

THE TRUST *for* PUBLIC LAND  
CONSERVING LAND FOR PEOPLE



**Hudson Valley Conservation Finance Presentation**

**October 19, 2012**

# TPL's Conservation Services

## Conservation Vision

Helping communities to develop implementation strategies for their open space goals.

## Conservation Finance

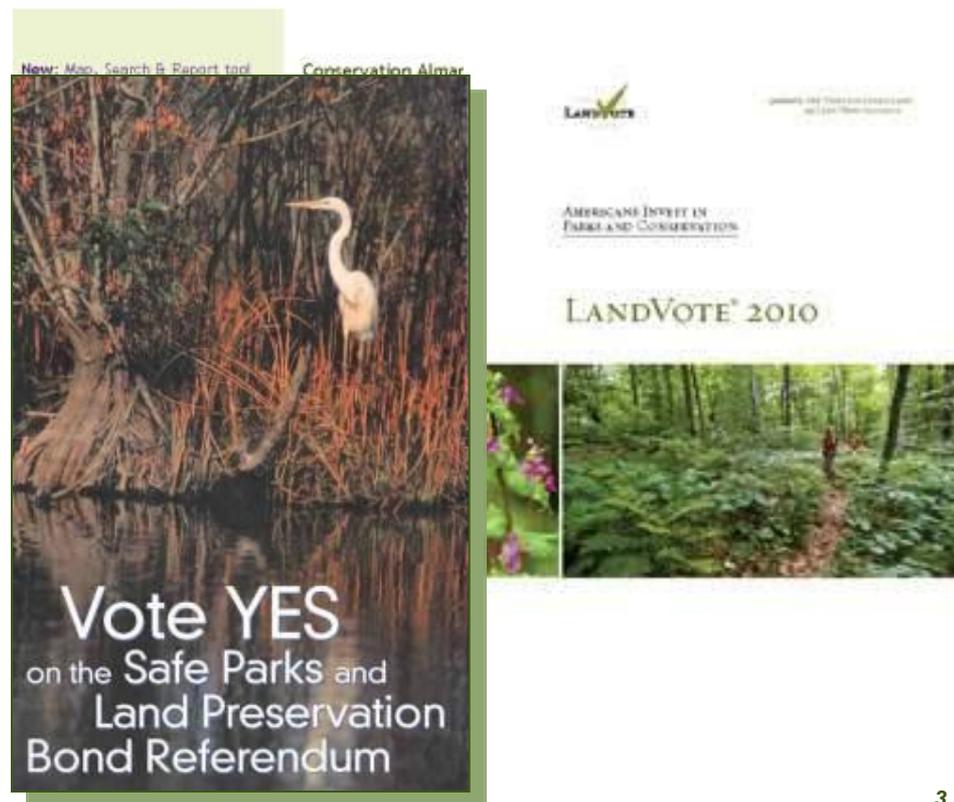
Helping government partners and communities to create funding for land conservation.

## Conservation Transactions

Helping government partners and communities to evaluate and purchase land.

# TPL's Conservation Finance Program

1. **“Think tank”** for financing conservation
  - Leading source of research, education and policy information
2. **Field services**
  - #1 provider of technical assistance to state and local governments \$34B created, 400+ ballot measures, 84% success rate
  - #1 source of support for lobbying and ballot measure campaigns through TPL's affiliate, **The Conservation Campaign**



## TPL/TCC Supported Ballot Measures 2000-2011

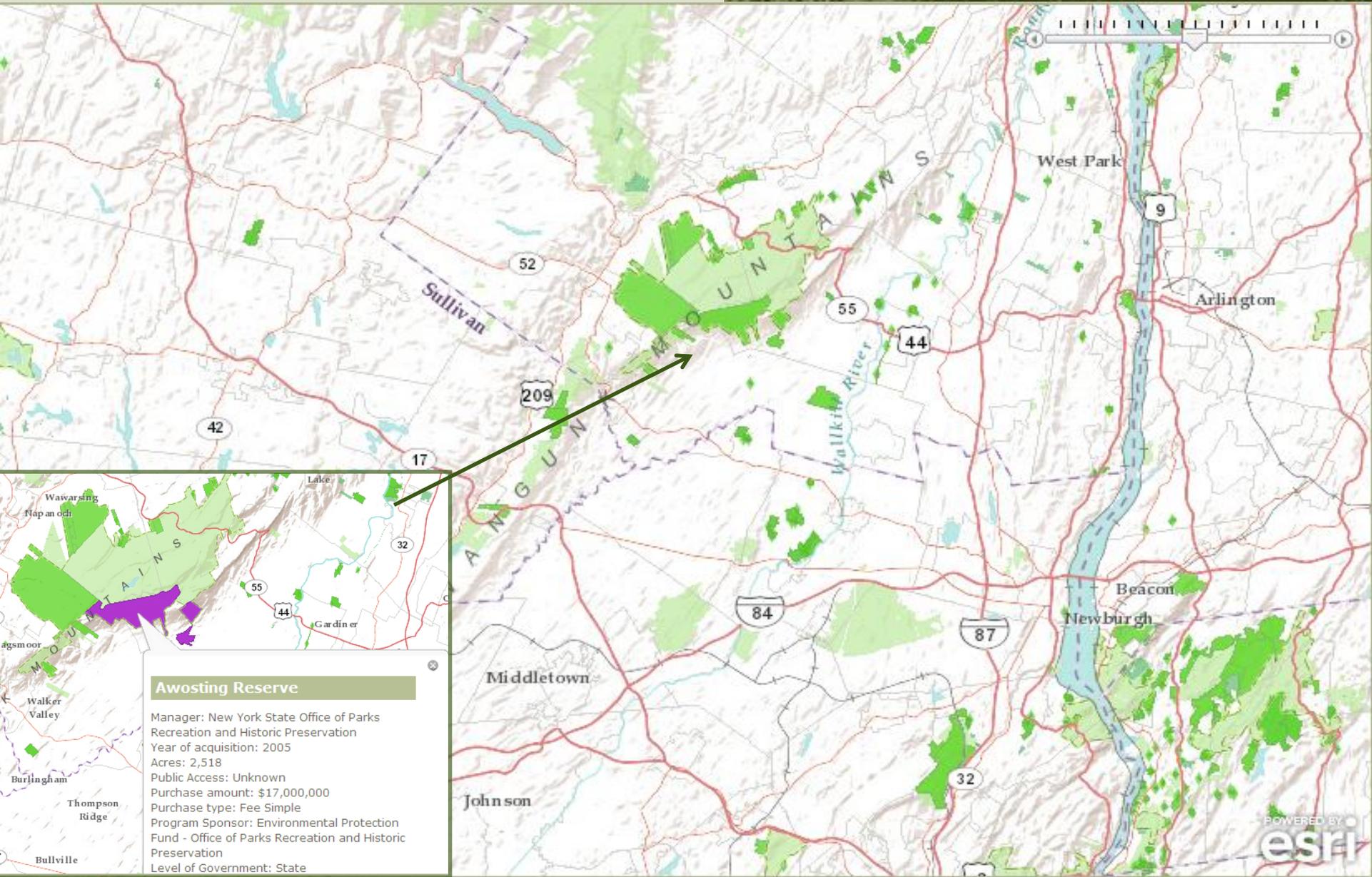
Year	# of Measures	Wins	Passage Rate	Conservation Funds Approved
2000	67	51	76%	\$4 billion
2001	39	29	74%	\$.52 billion
2002	58	46	79%	\$4.4 billion
2003	21	20	95%	\$.94 billion
2004	51	44	86%	\$2.4 billion
2005	46	41	89%	\$.81 billion
2006	49	41	84%	\$4.9 billion
2007	18	15	83%	\$.67 billion
2008	58	45	78%	\$7.2 billion
2009	11	6	55%	\$.41 billion
2010	21	16	76%	\$1.8 billion
2011	6	6	100%	\$.24 billion
<b>Total</b>	<b>445</b>	<b>360</b>	<b>81%</b>	<b>\$28.3 billion</b>

