As of the 2005 Land Trust Census, there had been a promising wave of growth in land conservation through land trusts. At the time of that Census, there were 1,667 private land conservation trusts across the country. Lands being protected through trusts included, for example, ranches, urban undeveloped lands, wetlands, forests, riparian areas, and mountainous sites. Land trusts rely heavily on volunteer labor and on land owners' participation with their organization. Trusts work with land owners to conserve land through acquisition of conservation easements, and will sometimes manage the conserved land and/or the associated easement.

Results from the 2005 National Land Trust Census report—The 2005 Census (released November 30, 2006) described national trends in private land conservation over the last several decades. Each 5-year interval showed dramatically more land protected than during the preceding interval. The following key findings were highlighted in the report (Land Trust Alliance 2006):

- Total acreage conserved through private means in 2005 was 37 million acres, a 54 percent increase from the previous 24-million-acre level in 2000. This included local, State, and large national land conservation groups such as The Nature Conservancy, Ducks Unlimited, The Conservation Fund, and The Trust for Public Land.
- The pace of private land conservation by local and State land trusts had tripled. From 1995 to 2000, land trusts conserved an average of 337,937 acres per year. That pace rose to 1,166,697 acres on average per year from 2000 to 2005.
- Land trusts moved to enhance their professionalism and their numbers grew from 1,263 in 2000 to 1,667 in 2005.
- Acres conserved by local and State land trusts doubled to 11.9 million acres in 2005—an area twice the size of the State of New Hampshire. This was an increase of 5.8 million acres since 2000.
- The States with the highest total acres conserved through land trusts were California, Maine, Colorado, Montana, Virginia, New York, Vermont, New Mexico, Pennsylvania, and Massachusetts. At that time, only Colorado and Virginia were offering State tax incentives for conservation.
- Local and State land trusts increased the acres under conservation easements by 148 percent. These private, voluntary agreements saved 6,245,969 acres as of 2005, versus 2,514,566 in 2000.
- Easements, on the rise for more than a decade, allow landowners to take advantage of Internal Revenue Service-approved tax incentives. Easements are sometimes the only way family farmers can afford to conserve their working farm, ranch, or timber lands.
- The land type reported as being the primary focus of land trust efforts was protecting natural areas and wildlife habitat (39 percent), followed by open space (38 percent), and water resources (26 percent), especially wetlands. Other protected areas include farms, coastal shores, prairies, deserts, urban gardens, and local parks.
- The West was the fastest growing region in both the number of acres conserved and in the number of land trusts, especially for protection of rangeland in many Western States. The second fastest growing region, by percentage of acres conserved, is the Southeast, an area that historically has had fewer land trusts.
- The highest number of land trusts is found in California (198), followed by Massachusetts, Connecticut, Pennsylvania, New York, and Maine. The large number of land trusts in the Northeast reflects the birth of land trusts there over 100 years ago.
- Land trusts numbers and financial status have grown strongly over the last 5 years. Land trusts grew 32 percent in number and by over $1 billion in endowments for long-term stewardship of protected land.
- Rangeland protection is rising. As of December 31, 2005, the Partnership of Rangeland Trusts held 786 conservation easements on 1,061,969 acres in the States of California, Colorado, Nevada, Oregon, Montana, Kansas, and Wyoming.

In addition to land trusts, which are nonprofit, nongovernmental organizations, another strategy to achieve private land conservation is to pursue ballot measures. Local and State governments may bring conservation issues to their citizens via referendum votes, typically to fund land and water conservation programs or grants to be administered by those governing bodies. The use of this democracy-in-action tactic for conservation purposes is promoted and monitored closely by The Trust for Public Land.

INVITED PAPER

State and Local Government Financing for Land Conservation

Andrew du Moulin and Mary Bruce Alford[3]

Between 1998 and 2005 State governments demonstrated significant commitments to support land conservation. During this period, State governments conserved 8.6 million acres and spent $13 billion to protect land from development. The East outspent other regions of the country.

Over the past two decades voters approved more than 75 percent of conservation ballot measures put before them, with approval rates in some States topping the 80–90 percent

[3] Director, Center for Conservation Finance Research, The Trust for Public Land, Boston, MA 02108; and Senior Research Associate, Conservation Finance Program, The Trust for Public Land, Jackson, MS 39201.

level. This support cuts across political parties and regions and is evidence that land and water conservation is a core value of the citizenry. Between 1990 and 2010, counties passed 343 ballot measures involving general obligation bonds, sales taxes, and property taxes. This represents over $17 billion for open space, parks, watersheds, recreational lands, wildlife preserves, forests, and farmlands. In some States, local governments have been the primary and occasionally the only source of conservation funding. Voting results from 2010 confirmed that this trend of support is continuing, as voters in 19 States approved local conservation finance ballot measures of almost $424 million to protect open space. Furthermore, voters in 4 States approved statewide conservation finance ballot measures in 2010 for almost $2 billion to protect open space.

The Trust for Public Land has developed two primary data sources to track funding for land conservation in the United States, LandVote (www.landvote.org) and the Conservation Almanac (www.conservationalmanac.org). In the 2009 Trust for Public Land annual report, the recession was listed as a contributing factor to a decrease in contributions for land and water conservation. However, at the same time, new opportunities arose because of falling land prices for prime woodlands, waterfronts, and urban lands. Illustrating the overall effort of conservation organizations and State and local governments, The Trust for Public Land completed over 200 conservation transactions in 2009, adding 312,000 new acres under protection.

