

Model Guidelines for Conservation of Species and their Key Habitats through State Financial Mechanisms

A REPORT PREPARED FOR NATURE SERVE

NORTHEAST ASSOCIATION OF FISH AND WILDLIFE AGENCIES
REGIONAL CONSERVATION NEEDS GRANT

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I. Introduction

This report is a piece of a larger collaboration between NatureServe, Defenders of Wildlife (Defenders), Environmental Law Institute (ELI), and the Pennsylvania and Virginia Natural Heritage Programs to develop a web-based toolkit that will include a regional profile of how wildlife conservation is addressed through land use planning decisions. The project titled “Development of Model Guidelines for Assisting Local Planning Boards with Conservation of Species of Greatest Conservation Need (SGCN) and their Key Habitats through Local Land Use Planning” will include individual state profiles complete with legal and financial mechanisms, case studies on innovative programs or projects, and best management practices for SGCN. This report addresses the financial mechanisms for wildlife conservation within thirteen northeastern states (from Maine to Virginia) and compiles these mechanisms into individual state profiles.

The purpose of the state profile section is to provide local land use planners and others interested in implementing habitat conservation strategies within the context of local land use planning a list of *state* funding opportunities and incentive mechanisms. The funding opportunities and incentive mechanisms identified include programs, policies, or economic instruments that aid and motivate conservation planners to incorporate conservation, restoration, and/or protection of habitat, native species, and ecosystem function into their land conservation planning goals. Funding opportunities consist of land acquisition and grant programs, while the incentive mechanisms include tax incentives, cost-share and easement programs.

In general, there are few *state* funding sources and incentive mechanisms solely dedicated to the protection of native species and their habitats. Most of the programs focus on conserving open space for either water quality or recreational use. These programs are included as a potential source of funding because they indirectly provide co-benefits to wildlife. Federal programs were not included because they are readily available to all states and their purpose and framework does *not* change between states. In addition to providing a resource for local land use planners, the profiles can be compared across states. Comparing innovative financial mechanisms between states may encourage some states to emulate these programs, or come up with innovative programs of their own.

Each of the state profiles that follow include a brief paragraph on how funding for conservation works within the state, a list of programs, and a chart for easy reference. The programs are divided into four distinct categories: Land Conservation Programs, Grant Programs, Conservation Easement Programs, and Financial Incentives. Details are listed for each program such as the administering agency, the purpose of the program, how it works, where to obtain more information, statutory references, and deadlines for applications. A chart at the end of the profile breaks down each program for easy reference.

Gathering information for this report consisted of contacting individuals in each state to verify program details and obtain information on other programs not identified. A list of state contacts are identified in Section XV at the conclusion of this report. In addition, information collected for the summaries below were mostly abstracted from the Trust for Public Lands Conservation Almanac website and state agency websites. Each description includes a web page reference indicating where the text was obtained. The following table gives a summary of all the programs and incentives relevant to protecting open space, native species, and habitats in each state.

Table 1.1: Sources of State Conservation Funding

<i>State</i>	<i>Land Acquisition Programs</i>	<i>Grant Programs</i>	<i>Easement Programs</i>	<i>Financial Incentives</i>
Massachusetts	X	X	X	X
Vermont		X		X
Maine		X		
New Hampshire		X		
Rhode Island		X		X
Connecticut	X	X	X	X
New Jersey	X		X	X
Delaware			X	X
Maryland	X	X	X	
Pennsylvania		X		X
Virginia		X		X
New York		X		
West Virginia			X	

In general, most states offer financial assistance through grant programs and financial incentive mechanisms. Only four states Massachusetts, Connecticut, New Jersey, and Maryland have programs dedicated solely to land acquisition and these programs are mostly in the form of loans or grants. Maine, New Hampshire, and New York *only* have grant programs and West Virginia has one easement program dedicated to land conservation for the entire state. Some mechanisms used by states to fund land conservation programs include general obligation bonds, sale of state lottery tickets and conservation license plates, property taxes, and real estate transfer taxes. Figure 1.1 provides a map detailing how many programs are in each state.