# CONSERVATION ALMANAC

*A Resource of The Trust for Public Land*

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## Awosting Reserve

Manager: New York State Office of Parks  
Recreation and Historic Preservation  
Year of acquisition: 2005  
Acres: 2,518  
Public Access: Unknown  
Purchase amount: \$17,000,000  
Purchase type: Fee Simple  
Program Sponsor: Environmental Protection  
Fund - Office of Parks Recreation and Historic  
Preservation  
Level of Government: State



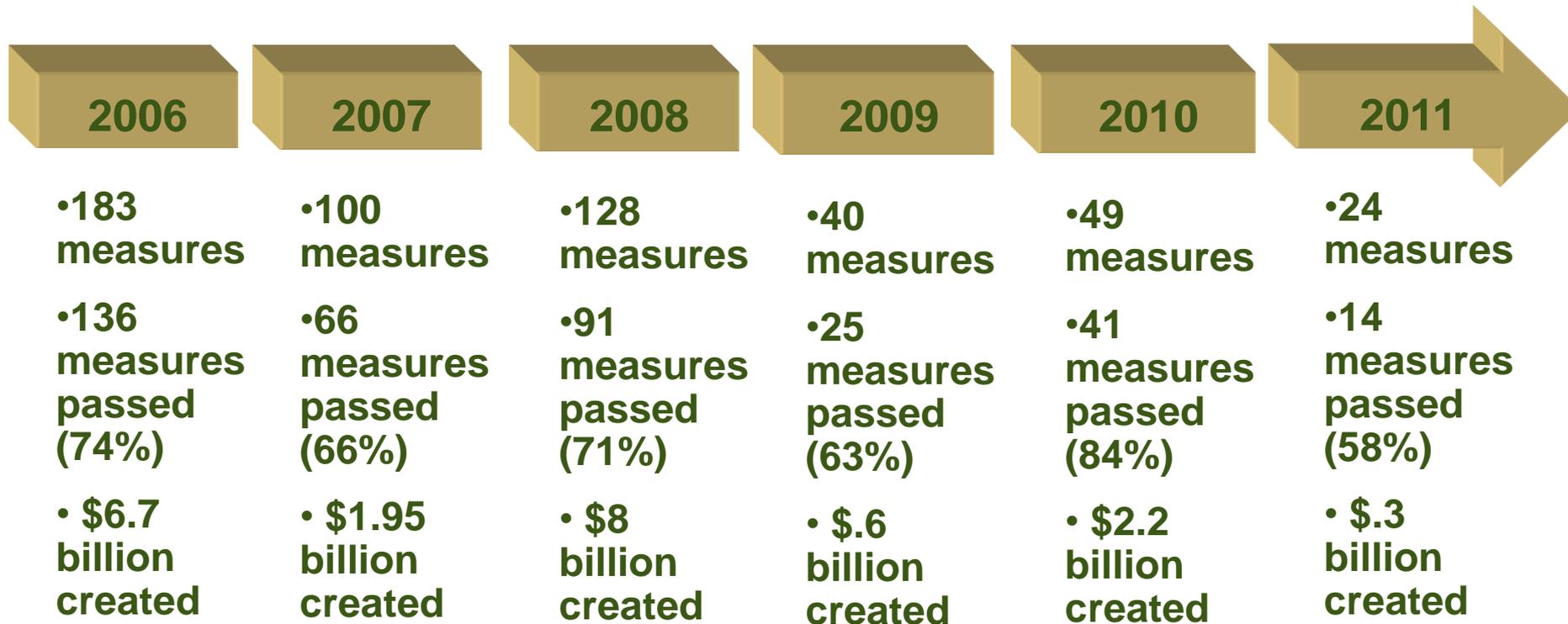
# Trends in Public Conservation Finance in the U.S.