The LandVote database reported 2009 and 2010 as very good years for State and local government conservation funding. In 2009, the State of Minnesota approved $5.5 billion, the Nation's largest ever single State or local conservation finance measure. In 2010, voters across the country approved a variety of measures for land conservation, generating over $2 billion, including statewide financing measures in Oregon, Rhode Island, Maine, and Iowa.

Trends in State spending on land conservation: National activity and trends—Between 1998 and 2005, 8.6 million acres of land were conserved in the United States by State governments. Well over half (61 percent) of these acres were purchased in fee title, while the remainder was protected through conservation easements. States spent more than $13 billion to protect these lands, or an average of $1.6 billion annually. The average cost was $1,500 per acre. Spending peaked in 2003, outpacing other years, largely due to a spike in Florida, which accounted for approximately one-third of State conservation spending nationally that year (fig. 3.6). The Conservation Almanac, The Trust for Public Land online database, covers conservation activity across the United States. This activity involves removing lands from the inventory of lands that can be developed or used for commercial and/or other intensive uses. Between 1998 and 2005 States had, on average, protected 1.1 million acres per year, the most in 2002 (1.3 million acres) and the least in 1998 (816,000 acres) (fig. 3.7).

Trends summarized by region—There have been significantly different levels of spending between the North and South regions and those of the West. Several Eastern States—notably New Jersey and Massachusetts—adopted new enabling authority during this period which resulted in several hundred local governments adopting new ballot measures. Table 3.3 shows higher spending in the South and North regions relative to the Pacific and Rocky Mountains regions between 1998 and 2005. On a per-capita basis, States in the Pacific Coast region outspent the rest of the country at $8 per capita annually. The North followed at $6 per capita per year, then the South ($4 per capita), and then the Rocky Mountains ($2 per capita).

During 1998–2005, for which spending data are available, some trends can be noted. The South outspent other regions in 5 of 8 years (fig. 3.8). Much of this regional difference (70 percent) was attributable to Florida's State program, Florida Forever. On average, the South spent $644 million per year. The North consistently spent the next highest amount with an average of $568 million per year. Following next was the Pacific region ($381 million) and then the Rocky Mountains region ($86 million).

Levels of funding for States across the United States are illustrated in figure 3.9. States with the greatest funding include Florida, California, North Carolina, and New Jersey (see also table 3.4). Each of these States spent over $800 million, which is a result of voter and legislative approval of long-term dedicated funding for conservation. The next highest spending levels were by the States of New York, Pennsylvania, Maryland, Colorado, Ohio, Washington, Massachusetts, Virginia, Connecticut, Wisconsin, and Minnesota. The average across all States was approximately $268 million.

As a result of State financing for land conservation, an average of nearly 172,000 acres per State were protected between 1998 and 2005. States conserving the most acreage (greater than 250,000 acres) included California, Colorado, Minnesota, New York, New Jersey, Pennsylvania, Maryland, Virginia, North Carolina, and Florida (fig. 3.10 and also table 3.4). Next highest States (between 99,000 and 250,000 acres) were Washington, Montana, Wisconsin, Maine, New Hampshire, Massachusetts, and Alabama.[4]

Local and State government ballot measures—Voters have continued to support conservation funding measures, even during the current economic recession.

[4] The Trust for Public Land Conservation Almanac, www.conservationalmanac.org. Data includes conservation activity from 1998 to 2005.

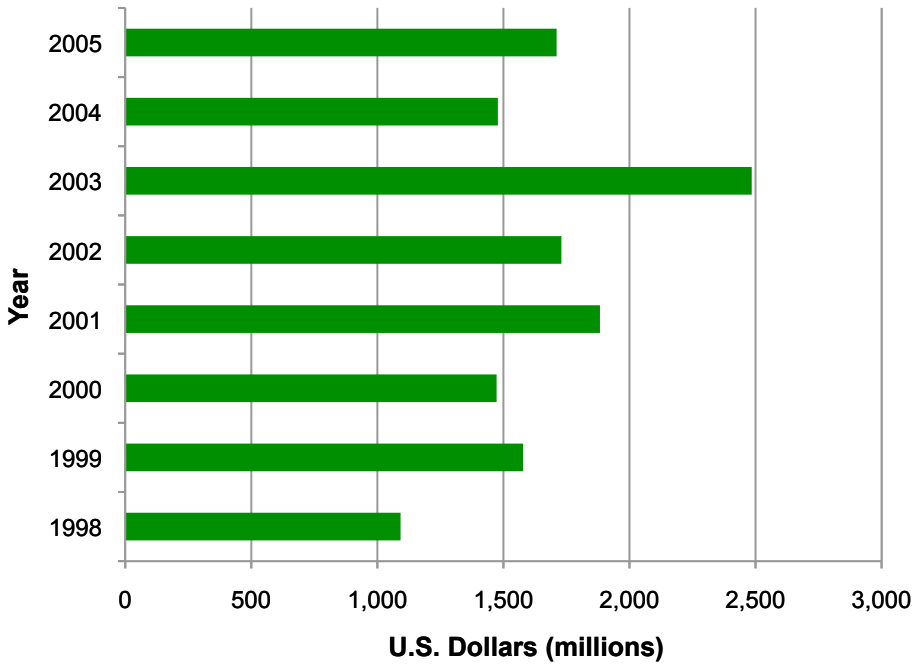

Figure 3.6—Trend in land conservation spending using State government funding by year, 1998–2005. Source: The Trust for Public Land (2010). Note: The acreage and cost data included in the Conservation Almanac is through the end of 2005. The Trust for Public Land is currently in the process of updating the Conservation Almanac data through 2008. As of December 2010, almost half the country was completed or in the process of being updated, and the Almanac also includes conservation information at the local level of government as well as spatial data.