Figure 1.1: Number of Conservation Funding Programs for Each State

II. Maine

Maine has two state land conservation funds, and both are grant programs. The first program, the Land for Maine's Future Program, receives its funding through general obligation bonds approved by the Maine legislature and ratified by voters. For this program, remaining funds from previous bonds total around \$1.5 million, and the Fall 2010 bond recently passed in November for \$9.7 million. The second program, the Maine Outdoor Heritage Fund, receives all of its funding from purchases of a dedicated lottery ticket. The amount the program receives varies every year, but on average lottery tickets generate around \$700,000 per year. These funds are not matched by any other agency and they go exclusively to the Maine Outdoor Heritage Fund.

Grant Programs

1. Land for Maine's Future Program

Type of Program: Grant Program; Cost-share Program

Administering Agency: Maine State Planning Office

Purpose: The concept behind the Land for Maine's Future (LMF) Program is simple. Lands that have exceptional recreational or ecological value along with working lands for farms, forests, tourism, and working waterfronts all warrant permanent protection. With spreading development and changing land uses, Maine is at risk of losing many of the landscapes that are important to Maine's natural and cultural heritage as well as to its economic vitality. The LMF Program seeks to conserve these important landscapes.

Who Can Participate: Anyone can nominate or propose land for acquisition by the LMF Program with the sponsorship of a suitable state agency as long as the threshold criteria, the criteria of the sponsoring state agency, and basic information requirements are met. This must include full knowledge and agreement of the owner of the proposed property that his/her property is being proposed to the LMF Program.

How it Works: In 1987, citizens voiced their desire to have Maine's most special places held forever in the public trust. The Maine Legislature created the LMF Program to secure "the traditional Maine heritage of public access to Maine's land and water resources or continued quality and availability of natural resources important to the interests and continued heritage of Maine people."

Four bonds supporting the LMF Program with a total of \$117 million over 20 years have passed by overwhelming margins. A new bond will be considered by the voters in November 2010. If that is approved, the LMF Board will be considering a new round of projects in the spring of 2011.

To apply for these funds a proposal is submitted to the LMF board and can include acquisition of a property through fee-simple purchases or easements. The proposal is expected to have a match greater than or equal to one third of the total eligible project costs. This means that for every \$2 of LMF funds expended, there must be at least \$1 of match funds. Proposed projects should not exceed fair market value based on independent appraisal, although it is recognized that the market will, on rare occasion, offer opportunities that require exceptions to the basic rule. All lands acquired through the LMF are open to the public. Exceptions include farms and commercial working waterfronts, where public access may not be feasible or desirable. LMF may make grants of up to 5% of the appraised value of any project to develop public access facilities, including trails, boat launching sites, parking, camping and picnicking facilities. When

development rights on a farm are purchased, up to 5% can be available for business plan development and implementation.

Contact: Tim Glidden, Director

Telephone and E-mail: 207-287-1487 and tim.glidden@maine.gov

Website: <http://www.maine.gov/spo/lmf/about.htm>

Application Deadline: April 1, and May 15 (working waterfront); Anytime for water access projects.

2. Maine Outdoor Heritage Fund

Type of Program: Grant Program

Administering Agency: Maine Department of Inland Fisheries and Wildlife

Purpose: In 1995, the state of Maine created the Maine Outdoor Heritage Fund to fund priority areas identified within the state strategic plan. The sole purpose of the fund is maintaining, improving, and expanding state and local natural resource conservation programs and associated compatible public uses that are identified within the plan.

Who Can Participate: Any entity interested in obtaining funding for a conservation or recreation project from the Maine Outdoor Heritage Fund must apply through one of 16 designated state Natural Resource Agencies.

How it Works: Each year, the Maine Outdoor Heritage Board distributes funds for a broad range of conservation initiatives. The Maine Outdoor Heritage Fund is supported by 26 percent of the total proceeds from “scratch-off” lottery tickets. Funds are allocated to habitat conservation, land acquisition, and endangered species projects. Grants are awarded twice each year by a seven -member board that is appointed by the Governor. Grants are awarded based on a point system. Local governments or municipalities receive a higher score if there is a 1/3 or higher cash or in-kind match from non-governmental sources.

Contact: Carol Gay

Telephone and E-mail: 207-458-8421 and mohf@zwi.net

Website: <http://www.maine.gov/ifw/grants/outdoorheritagefund/>

Statutory Reference: Title 12, MRSA c.714, section 7783

Application Deadline: March 1 and September 1, Annually.