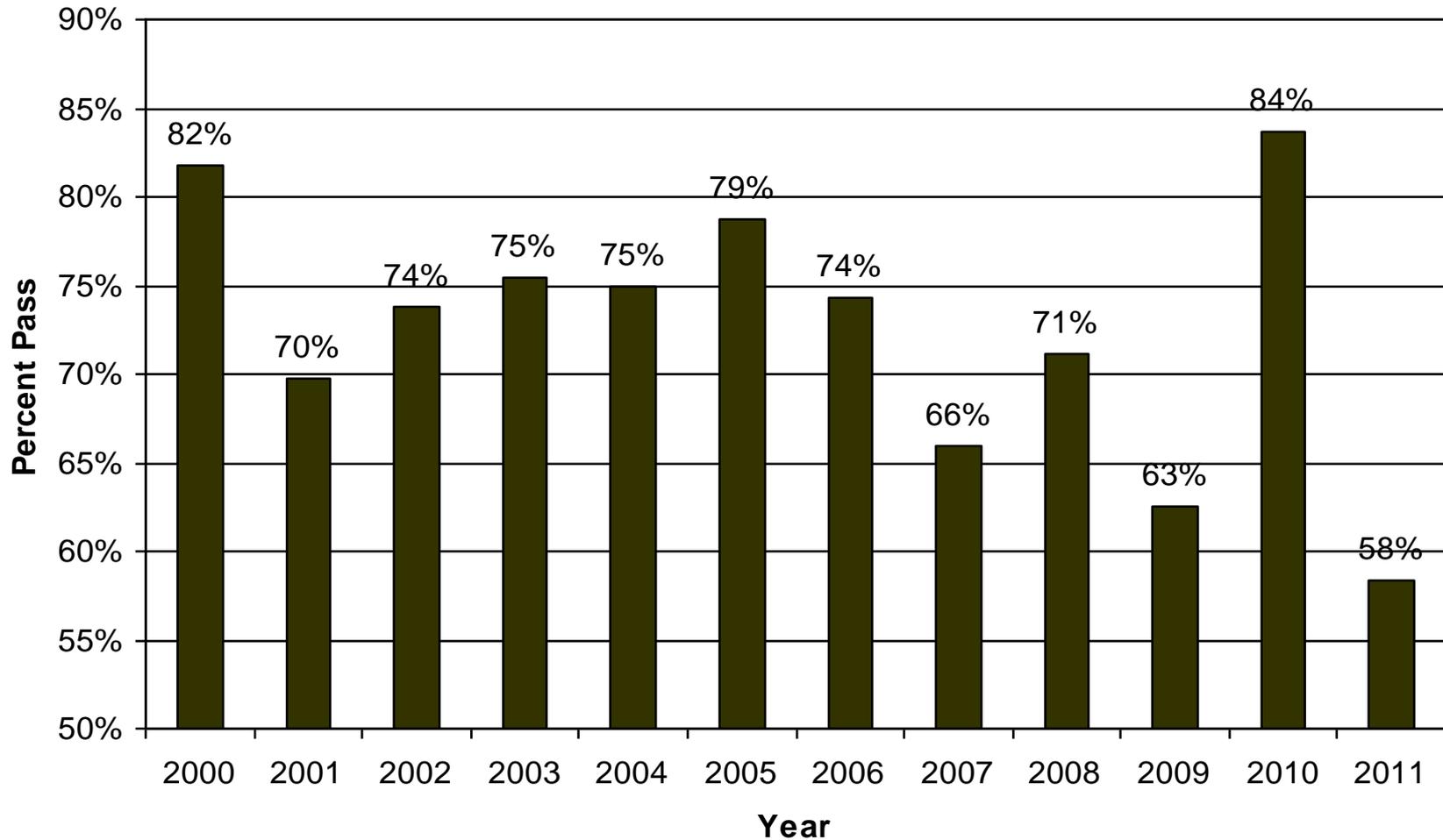
# LandVote Ballot Measures 1998 - 2010



## State and Local Ballot Measures 2006–2011



# Conservation Measure Passage Rates



## Election Day 2012

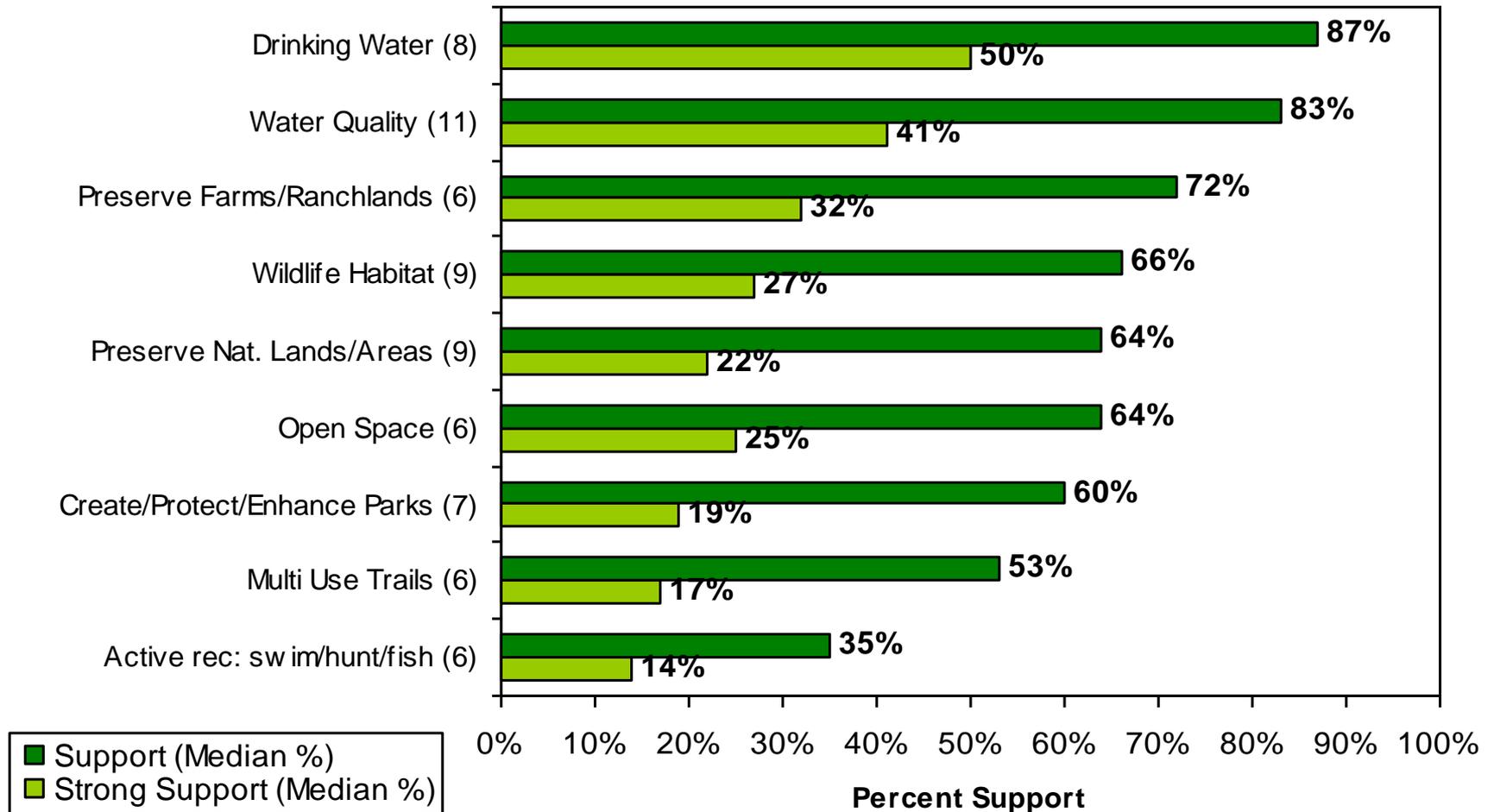
- 56 Measures in 20 states
- \$800m in new conservation funding at stake
- MA and NJ most active
- 6 of 11 measures passed earlier in 2012

State	Number of Measures	Total Funds at Stake	Conservation Funds at Stake
	<a href="#">Graph</a>	<a href="#">Graph</a>	<a href="#">Graph</a>
AL	1	\$300,000,000	\$300,000,000
CA	5	\$314,860,000	\$62,430,000
CO	4	\$47,600,000	\$43,600,000
CT	2	\$12,000,000	\$12,000,000
FL	1	\$502,000,000	\$45,180,000
