

## From Frost to Forests

*How Middlebury College permanently protected its iconic Bread Loaf campus for future generations*

*A case study for ALPINE (Academics for Land Protection in New England)  
By Katie Michels, Kevin Fleming, and Isabella Gambill - Spring 2017*



*Autumn Panorama, Bread Loaf Campus (Brett Simison)*

“We aren’t doing this for ourselves. We already have Bread Loaf. We are doing this for future generations.” – Mike Schoenfeld, Middlebury College Senior Vice President and Chief Philanthropic Advisor.

Middlebury is a residential liberal arts college in Vermont. That Middlebury is known for its leadership in environmental education, action, and sustainability has much to do with its deep sense of, and commitment to, place. Middlebury hosts a professional graduate program in Monterey, CA; Schools Abroad in seventeen countries; immersive summer Language Schools and School of the Environment; and the renowned Bread Loaf School of English and Writers’ Conferences at Bread Loaf mountain campus in Ripton, Vermont. The main Middlebury campus, situated in the shadow of the Green Mountains, is inextricably tied to *place*. Whether students study with Middlebury for a semester, 10 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’s Mission Statement (2006 - present) 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 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 received the first-ever [Charles H.W. Foster Award for Exemplary Academic Leadership in Land Conservation](#) from ALPINE, a program of Harvard University's Harvard Forest, 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 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**

### *A 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, Middlebury 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 Joseph Battell's legacy, these lands have shaped the educational, recreational, and literary endeavors of generations of Middlebury students, faculty, and staff and members of a much broader community as well.

## **Significance of the Bread Loaf Campus**

As the Bread Loaf conservation project began, Middlebury Dean of Environmental Affairs Nan Jenks-Jay commissioned Katie Michels '14.5 to document the process as well as the multiple values of the mountain campus, in order to preserve the story of why Middlebury undertook this project. Michels spoke with 34 stakeholders, including Middlebury faculty and staff, alumni, the 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'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.<sup>1</sup> Some of these values are expanded on below. Michels' full report can be accessed [online](#).

### *Educational value*

Many of Middlebury's undergraduate courses utilize the Bread Loaf campus as a living laboratory. Whether they are studying ecology, biology, history, environmental studies or literature, students have the opportunity to learn from the land itself. The conservation project ensures that the Bread Loaf lands will inspire, shelter, and nurture countless generations of writers, researchers and scholars yet to come.

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<sup>1</sup> Michels, Katherine. "The Bread Loaf Conservation Project," *Middlebury Coll.*, Middlebury VT, 2015. Available at: <http://www.middlebury.edu/sustainability/academics-and-research/franklin-environmental-center/publications>

### *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. The original Writers' Conference was founded in 1926 by poet Robert Frost, who spent summers at Bread Loaf from 1939 to 1962, and whose farmhouse and rustic writing cabin, now preserved, are part of the Bread Loaf campus. Noted authors, from Frost to Toni Morrison to Terry Tempest Williams, have spent summers teaching and writing at Bread Loaf, and the Conference is renowned equally for its bucolic setting at the historic Bread Loaf Inn, as for the writers who attend. 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. Michael Collier, director of the Writers' Conferences, said that Robert Frost "observed the poetry in this landscape."

### *Research value*

In 2008, the Middlebury Lands Advisory Committee was established to "extend Middlebury'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."<sup>2</sup> 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 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. Bread Loaf continues to offer countless opportunities for Middlebury students, faculty, and staff to learn about the land and to take ownership in the stewardship process, further deepening the College community's sense of place. Additionally, faculty have established research plots at Bread Loaf and are building a body of knowledge on Vermont's forest ecology.

### *Ecological value*

The Bread Loaf lands hold stunning ecological value. Marc Lapin's inventory discovered unexpected biodiversity and numerous instances of exemplary, uncommon, and rare natural communities. The study uncovered 27 different natural community types, including 10 state significant natural communities on 700 acres. 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 400,000 acres of Green Mountain National Forest land (which include the 25,000-acre Bread Loaf Wilderness and the 12,000-acre Joseph Battell Wilderness areas, both adjacent to the College's holdings) forming a very large protected landscape. The

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<sup>2</sup> Middlebury College. "Middlebury College Land Stewardship Initiative." *Middlebury Coll.*, Middlebury, VT, 2008. Available at: [http://www.middlebury.edu/media/view/257281/original/Land\\_Stewardship\\_Initiative.pdf](http://www.middlebury.edu/media/view/257281/original/Land_Stewardship_Initiative.pdf)

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.<sup>3</sup>

### *Recreational value*

The Bread Loaf lands offer considerable recreational opportunities to College students, faculty, and staff, as well as residents of nearby communities. Since the early 1970s, Rikert Nordic Center has operated 55 kilometers of groomed ski trails. Today, the ski center has snowmaking capability and hosts Nordic races at the highest level of competition. Rikert also serves neighboring towns and regional tourism by offering affordable passes that make the ski trails accessible to the public and by providing Nordic ski lessons and equipment to local schoolchildren at a reduced rate. In addition, the Bread Loaf lands contain segments of an extensive network of contiguous public land and trails that provide hiking, skiing, biking, snowmobiling, and other recreational opportunities to Vermonters.

