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REFOUNDATION: DOES PLACE-BASED CONSERVATION IN AMERICA NEED TO START OVER?
REBECCA CONARD, ROLF DIAMANT, DAVID HARMON & JOHN REYNOLDS, THEME EDITORS



Toward a Landscape-Scale Conservation Network

ROBERT B. KEITER

Landscape conservation has emerged as an essential approach to the conservation challenges confronting the nation in today's rapidly changing and politically fraught world. To meet the challenges posed by climate change and biodiversity loss, it is apparent that conservation efforts must surmount existing boundary lines to accommodate migratory species, ecological processes, climate perturbations, and the like to preserve any semblance of the natural world that has inspired and shaped the conservation movement for centuries. This necessary expansion of the conservation vision builds upon the dominant place-based conservation model that prevails in the United States and elsewhere, manifested on the federal public lands in our protected national parks, wildlife refuges, and wilderness areas—which are the subject of this essay. But it will require vision and persistence to legitimize this emergent landscape-scale model that already has roots in the ground.

BACKGROUND

The American conservation system has been built upon the idea that we can preserve our natural heritage by designating specific protected areas and then managing them to safeguard the objects, wildlife, and values found there. Yellowstone National Park, established by Congress in 1872, was the nation's first official federal nature reserve, soon followed by other national parks as well as legally designated forest reserves, wildlife refuges, and eventually wilderness areas, along with an array of other protective designations. Under the Constitution, Congress has power over the nation's public lands, giving a distinctive political aspect to their shape and evolution, a reality not likely to change as we face today's nature conservation challenges. The upshot is a four-dimensional public land system that includes national parks, national forests, national wildlife refuges, and other public lands, each overseen by a different land management agency operating under a different organic legal mandate.¹

Despite current upheavals, this expansive 619-million-acre public land system is not likely to change irreversibly in the foreseeable future given the political gridlock that grips Congress and that accounts for decades of flip-flopping presidential administrations. The critical question, therefore, is how to advance preservation policy within this institutional framework and political atmosphere.²

Due to the significant damage the Trump administration is wreaking on the nation's public lands and the agencies overseeing them, any meaningful conservation proposal must first repair this damage while also promoting more profound changes to the conservation agenda. This will entail rebuilding the four main land management agencies in terms of personnel, capacity,

and fiscal resources, as well as restoring trust, morale, institutional knowledge, and mission priorities within each agency. It will also entail undoing such Trump administration changes as National Environmental Policy Act and Endangered Species Act regulation revisions, the cancellation of the national forest roadless rule and the Bureau of Land Management (BLM) conservation rule, the executive orders regulating off-road vehicle use, the Utah national monument modifications, and development-driven resource management priorities in order to reinvigorate a science-based conservation agenda.³ Notwithstanding the current administration's shortsighted policies, the nation's public lands and resources are not mere assets on a balance sheet. Rather, nature conservation has long occupied a prominent role on the public domain and continues to enjoy broad public support.

The primary task is to reinvigorate and expand a robust conservation agenda that extends across the landscape, building upon the considerable momentum achieved over decades before the second Trump administration took office. The history of nature conservation on the public lands reflects unmistakable and relatively consistent congressional, presidential, and judicial support, including key policy advances within each of the responsible agencies. In fact, roughly half—310 million acres—of the public lands are presently in some form of legally protected status, mostly by congressional designation, some by presidential action, and some by administrative rule. However, existing national monuments and national forest roadless lands are at imminent risk and will likely require congressional or executive remedial action to restore and ideally expand protections.

By legislation, Congress has extended legal protection to millions of acres in the form of national park, wildlife refuge, wilderness area, and other place-based protective designations. Congress has also adopted keystone laws that have incorporated express science and conservation responsibilities into agency management obligations. These include the 1970 National Environmental Policy Act, the 1973 Endangered Species Act, the 1976 National Forest Management Act with its diversity provision, the 1997 National Wildlife Refuge System Improvement Act with its “biological integrity, diversity, and environmental health” management standard, the 1998 National Park System Omnibus Management Act that explicitly incorporated science into park management policy, and the 2009 National Landscape Conservation System Act, giving BLM clear conservation management responsibilities for its protected lands. By law, the public land agencies also must engage in interdisciplinary planning, coordinate with one another, and take science and public opinion into account in their decision processes. Several recent presidents, moreover, have aggressively employed the Antiquities Act to establish large, ecologically defined national monuments, further expanding the nation’s protected acreage. While fidelity to these laws and their conservation obligations has waxed and waned when the presidency has changed partisan hands, the overall trajectory has reflected an ever-increasing commitment to conservation and preservation policies on the public lands. That momentum, despite the Trump administration’s contrary policies, will likely be re-established and continue in the years ahead.⁴