IA	1	\$50,000,000	\$18,000,000
MA	10	\$100,738,055	\$33,579,371
ME	1	\$5,000,000	\$5,000,000
MI	2	\$7,966,000	\$7,966,000
MT	1	\$15,000,000	\$7,500,000
NJ	9	\$73,442,728	\$73,442,728
NY	1	\$895,000	\$895,000
OH	5	\$211,400,000	\$42,712,000
Ore	2	\$49,000,000	\$42,040,000
PA	2	\$3,650,000	\$3,650,000
RI	3	\$30,000,000	\$22,500,000
SC	1	\$25,000,000	\$25,000,000
TX	2	\$275,000,000	\$35,000,000
VA	1	\$75,000,000	\$12,600,000
WA	2	\$50,142,760	\$10,934,360
<b>Totals (20 groups)</b>	<b>56</b>	<b>\$2,148,694,543</b>	<b>\$804,029,459</b>

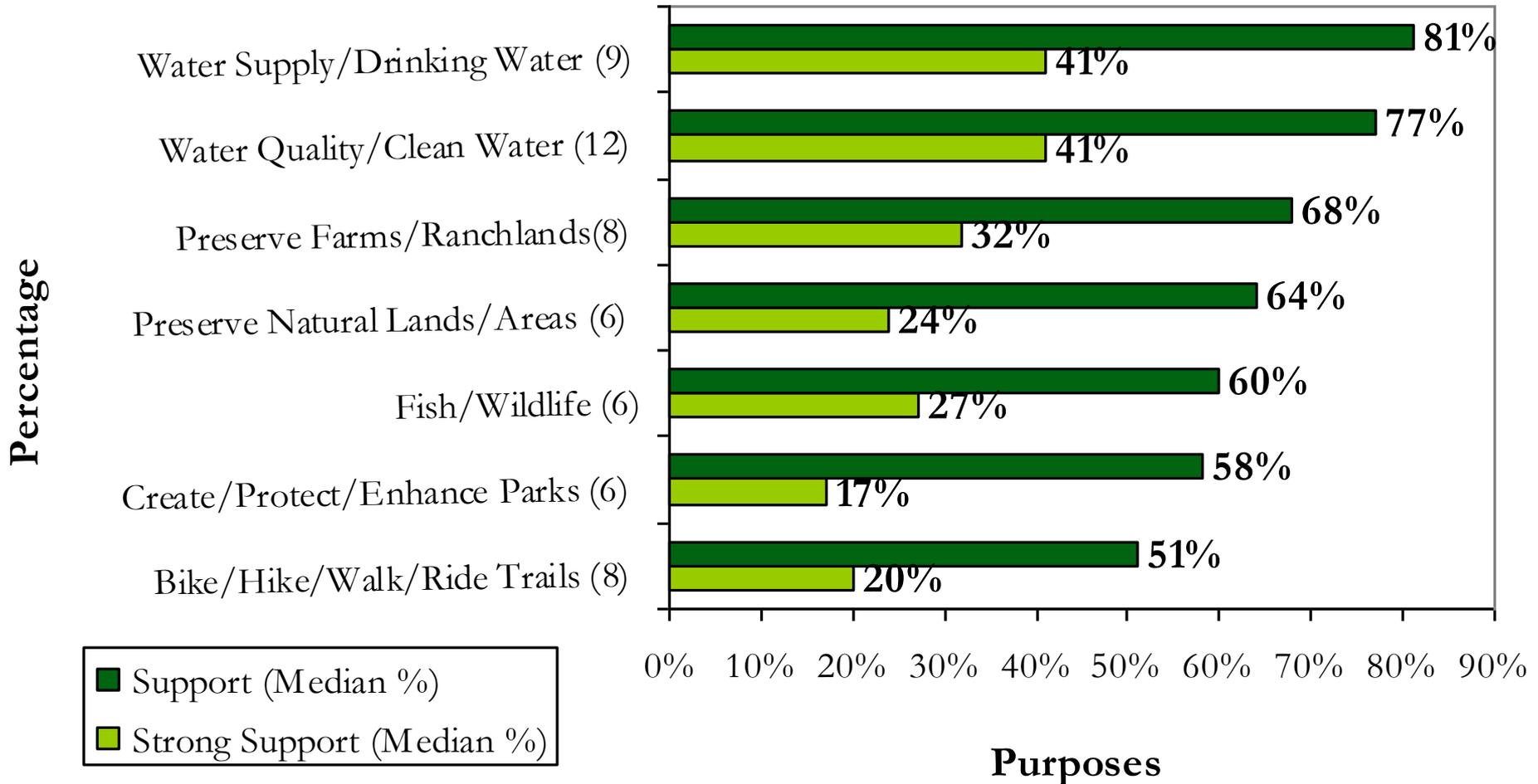
# Why Do Voters Choose to Raise Their Taxes to Support Land Conservation?