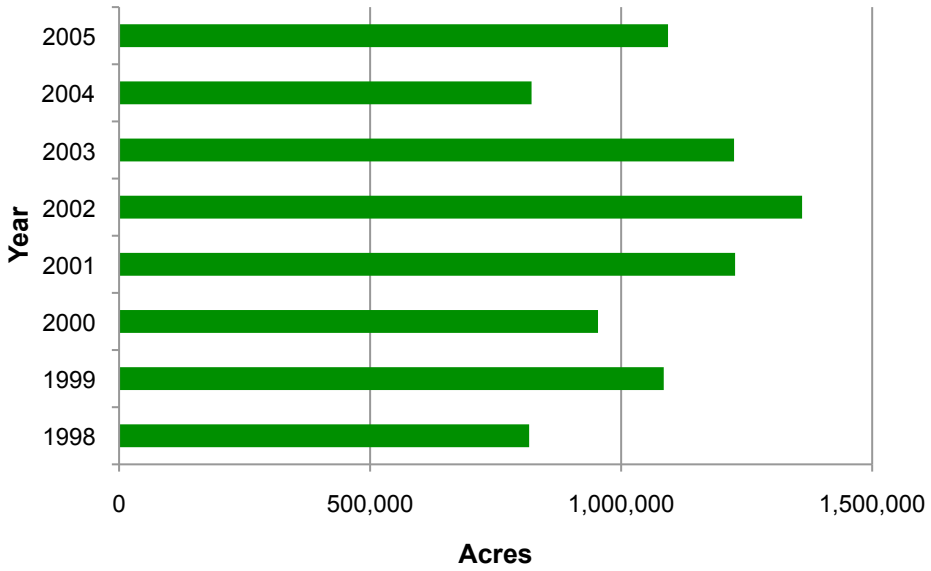

Figure 3.7—Total acres protected using State government funding in the United States, 1998–2005. Source: The Trust for Public Land (2010).

Table 3.3—Total State funds spent for conservation per capita spending and acres protected from 1998 to 2005[a]

Region	Dollars spent (in millions)	Annual average dollars per capita	Average acres per year	Total acres acquired
Pacific	$3,050	$8	38,208	1,528,332
North	$4,561	$6	19,738	3,158,157
South	$5,152	$4	27,096	2,817,953
Rocky Mountains	$753	$2	1,223	117,454

[a] Data represents land conservation conducted through State programs and agencies.
Source: Trust For Public Land's Conservation Almanac (2010).

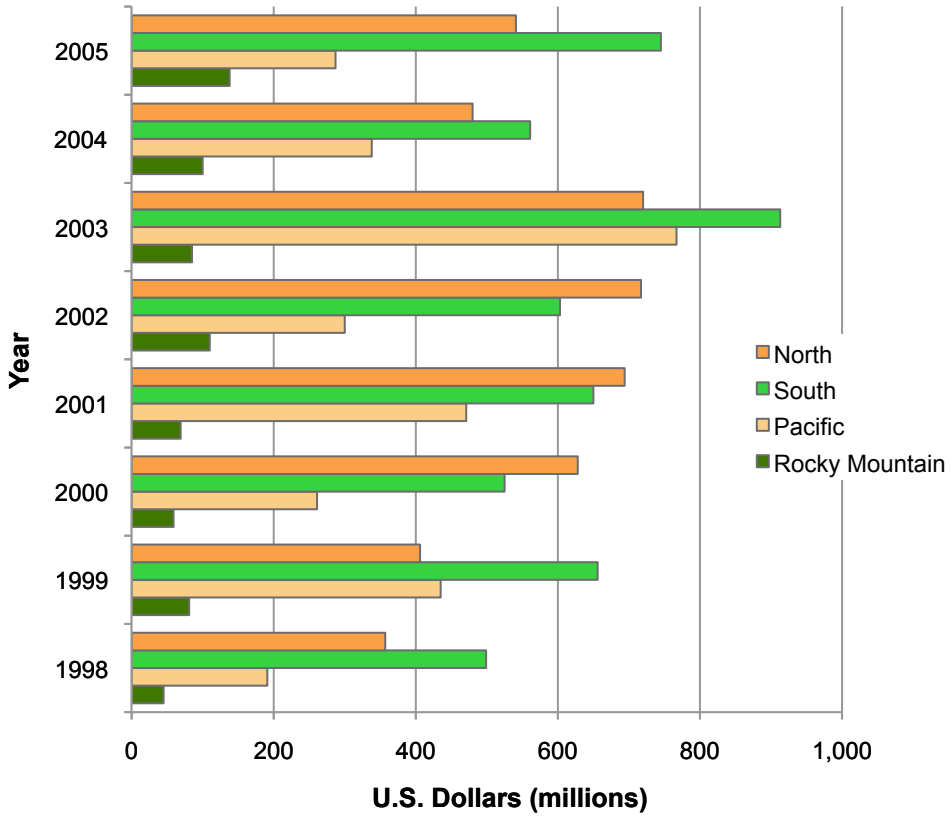

Figure 3.8—Trend in total State funds spent by region and year, 1998–2005. Source: The Trust for Public Land (2010).