DE FACTO LANDSCAPE CONSERVATION

In response to these conservation-oriented designations, laws, and related policies, the federal land management agencies have embraced critical aspects of an ecological approach to resource management that focuses on maintaining ecosystem integrity, including biodiversity and natural processes on their lands. This ecological approach has seen land managers, often prodded by scientists and conservation organizations, looking

beyond their boundaries to better coordinate among themselves to achieve mutual conservation goals. This approach is most evident in locations where national parks, wildlife refuges, wilderness areas, and national monuments adjoin one another. What have emerged are de facto multi-agency efforts, often of diverse origins and generally informal, toward maintaining and restoring a region’s ecological integrity and natural features through collaborative efforts while still meeting multiple-use and other statutory obligations. These efforts, though imperfect at times, are nevertheless embedding place-based ecosystem management approaches on the ground that transcend conventional boundary lines.⁵

The Greater Yellowstone Ecosystem (GYE) provides a prime example of an evolved, unmandated, multi-agency effort to promote a transboundary approach to conserving the region’s ecological integrity and natural heritage. Conservation groups, embracing the GYE concept, led an effort beginning in the 1980s to convince the responsible land management agencies and local residents to prioritize ecosystem protection, focusing heavily on the region’s grizzly bears and other charismatic species, along with its scenic, watershed, and geothermal features. Within a couple decades they succeeded in significantly reducing industrial-scale activities on the multiple-use lands and refocusing the federal agencies on collaborating to preserve the region’s charismatic wildlife, vital waterways, and stunning natural beauty. Along the way, the Greater Yellowstone Coordinating Committee, composed of the region’s federal land managers and now expanded to include state wildlife officials, has provided noticeable support for the effort. Meanwhile, economic priorities in many of the GYE communities shifted noticeably toward recreation, tourism, and real estate, bringing additional support for the transition toward nature conservation. Drawing upon new scientific information about ungulate migration patterns and ongoing climate change impacts, conservation efforts in the GYE are now shifting toward a broader landscape conservation



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approach, effectively expanding the informal GYE boundaries. This development has brought private landowners into regional nature conservation efforts through conservation easement transactions, habitat leases, and other incentive-oriented programs. One prominent example is the High Divide Collaborative, which involves federal, state, and private landowners and others working together to preserve the region's ranching heritage and natural character while connecting the GYE with central Idaho wilderness areas and more distant wild lands.⁶

Something similar is evident elsewhere on the western public lands. In the Crown of the Continent Ecosystem (which includes Glacier and Waterton Lake national parks and surrounding public lands), US and Canadian land managers have joined together along with state, provincial, and Tribal officials, to form the Crown Managers Partnership. The group's aim, abetted by conservation advocacy groups, academic institutions, and federal legislation, is to curtail timber harvesting, oil and gas activity, and mining to protect the region's natural qualities. In the Pacific Northwest, an intense litigation campaign curtailed timber harvesting on the region's federal public lands to protect the northern spotted owl, culminating with the Northwest Forest Plan, which formally embraced a multi-state ecosystem management approach to protect regional biodiversity and watersheds. In California's Sierra Nevada mountains, the Forest Service has implemented ecologically based, multi-forest management plan amendments to safeguard the California spotted owl population, restore native forest conditions, address wildfire concerns, and protect critical water supplies. In northern Washington state, the 504,700-acre North Cascades National Park is flanked by two national recreation areas, multiple wilderness areas, and extensive national forest lands, as well as Canadian provincial parks and recreation areas, creating what is often referred to as the Greater North Cascades Ecosystem. Moving southward, other multi-jurisdictional, large-scale conservation initiatives have taken hold in multiple locations, including the