## 2011 Voter Support for Commonly Tested Purposes



## 2009 Voter Support for Commonly Tested Purposes



# How Does New York Fund Land Conservation?



DRAFT

CONSERVATION FINANCE FEASIBILITY STUDY: APRIL 2011

STATE OF NEW YORK



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## Total Conservation Spending

Annual average from all sources (Federal, State, Local)  
1998 -- 2005

	Annual Avg.	Per cap	Share of Total Spending		
			State	Federal	Local
1 Colorado	\$ 211,458,974	\$ 68.5	24%	5%	71%
2 Alaska	\$ 25,454,938	\$ 59.3	65%	34%	0%
3 Delaware	\$ 29,043,231	\$ 53.2	88%	10%	2%
4 Florida	\$ 607,208,393	\$ 53.0	73%	2%	24%
5 New Jersey	\$ 257,170,513	\$ 47.4	40%	3%	57%
<b>29 New York</b>	<b>\$ 122,743,558</b>	<b>\$ 10.1</b>	<b>42%</b>	<b>4%</b>	<b>54%</b>

## State Comparison of Land Conservation Spending

1998 -- 2005

	State	Federal	Local
<b><i>New York w/o LI</i></b>	<b>76%</b>	<b>7%</b>	<b>17%</b>
Connecticut	69%	9%	22%
Massachusetts	64%	10%	26%
Pennsylvania	59%	5%	35%
<b>New York</b>	<b>42%</b>	<b>4%</b>	<b>54%</b>
Average State	52%	12%	35%
Ohio	50%	4%	45%
New Jersey	40%	3%	57%

# Report: Economic Benefits of EPF

- Goal: Broaden the debate about EPF -- “EPF is a good investment that yields solid returns” ...and is good for NY’s land, air and water
- Comprehensive look at all facets of EPF
- Distills existing studies about many facets plus
- Original research on the ROI of land conservation

## THE ECONOMIC BENEFITS OF NEW YORK’S ENVIRONMENTAL PROTECTION FUND



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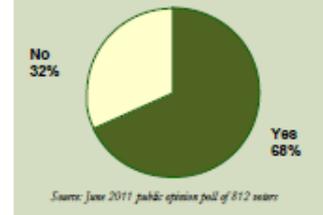
## The Economic Benefits of New York’s Environmental Protection Fund



The Environmental Protection Fund (EPF) is New York’s funding source for critical environmental programs. EPF supports a diverse number of programs in the broad categories of Open Space, Solid Waste, and Parks, Recreation, and Historic Preservation. Projects from these categories do more than preserve New York’s land, air, and water; they produce significant economic benefits to local economies throughout the state.