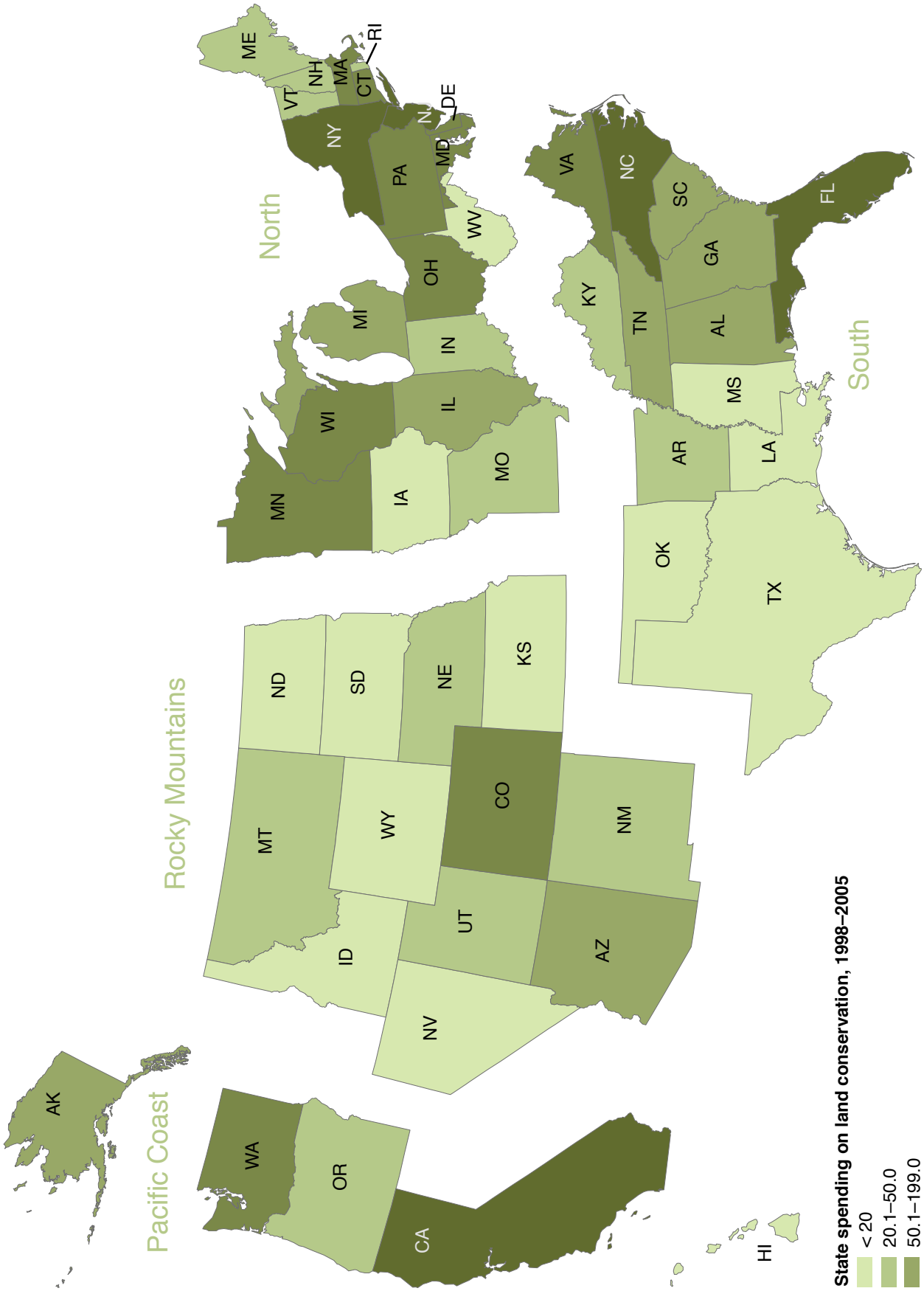

Figure 3.9—Conservation funding level (millions of dollars) by State for the period 1998–2005.

Table 3.4—List of State government dollars spent, annual average dollars per capita, and acres acquired from 1998 to 2005

U.S. State Land Conservation Activity 1998–2005				
	State	State dollars spent	Annual average dollars spent per capita	Acres acquired
1	Florida	$3,567,559,516	$24.33	1,671,784.29
2	California	$2,552,568,280	$8.68	1,221,303.85
3	North Carolina	$851,733,148	$11.54	467,492.18
4	New Jersey	$821,390,608	$11.83	251,822.12
5	New York	$742,645,658	$4.76	432,253.34
6	Pennsylvania	$454,806,480	$4.57	372,082.25
7	Maryland	$413,048,657	$9.16	370,329.18
8	Colorado	$409,099,361	$10.35	658,511.76
9	Ohio	$354,926,417	$3.86	76,881.39
10	Washington	$325,041,643	$6.20	132,934.96
11	Massachusetts	$308,132,263	$5.93	145,297.00
12	Virginia	$285,041,067	$4.59	259,472.44
13	Connecticut	$263,885,427	$9.42	64,573.62
14	Wisconsin	$235,781,026	$5.24	216,499.44
15	Minnesota	$221,668,874	$5.31	440,481.15
16	Delaware	$204,374,534	$29.26	80,405.89
17	Georgia	$163,470,548	$2.11	68,211.87
18	Michigan	$163,320,671	$2.04	96,085.69
19	Alaska	$133,056,808	$24.23	132,315.90
20	Illinois	$122,091,450	$1.18	27,395.38
21	Arizona	$101,382,607	$1.95	41,797.18
22	Alabama	$61,604,202	$1.65	104,661.43
23	Tennessee	$60,085,004	$1.21	42,782.55
24	South Carolina	$51,792,018	$1.45	40,305.30
25	Indiana	$50,000,000	$0.98	64,940.81
26	Maine	$40,294,050	$3.83	117,751.30
27	New Hampshire	$39,948,752	$3.80	215,029.01
28	Montana	$38,891,863	$5.03	165,952.00
29	Vermont	$37,201,772	$7.49	68,844.70
30	Missouri	$35,456,930	$0.75	42,078.39
31	Kentucky	$33,145,796	$0.97	38,927.61
32	Utah	$29,023,991	$1.33	79,776.28
33	Rhode Island	$26,257,273	$3.12	10,406.81
34	Oregon	$25,469,490	$0.84	41,451.66
35	Arkansas	$23,966,049	$1.05	29,299.37
36	New Mexico	$23,041,501	$1.45	6,965.10
37	Nebraska	$22,203,269	$1.56	62,512.18
38	Louisiana	$19,657,931	$0.56	21,714.07
39	Nevada	$19,247,614	$0.93	14,194.06
40	Mississippi	$17,849,115	$0.76	12,084.52
41	Iowa	$17,357,650	$0.72	23,997.30
42	Texas	$13,486,362	$0.07	56,132.33
43	Hawaii	$13,450,000	$1.31	325.25
44	South Dakota	$11,997,287	$1.86	27,376.04
45	Idaho	$9,268,002	$0.76	12,980.45
46	West Virginia	$8,378,518	$0.58	41,002.31
47	Kansas	$4,806,085	$0.21	6,247.34
48	Oklahoma	$2,764,892	$0.09	5,084.61
49	Wyoming	$383,000	$0.09	1,799.35
50	North Dakota	$12,000	$0.00	80
	U.S. average	$268,641,309	$4.62	171,652.66