### *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. Here, students learn not only about individual species or historical characters, but also how to understand, know, and connect with the human and cultural lineage of a place. As Dean of Environmental Affairs Nan Jenks-Jay has commented, “the seed of connection that a place like Bread Loaf can plant is a lesson that students can carry with them long after they leave Middlebury, as they connect to new places and landscapes.”



*Winter Scene, Bread Loaf Campus (Brett Simison)*

### **Pathway to Perpetuity**

#### *How Bread Loaf became a 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 then–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 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 attached to the Bread Loaf lands, when President Liebowitz initially petitioned the Board of Trustees in 2004 to consider a conservation easement to protect these lands, his proposal was denied. A conservation easement is a voluntary legal agreement that is mutually negotiated and requires a landowner (in this case, the College) to restrict certain uses of a property in order to protect the land’s conservation value in perpetuity. The Middlebury Board of Trustees felt bound by fiduciary responsibility to keep the Bread Loaf

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<sup>3</sup> Lapin, Marc, et al. “An Ecological Perspective of the Middlebury College Mountain Lands,” *Middlebury Coll.*, Middlebury, VT, 2015. Available at: <http://www.middlebury.edu/sustainability/academics-and-research/franklin-environmental-center/publications>.

lands unprotected, which would allow for their monetization in the event of future financial hardship at the College.

During the economic downturn of 2008, Middlebury 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 \$1 million per year. 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'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."<sup>4</sup> In 2013, Middlebury embarked on a land planning process that involved experts from the College, attorneys Steve Small and Stefan Nagel '69, conservation partners at the Vermont Land Trust and the Nature Conservancy, and alumnus and conservationist Louis Bacon '79. 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 could not simply donate a conservation easement on Bread Loaf, because the trustees of a non-profit are legally required to uphold the value of their institution's assets. And, as a non-profit 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, Middlebury would have to find a mechanism to support that lost value. Attorney Steve Small and also Darby Bradley, from the Vermont Land Trust, recommended that Middlebury 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. In the end, the alpine ski area was not included in the conserved lands.

Ron 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 the Vermont Land Trust should hold the conservation easement, with The Nature Conservancy acting in an advisory role.

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<sup>4</sup> Michels, Katherine. "The Bread Loaf Conservation Project," *Middlebury Coll.*, Middlebury VT, 2015. Available at: <http://www.middlebury.edu/sustainability/academics-and-research/franklin-environmental-center/publications>.



## **Innovative Financing and Structuring of a Conservation Easement**

### *The Bread Loaf Preservation Fund*

In 2014, after several years of planning, meetings, input from expert partners, and collaboration involving multiple stakeholders, President Liebowitz officially asked alumnus Louis 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 U.S. Fish and Wildlife Service, the largest they had ever received. Bacon has credited his experience as a Middlebury student for his own conservation ethic:

*College in rural Middlebury, Vermont, was a continuation of a nature education. I was exposed to the ethics of land stewardship through its environmental studies program—the first of its kind in the country. I spent a lot of time outdoors—hunting and skiing—majoring in American literature and channeling Ernest Hemingway, an ideal education.<sup>5</sup>*

President Liebowitz additionally proposed that Middlebury’s Board of Trustees set aside existing unrestricted endowment funds to provide a match for Bacon’s generous gift. As a testament to Middlebury’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.

According to Rand Wentworth, former president of the Land Trust Alliance, Middlebury 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 non-profit institutions struggle to permanently protect their landholdings is due to their obligation to fiduciary responsibility. Through Middlebury’s creative approach, 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 Middlebury’s fiduciary duty while simultaneously conserving Bread Loaf’s conservation value in perpetuity.<sup>6</sup>

Multiple stakeholders, including Middlebury College, the Vermont Land Trust, The Nature Conservancy of Vermont, and Louis Bacon’s Moore Charitable Foundation, negotiated the terms of a conservation easement with the 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*

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<sup>5</sup> Middlebury College. “Middlebury College’s Historic Bread Loaf Campus to Be Conserved in Perpetuity,” *Middlebury College News Room*, Middlebury, VT, 2014. Available at: <http://www.middlebury.edu/newsroom/archive/2014/node/488112>

<sup>6</sup> Michels, Katherine. “The Bread Loaf Conservation Project,” *Middlebury Coll.*, Middlebury VT, 2015. Available at: <http://www.middlebury.edu/sustainability/academics-and-research/franklin-environmental-center/publications>.