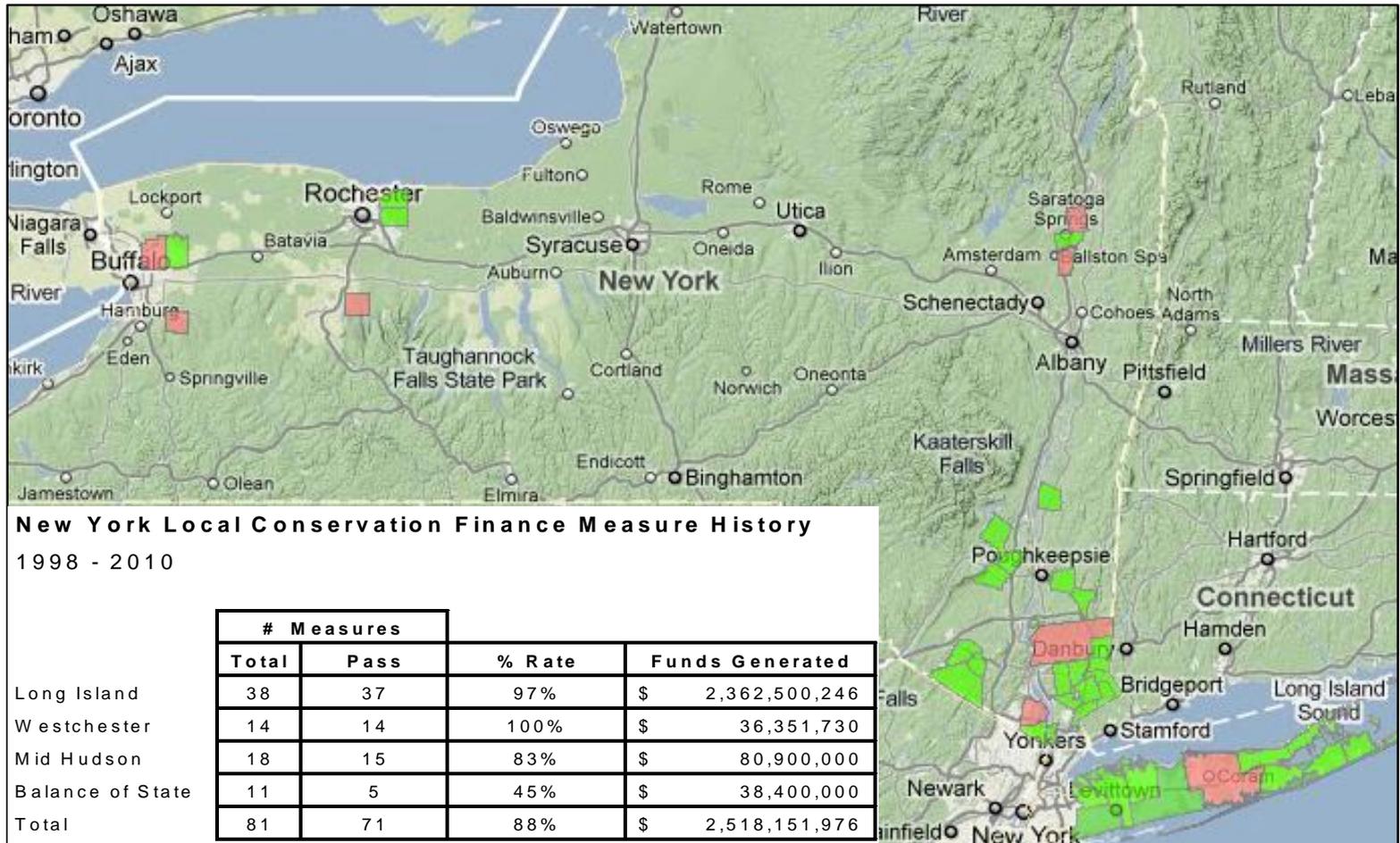
**ECONOMIC BENEFITS: PROTECTING OPEN SPACE**  
Between 1998 and 2008 EPF protected 358,000 acres using \$529 million in funds. This investment created jobs and businesses, increased tourism, supported the agriculture and forest products industry, and provided natural goods and services.

New York voters believe we can promote a strong economy and clean environment at the same time.



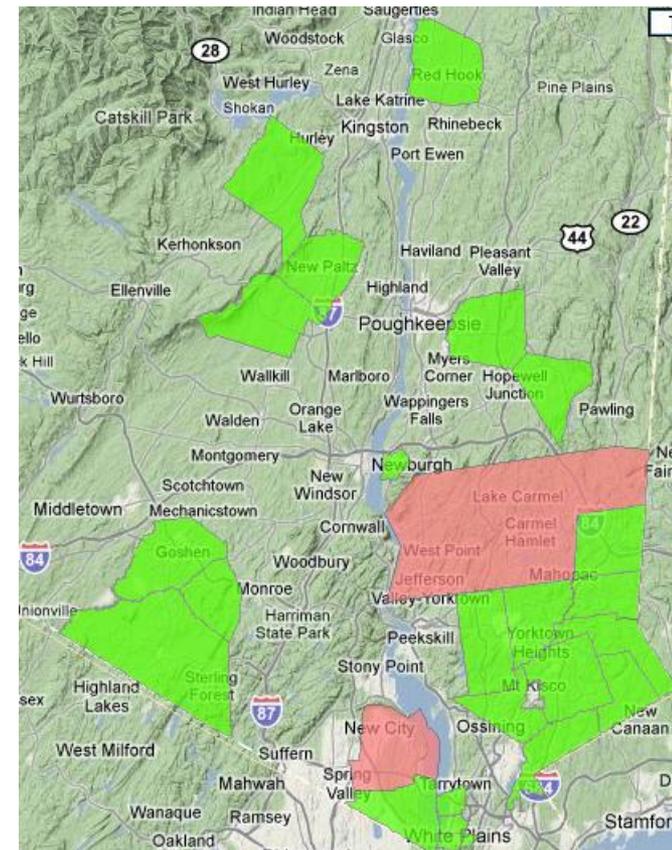
- Generate jobs and strengthen local economies. Open spaces protected by EPF provide popular destinations for outdoor recreation. Spending by visitors to these areas supports local businesses and generates tens of thousands of jobs across New York.
  - Outdoor recreation is a major component of New York State’s economy contributing \$11.3 billion to the state’s tourism economy each year—over 25 percent of the state’s total tourism industry.<sup>1</sup>
  - Approximately 130,000 jobs in New York State are supported by active outdoor recreation activity which includes things like biking, hiking, and canoeing. Active outdoor recreation generates annual tax revenues for the state of nearly \$800 million.<sup>2</sup>
  - EPF protected lands support wildlife-associated recreation in New York. In 2006, over 4.5 million residents and visitors participated in some form of fish and wildlife-associated recreation in the state. This activity generated over \$3.5 billion in sales.<sup>3</sup>
  - Rural communities rely especially on visitor spending to create local jobs. In the Adirondack Park tourism generates 17 percent of all employment and brings in \$1.2 billion in visitor spending each year.<sup>4</sup>
- Support the agriculture and forest products industries. EPF protects working farmland and forests. Farmland preservation programs protect farms from being developed and enable farmers to reinvest in their businesses and hire additional workers. Protection of timber lands helps maintain a healthy forest products industry.
  - Agriculture is big business in New York. In 2007 there were 36,400 farms in New York State with annual sales of \$4.4 billion. These farms directly provided almost 120,000 jobs.<sup>5</sup>
  - Farm production and the agri-service and food processing sectors generate \$22 billion annually for New York’s economy.<sup>6</sup>
  - Forest-related manufacturing and logging contribute \$4.5 billion to New York’s economy and directly employ 39,000 New Yorkers.<sup>7</sup>
- Provide valuable natural goods and services. Natural lands and water protected by EPF provide a host of benefits that have a measurable economic benefit to the State of New York and its communities. They include