Source: The Trust for Public Land (2010).

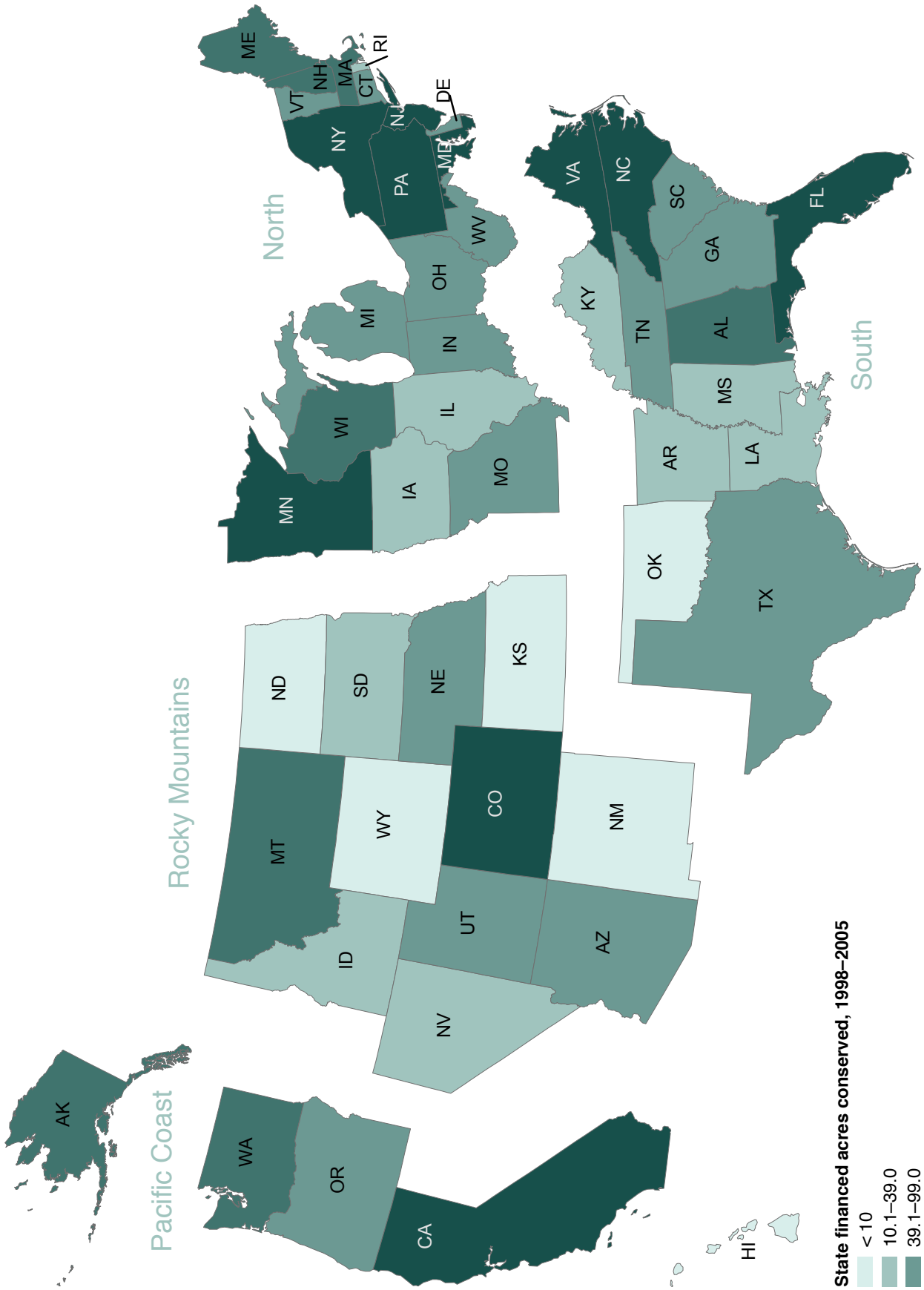

Figure 3.10—Acres of land protected (1,000 acres) through State financing of conservation easements or fee simple purchase, 1998–2005. Source: Trust for Public Land, 2010.