TABLE 2.1: MAINE

STATE CONSERVATION AND INCENTIVES PROGRAM	Type of Program	Administering Agency	Contact Information	Website	Statutory Reference	Deadline
GRANT PROGRAMS						
1. Land for Maine's Future Program	Grant Program, Cost-share program	Maine State Planning Office	Tom Glidden, 207-287-1487, tim.glidden@maine.gov	http://www.maine.gov/spo/lmf/about.htm		April 1, and May 15 (working waterfront); Anytime for water access projects,
2. Maine Outdoor Heritage Fund	Grant Program	Maine Department of Inland Fisheries & Wildlife	Carol Gay, 207-458-8421, mohf@gwi.net	http://www.maine.gov/ifw/grants/outdoorheritagefund/index.htm	Title 12, MRSA c.714, section 7783	March 1 and September 1, Annually.

III. Vermont

The funding structure that supports the grant programs and financial incentive mechanisms in Vermont is varied and consists of both federal funded programs implemented by the state and state funded programs. Federal sources of funding are commonly available through the U.S. Environmental Protection Association (EPA) via the Agency of Natural Resources, often also acting through the state office of the U.S. Fish & Wildlife Service. Programs that deal specifically with improvements in water resources are generally funded through these Federal EPA sources. The Vermont Water Source Protection Loan Program, for example, receives its own grant from the EPA focused on the management of the Safe Drinking Water Act; however, many natural resource-related programs receive money from the Revolving Loan Fund, a state fund which is provided by the EPA on a loan basis. One or two of the state programs are funded by the state through sales of a conservation license plate, and efforts that are farm-related receive funding through the U.S. Department of Agriculture (USDA). The main initiative taken by the state for land conservation funding is an allocation of the property transfer tax. Currently, about 1% of this tax on property transfers of greater than \$100,000 goes to a general fund for regional and local planning, the Vermont Housing Conservation Board, the Municipal Planning Grant, as well as statewide GIS coordination.

Grant Programs

1. Conservation of Land or Historic Resources of Statewide Significance

Type of Program: Loan and Grant Program

Administering Agency: Vermont Housing and Conservation Board (VHCB)

Purpose: To fund conservation projects of statewide significance as determined by VHCB using input from the Natural Heritage Program, Department of Forests, Parks and Recreation, the Division for Historic Preservation and others.

Who Can Participate: VHCB makes loans and grants to nonprofit organizations, municipalities and state agencies for the acquisition of land and for the purchase of conservation easements.

How it Works: These projects are not required to provide local matching funds, although leverage in the form of in-kind services or donations of conservation easements is common. Conservation projects eligible for VHCB funding include acquisition of natural areas that provide habitat for rare or endangered species, acquisition of lands to provide public access to trails or water, greenways, or acquisition of historic sites of statewide significance for public use.

Telephone and E-mail: 802-828-3250 and info@vhcb.org

Website: <http://www.vhcb.org/naturalareaspolicy.html>

Application Deadline: March 5, April 5, July 19, and October 4, Annually.

2. Local Conservation – Recreational or agricultural land, natural areas and historic properties

Type of Program: Loan and Grant Program

Administering Agency: Vermont Housing and Conservation Board (VHCB)

Purpose: Recreational land, working forest, farmland, and important natural areas comprise the state's rural landscape and the character of these lands has long been closely tied to the activities

of the people who live and work here. VHCB's conservation program helps maintain that relationship by conserving many of the state's most important lands and providing state residents access to those resources both now and in the future.

Who Can Participate: VHCB makes loans and grants to nonprofit organizations, municipalities and state agencies for the acquisition of land and for the purchase of conservation easements.

How it Works: Under the VHCB Local Conservation Grant Program, \$150,000 plus associated costs are available for loans and grants for the purchase of recreational lands, natural areas or historic properties. Grants of up to \$215,000 plus associated costs are available for the purchase of agricultural lands. Funding for associated project costs can be used for a portion of the expenses incurred for appraisals, options, or closing costs. Projects funded under this program might include: land acquisition to provide access to water for swimming or boating, biking and hiking trails, greenways, or conservation or expansion of town parks, forests and natural areas or acquisition of important historic sites for public use. Funding is not available for the construction or rehabilitation of buildings or the construction of recreational facilities. To demonstrate local support for the projects, applicants must raise at least 33 percent of the total project costs from other sources. This match may include cash, in-kind services, and donations of land and easements that further the conservation goals of the project. All projects must demonstrate municipal support in the form of a letter of endorsement from the select board of the town where the project is located.