# NY Local Conservation Finance Ballot Measures (1998-2010)

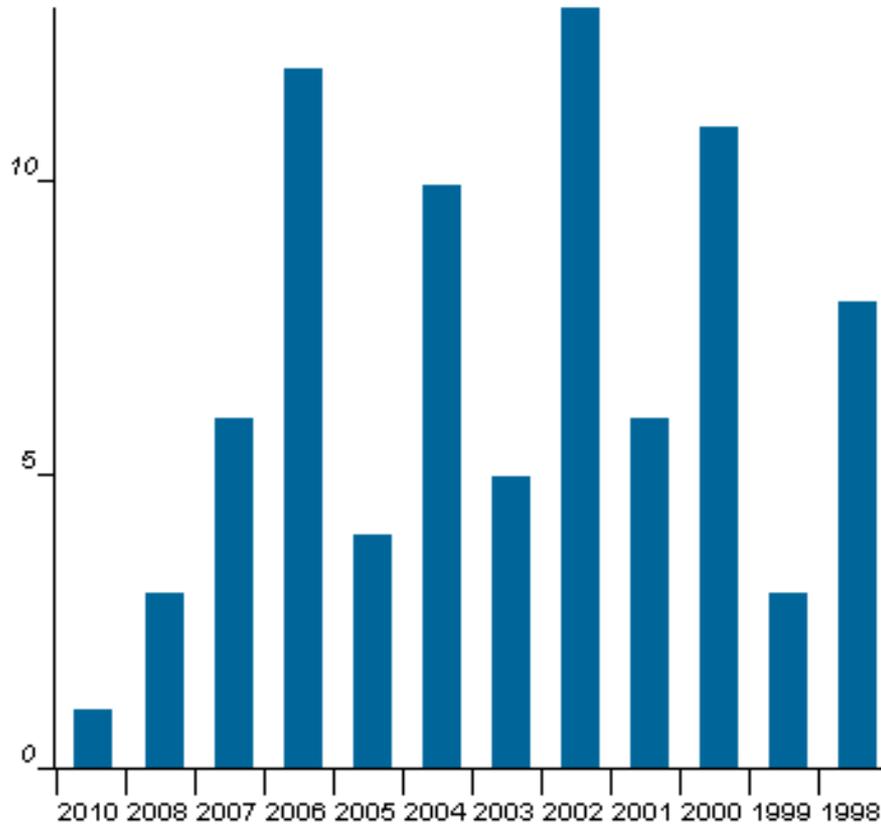


# Hudson Valley Conservation Finance Ballot Measures

Jurisdiction	County	Date	Finance Mechanism	% Yes	\$ Approved
LaGrange	Dutchess	11/4/2008	Bond	72.10%	\$2,000,000
Red Hook	Dutchess	5/1/2007	REET	50.59%	\$5,000,000
Beacon	Dutchess	11/7/2006	Bond	51.90%	\$1,000,000
Gardiner	Ulster	11/7/2006	Bond	50.03%	\$1,500,000
Marbletown	Ulster	11/7/2006	Bond	50.16%	\$2,000,000
New Paltz	Ulster	11/7/2006	Bond	63.26%	\$2,000,000
Southeast	Putnam	11/7/2006	Bond	50.40%	\$5,000,000
Warwick	Orange	11/7/2006	REET	52.00%	\$15,000,000
Beekman	Dutchess	11/8/2005	Bond	71.75%	\$3,000,000
Putnam Co.		11/8/2005	Bond	48.74%	
Chester	Orange	11/2/2004	Bond	64.82%	\$4,400,000
Clarkstown	Rockland	11/2/2004	Bond	38.76%	
Goshen	Orange	11/2/2004	Bond	55.10%	\$5,000,000
Goshen	Orange	11/4/2003	Bond	46.26%	
Red Hook	Dutchess	10/7/2003	Bond	82.83%	\$3,500,000
Orangetown	Rockland	11/5/2002	Bond	71.65%	\$6,950,000
Clarkstown	Rockland	11/7/2000	Bond	55.69%	\$22,000,000
Warwick	Orange	11/7/2000	Bond	52.24%	\$9,500,000