California Desert area, the Grand Canyon–Colorado Plateau region, the Moab to Mojave Conservation Corridor, and Colorado's San Luis Valley.⁷

In fact, large landscape conservation initiatives are being promoted by the conservation community across the country, generally working with governmental entities in an effort to tie public and private lands together to protect wildlife and natural systems. The aptly named Center for Large Landscape Conservation supports such efforts and serves as a clearinghouse for these initiatives. One well-known example is the Yellowstone to Yukon (Y2Y) project that is working to connect protected areas situated along the spine of the Rocky Mountains to safeguard the region's charismatic wildlife populations. In central Montana, the American Prairie Reserve (now American Prairie) represents an innovative private conservation initiative that envisions a multi-million-acre grassland conservation area connecting public and private lands to restore bison and other native species while maintaining the rural setting. Similar initiatives are underway in south Florida's Everglades ecosystem, the southern Appalachian Mountains, and central Maine with establishment of the Katahdin Woods and Waters National Monument adjacent to Baxter State Park. Together, these landscape complexes and conservation initiatives represent an impressive ongoing commitment to preserving the nation's natural attributes and heritage.⁸

CONTEMPLATING A LANDSCAPE CONSERVATION NETWORK

This distinct trend toward large-scale nature conservation on federal public lands, while undeniable, remains ad hoc in origin and design. These expansive complexes containing formally protected federal lands complemented by adjacent areas containing conservation values have emerged organically, representing a significant yet unofficial national commitment to more fully protect our natural heritage. The number and scope of these informal protected area complexes speak to the recognized need to expand our conservation efforts and an evident level of political support for such an approach. While built upon different levels of formal and informal relationships,



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these diverse initiatives constitute a significant initial step toward legitimizing a landscape-scale conservation approach on select federal lands and beyond.

What steps, then, might we contemplate to further formalize landscape conservation as this new era in public land management unfolds? Several options merit consideration, though each must also be weighed against the political realities that have long shaped public land policy.

One option would be to do nothing and permit these organic landscape conservation initiatives to evolve on their own. The appeal of doing nothing rests on the fact that the concept is taking hold on the ground while largely escaping the controversy that inevitably arises when protective public land designations are proposed. Multi-jurisdictional landscape conservation as a resource management policy, while well supported in theory, remains relatively nascent and is taking somewhat different form in each location in terms of the involved lands and underlying institutional structures, providing valuable information on what works and does not work. Given the diverse origins and structure of these protected area complexes and the still-tenuous political climate surrounding them, this option would enable them to continue evolving without shining a political spotlight on them.⁹

Another option would involve seeking place-based legislation individually for these formative landscape conservation initiatives. This alternative tracks the well-established model of individual congressional bills designating special places for additional protection, albeit at a much-expanded scale. Congress is well-steeped in the process for designating national parks, national wildlife refuges, and wilderness areas, generally responding to a clear political consensus to protect these special places. In several instances, Congress has legislatively modified legal standards on multiple-use national forest or BLM lands to establish protective management requirements and collaborative transboundary entities. One example is the Tahoe Regional Planning Agency, which is responsible

for instituting and enforcing environmental standards for the Lake Tahoe watershed straddling California and Nevada. Another example is the Columbia River Gorge Scenic Area Act, which established the multi-member Columbia River Gorge Commission to oversee this river stretch that borders two states and includes both national forest and private landholdings. Because such a place-based approach to landscape conservation would only affect a specific region, political attention would focus only on that particular landscape, likely limiting any political fallout. Over time, this approach could cohere into a more complete landscape conservation network.¹⁰

A third option would involve comprehensive congressional legislation to establish a National Landscape Conservation Network, putting a powerful stamp of approval on this evolutionary development in public land policy. Indeed, national legislation legitimizing a landscape conservation network to more fully protect the nation's natural heritage would represent the natural outgrowth of our existing public land systems and better reflect ecological realities on the ground. A National Conservation Network Act (NCNA) might overlay existing protected areas, creating Protected Area Complexes (PACs), without changing the agency responsible or management standards, similar to Wilderness Act designations. Congress could reserve to itself the power to establish such PACs, or it could delegate that authority to the agencies, effectively endorsing their efforts to date. The NCNA would mandate landscape-level planning through a rigorous interagency coordination process that also ensures public participation and perhaps utilizes advisory councils. The NCNA also would encourage private, state, and Tribal landowners to affiliate with the PACs through incentive conservation payments, technical assistance, and the like. This arrangement would recognize what is true on the ground in many locations, where land trusts hold conservation easements on strategically located private lands, many landowners are committed conservationists, and state and Tribal wildlife agencies are already engaged in conservation efforts. Other NCNA features should include transboundary wildlife migration corridors and national restoration area designations to repair damaged ecosystems.¹¹