Telephone and E-mail: 802-828-3250 and info@vhcb.org

Website: <http://www.vhcb.org/localconservation.html>

Application Deadline: March 5, April 5, July 19, and October 4, Annually.

3. Municipal Planning Grant (This grant is not scheduled for funding in 2011)

Type of Program: Grant Program

Administering Agency: Vermont Department of Housing and Community Affairs

Purpose: Promotes community planning, revitalization and development activities that maintain Vermont's land use goal of compact settlements separated by rural lands.

Who Can Participate:

Municipalities with a local planning process that has been approved by April 30, 2010 are eligible to apply for grants of up to \$15,000. Municipal approval includes formal plan approval by the Regional Planning Commission (RPC) as required by 24 V.S.A. §4350. Municipalities without a confirmed local planning process may apply but only to create a municipal plan intended for regional approval.

Municipal organizations other than the planning commission (such as the conservation commission or the downtown revitalization organization) may apply for a grant, but only with prior approval of the planning commission and select board. Each municipality may submit only one application per year.

How it Works: The Municipal Planning Grant program supports a range of projects relating to planning and land use and promotes cooperation, collaboration and the exchange of ideas. Eligible projects must have a clear connection to planning and implementation of the municipal plan. Though this grant does not directly fund conservation it does support the inventorying and mapping of species of greatest conservation need. It also funds the purchasing of development rights, easements, and titles of properties for housing and conservation purposes identified in the municipal plan. This grant is highly competitive and uses competitive criteria and statewide priorities to score and rank applications. The statewide priorities are updated annually to comply

with policy initiatives or legislation. Grants are awarded based on the application scores and the amount of grant funds available within the respective regions.

Contact: Wendy Tudor

Telephone and E-mail: 802-828-5249 and wendy.tudor@state.vt.us

Website: <http://www.dhca.state.vt.us/Planning/GMS/OnlineApplication2010.htm>

Statutory Reference: 24 V.S.A. §4306 (b).

Application Deadline: Date changes. Contact the program for availability of funds.

4. Vermont Watershed Grant Program

Type of Program: Grant Program

Administering Agency: Vermont Department of Environmental Conservation

Purpose: The goals of the Vermont Watershed Grant Program are to support watershed education and recreation efforts and projects that protect, restore, or enhance Vermont's watershed resources. A watershed is a river, stream, lake, pond, or wetland and the land and water that drains into it. The watershed approach recognizes the inter-relatedness of these resources. People across Vermont, including farmers and other landowners, town officials, anglers, boaters, loggers, biologists, regional planners, and state and federal water resource managers have been working in partnership for cleaner rivers and lakes for the use and enjoyment of future generations. In developing plans to protect, restore, and enhance lakes, rivers and wetlands, watershed health depends on land conservation. Community-oriented associations have taken up conservation work and these successful local efforts are recognized and supported through these grant funds.

Who Can Participate: Municipalities, local or regional governmental agencies, nonprofit organizations, and citizen groups are eligible to receive Watershed Grants for work on public or private lands. Individuals and state and federal agencies are not eligible to receive funds directly, but may be partners of a project.

How it Works: Funds are available for Watershed Projects that: protect or restore fish and wildlife habitats; protect or restore water quality, and shorelines; monitor fish and wildlife populations and/or water quality; reduce phosphorus loading and sedimentation consistent with Clean and Clear Action Plan objectives; enhance recreational use and enjoyment of watershed; educate people about watershed resources; and identify and protect historic and cultural resources. Awards can be made up to an amount equal to or less than \$20,000. Grants are intended for complete projects or for discreet, identifiable portions of larger projects. Grants can be used for all aspects of a project including materials, labor, printing, and equipment rental. The funding of salary or administrative costs is acceptable for time spent on a specific project, or "start-up" funds of a new project. The purchase of equipment is also acceptable, if it is more cost-effective than borrowing or renting and crucial to the completion of the project. Proposals that are directed at preventing the spread of non-native aquatic nuisance species have a higher priority for grant funding over proposals aimed at the control (e.g. harvesting) of non-native aquatic nuisance species. Proposals that are directed at continuing previously initiated water quality monitoring or waterbody assessment efforts cannot request more than \$3,750 in watershed grant funding.