*of their numerous values, fed into the agreed-upon primary and secondary purposes of the conservation easement. The easement's primary purposes, all with equal priority, are to 1. Maintain the forested lands in a natural condition, 2. To prevent adverse use or development that would degrade the many resources and values enumerated in the easement, and 3. To conserve and protect both the outdoor recreational resources and the College's educational mission and programs. Secondarily, the easement's intent is to protect historic and cultural resources, along with scenic, open space.<sup>7</sup>*

In addition to documenting the conservation values associated with Bread Loaf, the easement created distinct protection zones within the Bread Loaf landholdings, and established associated stewardship guidelines according to a management plan. Marc Lapin was asked to develop this management plan using his earlier ecological study with Middlebury students. Following the requirements of the easement, the plan details allowable uses and conservation and management actions for all of the lands, including Ecological Protection Zones (EPZs) and Surface Water Protection Zones (SWPZs), which assign higher protection to the previously identified 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 ecological health of the forest. The management plan details a protocol with checks and balances for planning a harvest to conserve ecological health; the Vermont Land Trust, which has stewardship foresters on staff, must approve all harvest plans.

The easement and management plan structure is rigid enough to ensure the permanent protection of conservation values on Bread Loaf lands, while maintaining an important degree of flexibility. This allows Middlebury 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. Like any institution with multiple stakeholders, it is challenging for Middlebury 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 Middlebury 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 VLT 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.



*Rikert Nordic Center, Bread Loaf (Brett Simison)*

The easement also takes into account the importance of

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<sup>7</sup> Michels, Katherine. “The Bread Loaf Conservation Project,” *Middlebury Coll.*, Middlebury, VT, 2015. Available at: <http://www.middlebury.edu/sustainability/academics-and-research/franklin-environmental-center/publications>.

Bread Loaf's recreational features. In addition to protecting the Rikert Nordic ski facility, the easement permits recreational snowmobiling on the property outside of Ecological Protection Zones. 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 can amend the management plan and limit public use as needed.

The easement reserves the right for Middlebury 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 Middlebury 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.

### **Transferability**

#### *How the success of Bread Loaf can be replicated*

A monumental effort was required from all who were involved in bringing the Bread Loaf conservation easement and Bread Loaf Preservation Fund to fruition. Perhaps most important in its eventual success was the engagement of so many members of the College community and beyond. The result 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.

The conservation project, as Mike Schoenfeld said, was undertaken because of Middlebury's institutional "reverence" for Bread Loaf. The conservation easement continues the institution's commitment to documenting, stewarding, and forever protecting the ecological values of its land as well as its educational, historical, and literary legacies. Middlebury 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.

The permanent protection of the Bread Loaf lands is not only a gift to the College and its neighboring communities and Vermont, but also to the ecological and natural communities found there, and to the global academic community as a whole. Middlebury is explicit in its hope that this conservation success story will inspire bold initiatives at other academic and non-profit landholding institutions. Middlebury's experience illustrates the importance of creatively leveraging an institution's resources, networks, and history, stewarding land's multiple values, and drawing on a community's connection to and appreciation for a place in order to keep it forever wild.

This project would not have been possible without the involvement of many champions, including first and foremost Ron Liebowitz and Louis Bacon, and also Mike Schoenfeld, Nan Jenks-Jay, Marc Lapin, Tom Corbin and staff members of the Vermont Land Trust and The Nature Conservancy. Each used their creativity, experience, and inspired vision to guarantee the preservation of the Bread Loaf legacy for future generations. Bread Loaf's unique place in Middlebury's identity and educational experience is now forever protected. The role of students, faculty, and staff in the monitoring and stewardship of the forest ensures that the community's connection to the land will continue grow, and that Bread Loaf will always serve as a living laboratory.



*For further information:*

*Mike Schoenfeld, Middlebury College Senior Vice President and Chief Philanthropic Advisor, [schoenfe@middlebury.edu](mailto:schoenfe@middlebury.edu)*

*Nan Jenks-Jay, Middlebury College Dean of Environmental Affairs, [jenksjay@middlebury.edu](mailto:jenksjay@middlebury.edu)*

*Marc Lapin, Middlebury College Lands Conservation and Management Specialist, [lapin@middlebury.edu](mailto:lapin@middlebury.edu)*

*Katie Michels, Bread Loaf Conservation Project Documentarian, [kmichels@middlebury.edu](mailto:kmichels@middlebury.edu)*

*Bob Heiser, Vermont Land Trust Champlain Valley Co-Director [bheiser@vlt.org](mailto:bheiser@vlt.org)*