Ballot Box Conservation

An interview with conservation finance expert Ernest Cook

By William Poole

Ernest Cook is one of the nation’s leading authorities on state and local funding for conservation. Now a senior vice president and director of national programs at TPL, Cook joined the organization in 1980 as an intern in TPL's New York City office. He later served as a project manager, finance manager, and regional director. In 1994, he founded TPL's Conservation Finance program, which has since grown into a suite of services that help state and local governments evaluate finance options, measure public opinion about spending for conservation, and design programs to guide the expenditure of funds for parks and land conservation. In this Land&People interview, Cook discusses why voters in more and more states and communities are approving funds for conservation, and why the trend will probably continue.

Q. States and communities have always used taxes and bonds to create parks and conserve natural lands, but this activity has increased dramatically in recent years. In your opinion, why is this so?

There are several reasons. For one thing, the nation is experiencing unprecedented growth and development. And the federal government, a traditional source of conservation dollars, is spending less on conservation and often requires local matching funds to get those dollars. Also, states and communities are finding out that conservation can attract economic activity or save them money in the long run. Over and over, we find that people are willing to pay a little more in taxes to gain these benefits and protect their quality of life.

Q. You mention matching funds. This has been a huge trend in paying for conservation, hasn't it?

Absolutely. More and more these days, conservation transactions are completed with money from a variety of sources, including public money from federal, state, and local sources, along with private donations. Some federal funding programs are very specific that there must be a state or local fund match. And state contributions to conservation projects often require a county or municipal funding match. Many fast-developing states—Florida, New Jersey, and Massachusetts, to name a few—have been proactive in creating conservation funding programs. But the state funds often require a local match. That drives a lot of funding at the local government level.

Q. Exactly how much has state and local conservation funding grown since TPL began its
Conservation Finance program?

This is a complicated question. Each state has multiple agencies that spend money on land conservation. Hundreds of counties and many more towns and cities also spend funds. We can't keep track of them all. The best we can do is to look at ballot measures that have been put before voters. In order to create a dedicated fund for land conservation, most local governments are required by law to get voter approval, so these measures give us a pretty good idea about the growth in local government spending for land conservation. In 1988, there were only 24 measures nationwide. In 2006, the last big election year, there were 182 measures.

Basically, in the late 1990s, there was an explosion in the number of local governments that were creating land conservation programs. And new programs keep getting started. Most of this activity has been in the last ten years. You can find all this information in TPL's online LandVote database, maintained by our Center for Conservation Finance.

Q. This sounds like a major shift in the way conservation is funded in the United States.

Yes. Twenty years ago, the federal government was the biggest source of funding for land conservation, followed closely by state governments. Today, counties are the biggest players on the field, and they're the fastest-growing sector. In total, over the last 20 years, there have been more than 2,000 ballot measures for land conservation, and more than 75 percent of them passed. That has generated almost $50 billion for land conservation.

Q. Did TPL's Conservation Finance Program work on all those measures?

We focus our efforts where we can make the most difference. TPL is involved with most of the big measures, but we also give special attention to places where we can be innovative in pioneering new ideas. My favorite example is Hawai`i, where we worked with Maui County back in 2002 to design a type of charter amendment that put a dedicated fund for land conservation before the voters. It was hugely popular. Since then, all the other large counties in Hawai`i have followed this model, and every one of those elections was successful.

In addition to TPL's work on specific conservation finance measures, we publish books and information to share what we've learned with anyone who is looking at how to pay for protecting open space. Our Conservation Finance Handbook contains a lot of that information.

Q. What kind of help does TPL's Conservation Finance program provide?

First of all, it's research. We have five full-time research staff. If a governor wants to know how other states pay for land conservation, which of those mechanisms is currently authorized in his or her state, and which of them would require a constitutional amendment, we can answer that question completely, quickly, and accurately. If a county commissioner wants to know how many other counties in America with similar growth rates and personal income level have passed a general obligation bond with a household impact of more than $40 per year, we can answer that in about ten minutes. Also, we are experts in evaluating public opinion and support for land conservation. Most new state and local funding measures have to be approved by voters. No one does more public opinion polling or understands voters on this issue better than we do.

The final step is a legislative or ballot measure campaign. Our field staff manage legislative strategy and work with vendors to write, design, and produce direct mail and radio and TV ads, as well as public education programs. We even run getout- the-vote campaigns. Almost always, we do this in partnership with local conservation organizations. Of course, once research and polling are done, we may advise no action because we can't find a pathway to success. But most of the time we can design a measure that will win.
Q. Campaign work is political, isn't it? Isn't there a limited amount nonprofits can spend on lobbying and political activity?

Yes, but that doesn't mean nonprofits can't get involved in ballot measure campaigns or legislative work. Nonprofits that take tax-deductible donations, as TPL does, can spend only a certain amount on this kind of activity. But our national conservation partners, local land trusts, and other public charities often chip in, and they have been invaluable allies in many conservation finance campaigns. Also, in 2000 we set up a TPL affiliate, the Conservation Campaign, specifically to raise campaign funds and support conservation ballot measures. Donations to the Conservation Campaign are not tax deductible, but they lead to a lot of conservation by leveraging public funds. In fact, every dollar raised by the Conservation Campaign has created over $1,000 in new government funds for parks and conservation.

Q. You've mentioned certain kinds of partners. Can you say a little more about partnerships?

We've worked on hundreds of conservation finance measures in the last 14 years, but I think I can count on the fingers of one hand the number of times when we've gone it alone. TPL has some unique knowledge and skills, but other organizations have the community connections, the financial resources, and the local name recognition that we lack. We've partnered with more than one hundred local land trusts, from Maine to Maui. We also collaborate with the national Land Trust Alliance to issue an annual report on ballot measures for land conservation in America. And of course there are funding partners. TPL and The Nature Conservancy received a joint $4 million grant from the Doris Duke Charitable Foundation for work toward new government funding to implement the State Wildlife Action Plans that each state completed a few years ago.

Q. Are the nation's recent economic problems affecting decisions by local governments on whether to seek new bonds or taxes?

So far, we haven't seen much difference. We're working on dozens of measures that could be on the November 2008 ballot. In fact, the idea of creating local land conservation programs is spreading to new places. Several counties in Georgia are considering this for the first time. Johnson County, Iowa, has voted to put a land conservation bond on the ballot, and if it succeeds, this will be the first county to launch a significant conservation program in that state. I could give you many other examples. Voter support also seems strong. So far in 2008, we've supported local park and conservation measures in places as different as San Francisco; Phoenix; Santa Fe; Forsyth County, Georgia; West Bridgewater, Massachusetts; and North Bay Village in Miami-Dade County, Florida. Every one of those elections has resulted in a landslide victory, with two-thirds of the voters, or even higher percentages, supporting parks and conservation.

Q. What are some of the upcoming trends you see in state and local conservation finance?

Well, there doesn't seem to be any doubt that activity will grow over the long term. The forces driving local conservation are, if anything, stronger than they were in the 1990s. And new ones have emerged. The current concern about global warming has many communities working to grow greener, and conserved natural areas absorb carbon dioxide, the major greenhouse gas. Perhaps more important, parks, greenways, and easy-to-access natural areas are key elements of the kind of smart, dense, mixed-use communities where people drive less, reducing the release of greenhouse gases. Communities have more reasons than ever to want to generate their own conservation dollars.

Editor's Note: This issue of Land&People went to press before the results of the November 2008 ballot measures were known. For more information on TPL's Conservation Finance services, go to www.tpl.org/services. To access the LandVote database of state and local conservation finance measures, visit landvote.org.