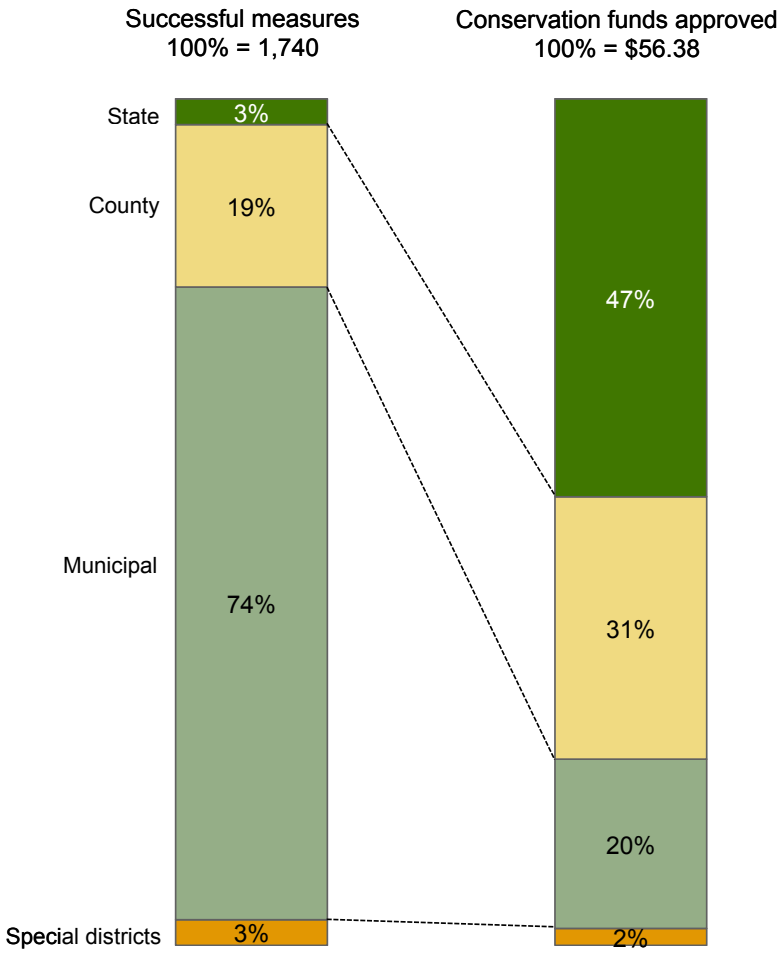

Figure 3.11—Successful ballot measures for land conservation and conservation funds approved by level of government, 1990–2010.

Local governments (county and municipal) in particular have had sustained support for public funding of land conservation. This includes traditionally supportive States such as New Jersey and Massachusetts, as well as less traditionally supportive States, such as Iowa, Idaho, and Montana. Figure 3.11 shows the percentage of successfully approved voter ballots by level of government since 1990. By far, municipal governments have been most successful, accounting for 74 percent of approved measures. State governments, however, represent the highest percentage of total funds approved at 47 percent, followed by county governments (31 percent) and then municipal governments at 20 percent (fig. 3.11).

County conservation finance—Between 1990 and 2010, 172 counties in 30 States passed a total of 343 ballot measures for land conservation. In a number of counties, there have been multiple measures. These measures, supported primarily by general obligation bonds, property taxes, and sales taxes (as well as real estate transfer taxes and income taxes in selected States), generated over $17 billion for open space, parks, watersheds, recreational lands, wildlife preserves, forests, and farmland. Almost 75 percent of all county conservation ballot measures in the last two decades have won voter approval.

Dozens of counties, particularly in Maryland, Virginia, Pennsylvania, and New York, have approved county programs for land conservation through the legislative process. State constitutions and statutes do not always provide enabling legislation to allow residents to vote on conservation funding. Instead, it is often left to local officials to decide on conservation funding.

The North region has the best passage rate at 79 percent, and this region generated the most funding for open space, farmland, forest land, wildlife habitat, and other natural areas at over $7 billion. Nationally, over $1 billion was generated through county ballot measures where forest land conservation was among the prime purposes (table 3.5). Leading States for county conservation measures that included funding for forest land were Arizona, Illinois, Georgia, and Florida. Almost $5 billion were approved where farmland was among the prime purposes of the conservation finance measure. The counties most successful were in the States of New Jersey, New York,

Table 3.5—Forest related county ballot measures, 1990–2010

State	Total ballot measures	Total funds approved	Conservation funds approved	Measures passed	Passage rate
	number	*- - - - - -dollars- - - - - - - -*		*number*	*percent*
AZ	2	207,300,000	194,100,000	2	100
FL	1	55,000,000	55,000,000	1	100
GA	1	100,000,000	71,400,000	1	100
IA	1	20,000,000	20,000,000	1	100
IL	10	625,000,000	615,000,000	10	100
KY	1	0	0	0	0
MT	2	10,000,000	10,000,000	1	50
OH	4	37,000,000	8,325,000	2	50
SC	2	5,000,000	5,000,000	1	50
VA	1	20,000,000	20,000,000	1	100
WI	1	30,000,000	30,000,000	1	100
Total	26	1,109,300,000	1,028,825,000	21	81

Table 3.6—Number of ballot measures proposed, funds approved, conservation funds approved, measures passed, and passage rate through county ballot initiatives for farmland conservation, 1990–2010