Contact: Rod Wentworth or Rick Hopkins

Telephone and E-mail: 802-241-3709 and rod.wentworth@state.vt.us or 802-241-3769 and rick.hopkins@state.vt.us

Website: http://www.vtwaterquality.org/lakes/htm/lp_watershedgrants.htm

Application Deadline: Date changes. Contact the program for availability of funds.

Financial Incentives

1. Use Value Appraisal

Type of Program: Financial Incentive

Administering Agency: Vermont Department of Forests, Parks, and Recreation

Purpose: The Use Value Appraisal Program (UVA), established in 1980, is arguably the most successful state program for conserving Vermont's working landscape. By achieving a greater equity in property taxes on undeveloped land, the program has kept agricultural and forest land in active production. Another key to the forest land program is the commitment to manage the land to a state-defined standard. With well over 1.5 million acres enrolled to date, roughly 40% of Vermont's eligible acreage is currently in the program.

Who Can Participate: Landowners of forest, agricultural, and conservation lands

How it Works: Vermont's Use Value Appraisal (UVA) Program, also called "Current Use" or "Land Use", enables landowners who practice long-term forest management to have their enrolled land appraised for property taxes based on its value for forestry, rather than its potential development value. When land is enrolled, the State attaches a permanent lien to the deed. Productive forestland appraised under this program receives this assessment as long as it is actively managed, unless the landowner decides to withdraw the land from the program, the legislature ends the program, or the parcel is discontinued by the Division of Property Valuation & Review. If enrolled forestland is developed or harvested improperly, a land use change tax is levied on the developed portion and all or a portion will be discontinued from Current Use.

To be enrolled, forestland must have an approved, forest management plan updated at ten year intervals. This document should clearly express the landowner's long-term forest management goals, describe forest stand conditions, silvicultural objectives, and include both a detailed map and schedule for silvicultural treatments. Upon expiration of a 10-year plan, the owner must file a new plan for the next succeeding 10 years to remain in the program.

Since the plan must assure that the land is being managed according to accepted forest standards, many landowners contract with private consulting foresters for developing, writing, and implementing the plan. County foresters who are employed by the State do not write use value plans. Their role is to advise landowners and consulting foresters, review and approve management plans and Forest Management Activity Reports, and to conduct on-site monitoring.

Contact: Wendy Richardson

Telephone and E-mail: 802-241-3678 and wendy.richardson@state.vt.us

Website: http://www.vtfrp.org/resource/for_forres_useapp.cfm

Statutory Reference: 32 V.S.A. § 3755. Eligibility for use value appraisals.

2. Water Source Protection Loan Program

Type of Program: Loan Program

Administering Agency: Vermont Department of Environmental Conservation

Purpose: To protect public water sources in Vermont through purchasing of land or establishing conservation easements.

Who Can Participate: Municipal Water Systems

How it Works: This loan is for purchasing land or conservation easements to protect public water sources and ensure compliance with state and federal drinking water standards. There must be an approved Source Protection Plan prior to the loan along with a hydrogeologically –

delineated source protection area. This loan is a 20-year loan with a 3% interest rate and maximum loan amount of \$200,000. Payments begin one year after loan disbursement.

Contact: Rodney Pingree and Bryan Redmond

Telephone and E-mail: 802-241-3418 and Rodney.pingree@state.vt.us; 802-241-3408 and bryan.edmond@state.vt.us

Website: <http://www.anr.state.vt.us/DEC/watersup/swapp.htm>

Application Deadline: Applications accepted on a continuing basis.

TABLE 3.1: VERMONT

STATE CONSERVATION AND INCENTIVES PROGRAM	Type of Program	Administering Agency	Contact Information	Website	Statutory Reference	Deadline
GRANT PROGRAMS						
1. Conservation of Land or Historic Resources of Statewide Significance	Loan and Grant Program	Vermont Housing and Conservation Board	802-828-3250 and info@vhcb.org	http://www.vhcb.org/naturalareaspolicy.html		March 5, April 5, July 19, and October 4, Annually
2. Local Conservation – Recreational or agricultural land, natural areas and historic properties	Loan and Grant Program	Vermont Housing and Conservation Board	802-828-3250 and info@vhcb.org	http://www.vhcb.org/localconservation.html		March 5, April 5, July 19, and October 4, Annually
3. Municipal Planning Grant (This grant is not scheduled for funding in 2011)	Grant Program	Vermont Department of Housing and Community Affairs	Wendy Tudor, 802-828-5249, wendy.tudor@state.vt.us	http://www.dhca.state.vt.us/Planning/GMS/OnlineApplication2010.htm		Date changes. Contact the program for availability of funds.
4. Vermont Watershed Grant Program	Grant Program	Vermont Department of Environmental Conservation	Rod Wentworth, 802-241-3709, rod.wentworth@state.vt.us; or Rick Hopkins, 802-241-3769, rick.hopkins@state.vt.us	http://www.vtwaterquality.org/lakes/htm/lp_watershedgrants.htm		Date changes. Contact the program for availability of funds.