A National Conservation Network Act might overlay existing protected areas, creating Protected Area Complexes, without changing the agency responsible or management standards, similar to Wilderness Act designations.

The proposed NCNA should not generate conflict within the federal family since it does not alter existing designations or responsibilities, and the four main land management agencies have, until recently, each endorsed landscape conservation in one form or another. Because private and other non-federal landowners can voluntarily choose to affiliate with PACs, their property rights are acknowledged while incentives would be available to encourage affiliation. The NCNA proposal should ordinarily align with the land trust movement's conservation goals as well as state and Tribal wildlife agency policies. The costs are modest, primarily the expenses attached to new planning and coordination requirements, which the PAC agencies might pool among themselves, along with

private land incentive payments that could replace existing farmland conservation payment programs.

In sum, the proposed NCNA represents a next logical step in our efforts to safeguard the nation's natural heritage by connecting existing protected areas and engaging non-federal lands in these efforts. With de facto PACs already in place and with the significant progress achieved in private land conservation, the stage is set for a more formal approach to the emergent landscape conservation movement. Adoption of the proposed NCNA, while politically challenging at present, would legitimize existing ad hoc landscape-level conservation initiatives, which already enjoy considerable national and local support.

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ENDNOTES

1. For a comprehensive history of the US public land systems, see John D. Leshy, *Our Common Ground: A History of America's Public Lands* (New Haven, CT: Yale University Press, 2022). Notably, the public land system addressed here is complemented by the National Marine Sanctuary System, essentially a saltwater counterpart overseen by the Department of Commerce's National Oceanic and Atmospheric Administration.
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5. Robert B. Keiter, *Keeping Faith with Nature: Ecosystems, Democracy, and America's Public Lands* (New Haven, CT: Yale University Press, 2003); James R. Skillen, *Federal Ecosystem Management: Its Rise, Fall, and Afterlife* (Lawrence: University Press of Kansas, 2015). A powerful scientific case for ecological management at a landscape scale is made in Michael E. Soule and John Terborgh, eds., *Continental Conservation: Scientific Foundations of Regional Reserve Networks* (Washington, DC: Island Press, 1999).
6. Robert B. Keiter, *Conserving Nature in Greater Yellowstone: Controversy and Change in an Iconic Ecosystem* (Chicago: University of Chicago Press, 2025); Susan G. Clark, *Yellowstone's Survival: A Call to Action for a New Conservation Story* (London: Anthem Press, 2021); Paul Schullery, *Searching for Yellowstone: Ecology and Wonder in the Last Wilderness* (New York: Houghton Mifflin Co., 1997).
7. For a brief description of these various initiatives, see Robert B. Keiter, "Toward a National Conservation Network Act: Transforming Landscape Conservation on the Public Lands into Law," *Harvard Environmental Law Review* 42: 61ff. (2018).
8. For more information on these initiatives, see Keiter, "Toward a National Conservation Network Act," 120-121, 125-126.
9. See Joseph L. Sax and Robert B. Keiter, "The Realities of Regional Resource Management: Glacier National Park and Its Neighbors Revisited," *Ecology Law Quarterly* 33: 233ff. (2006).
10. Gary Spradling, "Regional Government for Lake Tahoe," *Hastings Law Journal* 22: 705 (1971); Michael C. Blumm and Nathan J. Baker, "The Struggle over the Columbia River Gorge: Establishing and Governing the Country's Largest Scenic Area," *Washington Journal of Environmental Law & Policy* 4: 287ff. (2015).
11. For more detailed analysis of the National Landscape Conservation Network Act proposal, see Keiter, "Toward a National Conservation Network Act," 127-136.