State	Total ballot measures	Total funds approved	Conservation funds approved	Measures passed	Passage rate
	number	*- - - - - - dollars - - - - - -*		*number*	*percent*
CA	5	611,000,000	611,000,000	2	40
CO	8	232,880,000	224,380,000	4	50
FL	2	150,000,000	150,000,000	1	50
IA	1	20,000,000	20,000,000	1	100
ID	1	0	0	0	0
MD	5	78,000,000	78,000,000	5	100
MI	5	35,563,230	35,563,230	2	40
MN	1	20,000,000	20,000,000	1	100
MT	4	30,000,000	30,000,000	3	75
NC	1	0	0	0	0
NJ	35	2,850,510,223	2,614,789,763	32	91
NV	1	0	0	0	0
NY	4	732,000,000	729,400,000	3	75
OH	4	0	0	1	25
PA	6	312,500,000	275,000,000	6	100
SC	2	50,000,000	50,000,000	1	50
UT	1	0	0	0	0
VA	1	20,000,000	20,000,000	1	100
WA	2	5,000,000	5,000,000	1	50
WI	1	0	0	0	0
Total	90	5,147,453,453	4,863,132,993	64	71

Table 3.7—Approved county ballot measures by region, 1990–2010

Region	Total ballot measures	Total funds approved	Conservation funds approved	Measures passed	Passage rate
	number	*- - - - - - dollars - - - - - -*		*number*	*percent*
North	151	7,882,226,375	6,807,050,082	118	78
Pacific Coast	41	32,870,334,820	2,759,944,820	20	49
Rocky Mountains	84	2,458,116,303	2,357,159,511	63	75
South	157	13,124,771,220	4,969,651,280	120	76
Total	433	56,335,448,718	16,893,805,693	321	74

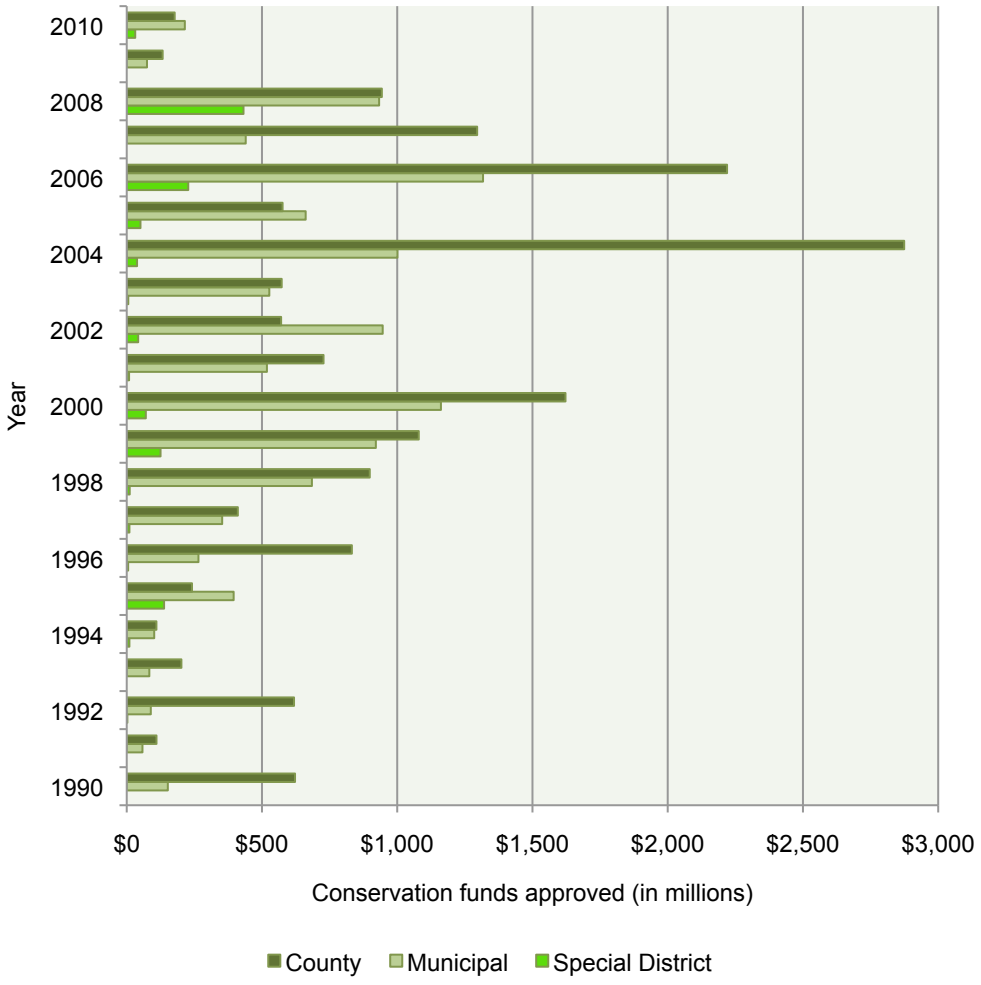

Figure 3.12—Trends in local government spending by level of government from 1990 to 2010.

California, Pennsylvania, Colorado, Florida, Maryland, South Carolina, and Michigan (table 3.6).

Table 3.7 shows county ballot measures for each of the four regions of the United States defined by the Renewable Resources Planning Act (RPA) National Assessment of the Forest Service, U.S. Department of Agriculture. Leading counties in the North region were in the States of Illinois, New Jersey (where all 21 counties have passed a dedicated funding source for conservation), and New York (where funding initiatives were passed primarily in Suffolk and Nassau counties). Total conservation funds approved for the North region were just over $7 billion. For counties in the Pacific Coast region, far and away California led, accounting for 88 percent of that region's conservation funds. Alaska had no funds approved. In the Rocky Mountains region, counties in Colorado accounted for over 79 percent of the region's conservation funds. In the South, Florida stood out from the other States accounting for almost 59 percent of conservation funds. Georgia followed as a distant second.

