come to be known as the Bread Loaf campus. Beyond the historic significance of Battell's legacy, these lands have shaped the educational, recreational, and literary endeavors of generations of students, faculty, and staff, as well as the members of a much broader community.

Significance of the Bread Loaf Campus

Preserving a Conservation Story

As the Bread Loaf conservation project began, Middlebury College Dean of Environmental Affairs Nan Jenks-Jay commissioned Katie Michels to document the process as well as the multiple values of the mountain campus, in order to preserve the story of why Middlebury College undertook this project. Michels spoke with thirty-four stakeholders, including Middlebury College faculty and staff, alumni, Vermont Land Trust, The Nature Conservancy, representatives of alumnus Louis Bacon's charitable foundation, Ripton

residents, and outside experts, each of whom spoke to the different values held by the Bread Loaf lands. These values include the forest's place in Middlebury College's institutional identity, carbon sequestration and energy potential, ecological services, educational and reflective opportunities, historical legacy, literary importance, recreational and community use, and scenic value.¹

Educational Value

Many of Middlebury's undergraduate courses utilize the Bread Loaf campus as a living laboratory, studying ecology, biology, history, environmental studies, and literature.

Literary Value

Founded in 1920, the Bread Loaf School of English is the largest English master's degree program in the country. Bread Loaf also hosts the Bread Loaf Writers' Conference, the New England Young Writers' Conference, the Bread Loaf Orion Environmental Writers' Conference, and the Bread Loaf Translators' Conference. Noted authors, from Frost to Toni Morrison to Terry Tempest Williams, have spent summers teaching and writing at Bread Loaf. As Vermont Land Trust ecologist Liz Thompson noted, the Bread Loaf conservation project preserved the very hills and forestlands that have inspired, sheltered, and nurtured thousands of novelists, poets, and essayists.

Research Value

In 2008, the Middlebury Lands Advisory Committee was established to "extend Middlebury College's leadership in environmental stewardship and environmental education by formally recognizing the important contributions that the college's landholdings make to the education of students, the research of students and faculty, and local and regional sustainability."² The creation of this group opened an important dialogue about land management at the College and marked the beginning of a shift from an exclusively financial paradigm to one that also views the lands as integral to Middlebury's educational and environmental sustainability initiatives.

The Lands Committee commissioned Professor Marc Lapin and his students to perform an ecological inventory of the College's lands. Middlebury is now one of very few institutions with a comprehensive

¹ Katherine Michels, "The Bread Loaf Conservation Project," Middlebury College, February, 2015.

² Middlebury College, "Middlebury College Land Stewardship Initiative," Middlebury College, 2008.



database of the ecological and agricultural attributes of its landholdings. The report, which served as the basis for the conservation easement's protection of the ecological values of Bread Loaf, delineated ecologically significant sites and special habitat features, while also offering specific management recommendations for each parcel. The information was further used to inform the comprehensive management plan required by the easement.

Ecological Value

The Bread Loaf lands hold stunning ecological value. Lapin's inventory discovered unexpected biodiversity and numerous instances of exemplary, uncommon, and rare natural communities. The study uncovered twenty-seven different natural community types, including ten significant natural communities, as defined by the state. The lands also feature rare and uncommon plant species and excellent habitat for game and nongame wildlife.

These tracts of undeveloped Bread Loaf land are contiguous with four-hundred thousand acres of Green Mountain National Forest land. Together these tracts form a very large protected landscape. The extensive hydrological features—including headwater streams, rivers, wetlands, and groundwater seeps—found in the Bread Loaf lands support biodiversity, increase the resilience of the area in the face of climate change, and offer extensive habitat connectivity for wildlife.³

Recreational Value

The Bread Loaf lands offer considerable recreational opportunities the College's students, faculty, and staff, as well as residents of nearby communities. Since the early 1970s, Rikert Nordic Center has operated fifty-five kilometers of groomed ski trails. In addition, the Bread Loaf lands contain an alpine skiing area and segments of an extensive network of contiguous public land and trails that provide hiking, skiing, biking, snowmobiling, and other recreational opportunities to Vermonters.



A winter view of the Bread Loaf Campus. Credit: Brett Simison.

Contemplative Value

The rich educational experience of Bread Loaf comes, in part, from the space for reflection and full immersion that the isolated setting provides. Bread Loaf's long history and diverse landscape allow multiple points of connection to this place.

Pathway to Perpetuity

Conservation Success Story

The road to Bread Loaf's permanent protection by conservation easement took years of effort and collaboration between multiple partners. Visionaries such as former college president Ron Liebowitz warned about the prospect of economic hardship so severe that the college could be tempted (or forced) to sell its lands, as happened previously in the 1930s. Additionally, the Board of Trustees was aware of the economic burden of stewarding the Bread Loaf campus, and began to search for ways to fund its upkeep.