# Local Ballot Measure Drop Off in New York



2010					
<a href="#">NEW!</a>	<a href="#">EDIT</a>	<a href="#">VIEW</a>	Pound Ridge	11-02-2010	Property tax
TOT					
2008					
<a href="#">NEW!</a>	<a href="#">EDIT</a>	<a href="#">VIEW</a>	Aurora	11-04-2008	Bond
<a href="#">NEW!</a>	<a href="#">EDIT</a>	<a href="#">VIEW</a>	Huntington	11-04-2008	Bond
<a href="#">NEW!</a>	<a href="#">EDIT</a>	<a href="#">VIEW</a>	LaGrange	11-04-2008	Bond
TOT					
2007					
<a href="#">NEW!</a>	<a href="#">EDIT</a>	<a href="#">VIEW</a>	Amherst	11-06-2007	Bond
<a href="#">NEW!</a>	<a href="#">EDIT</a>	<a href="#">VIEW</a>	Brookhaven	11-06-2007	Real estate transfer tax
<a href="#">NEW!</a>	<a href="#">EDIT</a>	<a href="#">VIEW</a>	Oyster Bay	11-06-2007	Bond
<a href="#">NEW!</a>	<a href="#">EDIT</a>	<a href="#">VIEW</a>	Red Hook	05-01-2007	Real estate transfer tax
<a href="#">NEW!</a>	<a href="#">EDIT</a>	<a href="#">VIEW</a>	Southold	11-06-2007	Bond
<a href="#">NEW!</a>	<a href="#">EDIT</a>	<a href="#">VIEW</a>	Suffolk County	11-06-2007	Sales tax
TOT					
2006					
<a href="#">NEW!</a>	<a href="#">EDIT</a>	<a href="#">VIEW</a>	Beacon	11-07-2006	Bond
<a href="#">NEW!</a>	<a href="#">EDIT</a>	<a href="#">VIEW</a>	East Hampton	11-07-2006	Real estate transfer tax
<a href="#">NEW!</a>	<a href="#">EDIT</a>	<a href="#">VIEW</a>	Gardiner	11-07-2006	Bond
<a href="#">NEW!</a>	<a href="#">EDIT</a>	<a href="#">VIEW</a>	Marbletown	11-07-2006	Bond
<a href="#">NEW!</a>	<a href="#">EDIT</a>	<a href="#">VIEW</a>	Nassau County	11-07-2006	Bond
<a href="#">NEW!</a>	<a href="#">EDIT</a>	<a href="#">VIEW</a>	New Paltz	11-07-2006	Bond
<a href="#">NEW!</a>	<a href="#">EDIT</a>	<a href="#">VIEW</a>	Riverhead	11-07-2006	Real estate transfer tax
<a href="#">NEW!</a>	<a href="#">EDIT</a>	<a href="#">VIEW</a>	Shelter Island	11-07-2006	Real estate transfer tax

## County Ballot Measure Comparison 1989 - present

	Total	Pass	Pass Rate	Funding Generated	% of Counties w/Measure	Revenue Option(s)
CO	51	38	75%	\$1.83b	19 of 64 (30%)	Prop, Sales, Bond
FL	63	51	81%	\$2.94b	23 of 63 (34%)	Prop, Sales, Bond
NJ	44	41	93%	\$3.49b	21 of 21 (100%)	Prop
NY	9	8	89%	\$1.05b	2 of 57 (4%)	Sales, Bond

### •New York Highlights:

- Suffolk: 5 measures (3 sales tax, 2 bonds) = \$900m
- Nassau: 3 successful measures (3 bonds) = \$150m
- Putnam: 1 failed measure

# Municipal Ballot Measure Comparison 1989 - present

	Total	Pass	Pass Rate	Funding Generated	% of Municipalities w/Measures	Revenue Option(s)
CO	102	75	74%	\$1.12b	32 of 378 (8.5%)	Sales, Prop, Bond
CT	91	80	88%	\$222m	37 of 169 (22%)	Bond
FL	31	26	84%	\$317m	22 of 404 (5.4%)	Bond
MA	276	175	63%	\$514m	142 of 351 (40%)	Prop
NJ	436	337	77%	\$1.3b	223 of 569 (39%)	Prop
NY	83	74	89%	\$1.52b	38 of 932 (4.1%)	Bond, REET, Prop

# State Policy Framework: 7 Best Practices for State Land Conservation Policy

1. Substantial, Reliable State Investment
  2. Enable Local Financing via Ballot Measure
  3. State Incentives for Local Conservation
- The “Big 3”
4. Purchase of Development Rights
  5. Public-Private Partnerships
  6. Conservation Tax Credits
  7. Federal Partnerships

# Assessing NY Policy Framework

- **Substantial, Reliable State Funding**
  - Substantial: NO
    - NY ranks 22<sup>nd</sup> per cap
    - Well below national avg.
    - Funding <50% of NJ
  - Reliable: NO
    - EPF not constitutionally dedicated
    - subject to annual appropriation
    - Frequently raided (“swept”)
    - No Bond since 1996

## Assessing NY Policy Framework

- **Uniform Enabling Authority for Ballot Measures**
  - Towns:
    - Bonds: YES
    - REET: NO except Westchester and Putnam (Hudson Valley CPA); other REETs by special legislation only (ex/Red Hook, Warwick, Peconic)
  - Counties
    - Bonds: NO except charter counties via “charter amendment
    - Sales Tax: NO only via special legislation

## Assessing NY Policy Framework

- **State Incentives for Local Conservation Finance**
  - NO special incentives for local governments to pass dedicated funding via ballot measure (or legislation)
  - Grant programs do exist for local governments (and nonprofit conservation groups too)

## Policies to Increase Local Government Activity

- Build on Hudson Valley CPA where possible
- Create uniform statewide enabling authority – eliminating need to go to Albany
- Include several revenue options – property tax, sales tax and bonds – that can be put in front of voters
- Provide state financial incentives from a new source of funding, not EPF
- Local funds could be used for broad-based purposes increasing appeal across all parts of New York

## Key Questions to Consider Before Pursuing a Local Ballot Measure

- Where is the political leadership on this issue?
- What is the level of public awareness about the need for land conservation
- Is there likely to be broad based community support?
- Is there a strong working group of individuals to lead the way
- Will there be organized, well-funded opposition



# Critical Steps for a Successful Ballot Measure

- Step 1: Feasibility Research
- Step 2: Public Opinion Survey
- Step 3: Program Recommendations
- Step 4: Ballot Question
- Step 5: Campaign



## Step 5 – Campaign

Steering committee (PAC)

Fund raising

Endorsements

Communications (media)

- Earned media
- Literature
- Direct mail
- Paid media

Get out the vote

# Summary: How to Design a Winning Conservation Finance Ballot Measure

- Right Funding Source
- Reasonable Funding Level
- Compelling Purposes
- Clear, Concise Ballot Language
- The Right Timing (Choice of Election Date)
- Management/Accountability
  
- Plus: Political Leadership, a Broad Based Coalition and no Well-Funded Opposition



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