The growth of local conservation funding—Figure 3.12 illustrates the trend of local government (county and municipal) conservation funding over the past two decades. In some cases, local funding has been either the largest or the only source of conservation funding in many States. Across the country, local government is the fastest growing source of government funding (see New Jersey case example in side bar on the following page). This may be due to a number of reasons:

- Greater public confidence in local governments
- Funds can be used to manage land use, a local government role
- There are opportunities to leverage funds from other sources
- There is opportunity for a "domino effect" whereby other local governments act to create new conservation funding sources as well.

Ballot measures in 2010—On Election Day 2010, voters across the United States once again demonstrated their commitment to supporting public investments in parks and natural areas. Voters in 23 States approved conservation finance ballot measures that will generate almost $2.2 billion to protect open space. Of the 49 measures on the ballot, 84 percent were successful. As documented in the LandVote database (www.landvote.org), since 1988 voters have approved more than 1,700 measures yielding more than $56 billion in conservation funding. This support has remained strong even during prior economic slowdowns. The 2010 results confirm that conservation remains a cause voters will support.

- In Iowa, voters gave 63 percent approval to an amendment to the State constitution creating a permanent trust fund to protect and restore the State's natural resources.

Pololu coast line on the north side of the Big Island in Hawaii. Most of the land in the Pololu Valley area is privately owned. (Photograph by Ken Cordell 2010)

New Jersey land conservation facts

- Municipal open space taxes brought in over $94.5 million in 2009
- County open space taxes brought in over $261 million in 2009
- Since 1998, in New Jersey, 316 out of 411 municipal open space measures have passed. The 316 measures passed in New Jersey represented almost one-third of all municipal open space ballot successes nationally over the past decade.
- Over $1.1 billion in municipal conservation funds were generated during the decade from 2000 to 2010.
- During the period from 1998 to 2009, some 240 different municipalities went to the ballot to establish, renew, or increase their open space tax.
- Since 1998, 27 of 30 county measures have passed, generating over $2.2 billion—the highest conservation dollar amount generated by any county in the Nation.
- New Jersey is one of only two States to have all counties approve dedicated conservation funding. Hawaii is the other.

- In Oregon, 69 percent of voters approved a measure that will indefinitely set aside 15 percent of revenue generated by the Oregon Lottery for protection of water, parks, and wildlife habitat in the State. The provision has generated more than $800 million in the past decade for conservation.
- In Maine, voters gave 59 percent approval to a statewide bond providing for investments in land conservation, the preservation of working waterfronts, and State parks.
- Voters in Dorchester County, SC, gave 71–29 percent approval to issuing $5 million in bonds to buy parkland, trails, and wildlife habitat.

The economic arguments for land conservation are likely to increase in importance in future years. As highlighted in a January 1, 2010, front-page article in The New York Times, the current economic downturn also has led to a new window of opportunity for land conservation—sometimes referred to as the recession's "green lining." Because of the decline in the real estate market, conservation has become a more attractive alternative to development for some landowners. This has made many properties more affordable and provided once-in-a-generation opportunities to conserve land once destined for development.

End Invited Paper

Federal Financing

There are a number of Federal programs aimed at land and water conservation. Some of these specifically focus on conservation easements or fee simple purchase of land and water areas. Perhaps most prominent among these is the Land and Water Conservation Fund administered by the National Park Service and the Conservation Reserve Program administered by the Natural Resources Conservation Service. Selected Federal conservation programs are highlighted below to represent Federal land conservation incentive programs.

Land and Water Conservation Fund—The Federal Land and Water Conservation Fund (LWCF) was established by law in 1965 to use revenues from offshore oil and gas leasing for financing U.S. land and water conservation. Often, these finances have been used to purchase land and easements, some of which had been originally acquired by land trusts.

Though the LWCF receives $900 million a year from energy royalties, Congress has not authorized spending all of those funds on an annual basis. The current Administration seems to be moving to increase LWCF funding from $172 million in fiscal year (FY) 2009 and $318 million in FY2010, to a proposed $432 million for FY2011. Authorization for FY2011 and beyond is very much uncertain at this time.

The Federal portion of the LWCF is used to purchase lands significant to the management of national parks, refuges, forests, and BLM lands (http://wilderness.org/content/lwcf-projects-2010). As human activities have increased, it has become more important to connect land and water ecosystems and habitats to better assure their long-term ecological health. LWCF funding for Federal acquisition of inholdings, buffer areas, and wildlife migration corridors by agency in FY2010 is listed below:

Bureau of Land Management	$ 24,650,000
U.S. Fish and Wildlife Service	$ 86,340,000
National Park Service	$ 86,266,000
U.S. Forest Service	$ 63,522,000

Forest Legacy Program—There are a number of Federal conservation fund programs in addition to LWCF, such as the Forest Legacy Program, a voluntary program of the Forest Service. This program provides grants to States through their forestry agencies for the purchase of conservation easements and fee simple purchase of sensitive or threatened forest lands. The Forest Legacy Program provides an alternative to selling forest land by allowing voluntary conservation to private owners. In FY2010, Forest Legacy Program funding was projected to grow by 60 percent to nearly $80 million. As of November 2010, the program passed the milestone of 2 million acres protected (http://www.fs.fed.us/spf/coop/