Despite the multiple values that Middlebury College attached to the Bread Loaf lands, when then-President Liebowitz initially petitioned the Board of Trustees in 2004 to consider a conservation easement to protect these lands, his proposal was denied. The Middlebury College Board of Trustees felt bound by fiduciary responsibility to keep the Bread Loaf lands unprotected, to allow for their monetization in the event of future financial hardship.

During the economic downturn of 2008, Middlebury College was forced to come to terms with the financial responsibility of the Bread Loaf campus and lands. The average cost of maintaining the aging Bread Loaf campus infrastructure is one million dollars annually. The Board of Trustees knew that they needed to find an innovative solution to retain Bread Loaf while maintaining fiscal and ecological sustainability. According to Middlebury College's Senior Vice President and Chief Philanthropic Advisor Mike Schoenfeld, the college's "greatest concern was that this financial burden could eventually lead to pressure to sell or develop land around the Bread Loaf campus to address these deficits, changing the very quality of the land that makes this place so special."⁴

In 2013, the College embarked on a land planning process that involved experts. These partners included attorneys Steve Small and Stefan Nagel (from the graduating class of 1969), conservation partners at Vermont Land Trust and The Nature Conservancy, and

³ Lapin et al, "An Ecological Perspective of the Middlebury College Mountain Lands," Middlebury College, 2015.

⁴ Michels, "Bread Loaf Conservation Project."

alumnus and conservationist Louis Bacon (from the graduating class of 1979). In so doing, they sought:

To secure the long-term financial future of Bread Loaf and our Nordic and alpine ski facilities through land conservation methods. Our goal is to find a way to monetize the value of the land to an extent that would allow us to conserve and preserve these remarkable assets whose future could otherwise be subject to financial pressure resulting in unwanted development or sale.

Middlebury College could not simply donate a conservation easement on Bread Loaf, because the trustees of a nonprofit are legally required to uphold the value of their institution's assets. And, as a nonprofit institution, the college could not benefit from tax deductions that normally incentivize the establishment of a conservation easement. In order to permanently extinguish the development rights at Bread Loaf, the College had to find a mechanism to support that lost value.

To overcome these obstacles, Attorney Small and Darby Bradley, from Vermont Land Trust, recommended that Middlebury College partner with a conservation donor who could make a cash gift. The college could use the gift to establish an endowment that would fund stewardship and management of the Bread Loaf lands, while simultaneously allowing the donor to receive a tax deduction. The gift would also offset any loss in value associated with the extinguished development rights of the lands as defined in the conservation easement, allowing the college's Board of Trustees to maintain their fiduciary responsibility while protecting the land in perpetuity.

President Liebowitz and others felt that a conservation easement was the strongest form of legal protection for Bread Loaf, as the permanent removal of development rights on the land would diminish any potential financial incentives to sell or develop the property. The project team agreed that Vermont Land Trust should hold the conservation easement, with The Nature Conservancy acting in an advisory role.

Innovative Financing and Structuring of a Conservation Easement

The Preservation Fund

In 2014, after several years of planning, meetings, input from expert partners, and collaboration involving multiple stakeholders, President Liebowitz officially asked alumnus Bacon to become the primary donor of the Bread Loaf Preservation Fund, an endowment to support the conservation and stewardship of Bread Loaf lands. Bacon has protected over 210,000 acres of his own land including a 167,000-acre conservation easement in

Colorado that he donated to the U.S. Fish and Wildlife Service, the largest they had ever received.

President Liebowitz additionally proposed that the Board of Trustees set aside existing unrestricted endowment funds to provide a match for Bacon's generous gift. As a testament to Middlebury College's commitment to the project, within two weeks of Bacon's initial gift commitment, the board voted to do exactly that. The financial support provided by the Board of Trustees' match allowed the team to expedite the project and to avoid the time-intensive process of a capital campaign. Today the Bread Loaf Preservation Fund is restricted, meaning that its funds and interest may only be used to support maintenance and programming at Bread Loaf.

A Creative Approach

According to Rand Wentworth, former president of the Land Trust Alliance, Middlebury College could have taken an easier and more traditional route by simply donating the conservation easement, without the need for an outside donor. However, part of why so many academic and nonprofit institutions struggle to permanently protect their landholdings is due to their obligation to fiduciary responsibility. Through Middlebury College's creative approach, which included using multiple partners, an alumnus donor to establish an endowment, and a match by the Board of Trustees with unrestricted endowment funds, Bread Loaf was conserved in a way that honored the college's fiduciary duty while simultaneously conserving Bread Loaf's conservation value in perpetuity.⁵

Multiple stakeholders, including Middlebury College, Vermont Land Trust, The Nature Conservancy of Vermont, and Louis Bacon's Moore Charitable Foundation, negotiated the terms of a conservation easement with Vermont Land Trust that would offer Bread Loaf permanent legal protection. Given the unconventional nature of this easement and its multiple partners, the negotiation process took more than two years to finalize. The easement was officially signed on June 23, 2015 and states:

This Grant of development rights and perpetual conservation easement restrictions and covenants extends forever [Middlebury College's] commitment to the stewardship of open spaces, forestland, and environmental values of the Bread Loaf campus. . . . The historical uses of and perspectives on these lands, along with more current conceptions of their numerous values, fed into the agreed-upon primary and secondary purposes of the conservation easement. The easement's primary purposes, all

⁵ Michels, "Bread Loaf Conservation Project."



with equal priority, are to 1) maintain the forested lands in a natural condition, 2) prevent adverse use or development that would degrade the many resources and values enumerated in the easement, and 3) conserve and protect both the outdoor recreational resources and the college's educational mission and programs. Secondly, the easement's intent is to protect historic and cultural resources, along with scenic, open space.⁶

Structuring the Easement

In addition to documenting the conservation values associated with Bread Loaf, the conservation easement created distinct protection zones within the Bread Loaf landholdings and established associated stewardship guidelines according to a management plan. Lapin was asked to develop this management plan using his earlier ecological study with Middlebury College students. Following the requirements of the easement, the plan details allowable uses and conservation and management actions for all of the lands. These include Ecological Protection Zones (EPZs) and Surface Water Protection Zones. Both designations assign higher protection to these sensitive natural communities and hydrological resources.

The Bread Loaf conservation easement establishes stringent protocols for human activities on all of the land except the campus infrastructure zone. In the higher-level protection zones, harvest of timber and other native plant species is prohibited. On the general protected lands, harvesting is allowed only for limited college construction or for purposes of conserving the ecological health of the forest. The management plan details a protocol with checks and balances for planning a harvest to conserve ecological health; Vermont Land Trust, which has stewardship foresters on staff, must approve all harvest plans.

The easement and management plan are rigid enough to ensure the permanent protection of conservation values on Bread Loaf lands, while maintaining an important degree of flexibility. This allows Middlebury College to perform non-destructive research throughout the lands and practice restoration forestry in several hundred acres of existing conifer plantations. The easement was also crafted with flexibility to take into account development as the college renovates aging infrastructure or expands.



Skiers enjoy Rikert Nordic Center, on the Bread Loaf Campus.
Credit: Brett Simison

Establishing a Campus Zone

Like any institution with multiple stakeholders, it is challenging for Middlebury College decision makers to determine exactly how the campus will be used decades from now and what types of infrastructure will be necessary to support those uses. For example, the management plan allows the college to keep 32 existing buildings in a carefully considered “campus zone,” which encompasses 167 acres. Within this campus zone, the construction and upkeep of building structures, roads, utilities, and renewable energy infrastructure are all allowed, but Vermont Land Trust needs to be informed. This differs from the approval required from Vermont Land Trust for any activities outside of the campus zone. Development is prohibited beyond the campus zone and vehicle travel is restricted to designated parking areas and roads.

Preserving Recreation Access

The easement also takes into account the importance of Bread Loaf's recreational features. In addition to protecting the Rikert Nordic ski facility, the easement permits recreational snowmobiling on the property outside of EPZs. However, if at any point public access to the Bread Loaf lands runs counter to the easement's intents and requirements or is harmful to the conservation values of the property, Middlebury College can amend the management plan and limit public use as needed. In the end, however, the alpine ski area was not included in the conserved lands.

Carbon Credits and Renewable Energy

The easement reserves the right for Middlebury College to benefit from carbon credits generated by the carbon that is sequestered in the Bread Loaf's soil and biomass. Carbon credits generated at Bread Loaf forestlands have been critical in helping the college achieve its institutional goal of carbon neutrality. The development of renewable energy infrastructure for solar and wind power, while permitted, is limited to the established campus zone.

⁶ Michels, “Bread Loaf Conservation Project.”



Lessons Learned

Replicating Bread Loaf's Success

A monumental effort was required from all who were involved in bringing the Bread Loaf conservation easement and Bread Loaf Preservation Fund to fruition. There are several key takeaways that can together serve as a roadmap to other institutions.

- Middlebury College engaged with attorneys and conservation partners including The Nature Conservancy and a local land trust.
- Middlebury College drew on the deep emotional connection that its students, alumni, faculty, staff, and the greater community have with Bread Loaf, giving the conservation project important meaning to a broad audience.
- Middlebury College used an innovative approach to permanently protect its lands that balanced fiduciary responsibility with conservation.
- An easement and management plan were developed as tools to balance multiple uses of the landscape, including conservation, forest management, institutional development, carbon sequestration and renewable energy, and recreation.
- Perhaps most important in the college's eventual success was the engagement of so many members of the college community and beyond.

The result of this collaborative effort was an innovative approach to the permanent protection of institutional lands that took into account the needs of a diverse range of stakeholders and multiple values.

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