TABLE 3.1: VERMONT

STATE CONSERVATION AND INCENTIVES PROGRAM	Type of Program	Administering Agency	Contact Information	Website	Statutory Reference	Deadline
FINANCIAL INCENTIVES						
1. Use Value Appraisal	Financial Incentive	Vermont Department of Forests, Parks, and Recreation	Wendy Richardson, 802-241-3678, wendy.richardson@state.vt.us	http://www.vtfpr.org/resource/for_forres_useapp.cfm	32 V.S.A. § 3755. Eligibility for use value appraisals	
2. Water Source Protection Loans	Loan Program	Vermont Department of Environmental Conservation	Rodney Pingree, 802-241-3418, Rodney.pingree@state.vt.us or Bryan Redmond, 802-241-3408, bryan.edmond@state.vt.us	http://www.anr.state.vt.us/DEC/watersup/swapp.htm		Applications accepted on a continuing basis.

IV. New Hampshire

New Hampshire has only grant programs to further land conservation in the state. Funding for these programs comes from a variety of sources. Funding for the Land and Community Heritage Investment Program, an independent state authority, comes from a fee on real estate transactions. The Aquatic Resources Mitigation Fund, a fund within the Department of Environmental Services, uses fees from developers who wish to develop wetlands. The funds collected from the fee go to wetland restoration projects of varying kinds. Finally, the conservation license plate is a state program designed to provide funding for land conservation programs.

Grant Programs

1. New Hampshire Land and Community Heritage Investment Program

Type of Program: Grant and Loan Program; Cost-share Program

Administering Agency: New Hampshire Land and Community Heritage Investment Program

Purpose: To conserve and preserve the state's most important natural, cultural, and historic resources through the acquisition of lands, and cultural and historic resources.

Who Can Participate: A municipality or other political subdivision of the state of New Hampshire.

How it Works: In September 2000, the New Hampshire Land & Community Heritage Investment Program (LCHIP) was formed. LCHIP is an independent state authority that makes matching grants to New Hampshire communities and non-profits to conserve the state's most important natural, cultural and historic resources. LCHIP receives an appropriation from the New Hampshire legislature for grant making. All appropriated funds go directly to projects. LCHIP funds will cover, on average, 20 percent of the project cost. LCHIP also receives \$6 from each sale of each conservation license plate (Moose Plate). Sixty percent of administrative costs are paid for through license plate funds and the remaining forty percent as interest earned from the Trust Fund.

Contact: Deborah Turcott

Telephone: 603-224-4113

Website: <http://www.lchip.org/default.asp>

Statutory Reference: RSA chapter 227-M.

Application Deadline: Opens – July 1, Closes – August 30, Annually.

2. Conservation License Plate Grant Programs

Type of Program: Grant Program

Administering Agency: State Conservation Committee

Purpose: The purpose of the Conservation Grant Program is to support and promote programs and partnerships throughout the state that protect, restore, and enhance the state's valuable natural resources. These grants can be used for physical and tangible environmental projects that foster stewardship and the sustainability of New Hampshire's natural environment.

Who Can Participate: County Conservation Districts, County Cooperative Extension Natural Resource Programs, Municipalities engaged in conservation programs, schools, scout groups, and other nonprofit entities engaged in conservation programs.

How it Works: Two tiers of funding are available 1) under \$5,000 and 2) \$5,000 and higher. Different applications procedures are required based on these two tiers. For the second tier, \$5,000 and higher, a sustainability plan, including provision for assessing the project's long-term value and viability must be included. Also required are a description of how the proposal meets the project ranking criteria and a public awareness program that shows how the project will foster a conservation ethic and heighten public awareness of conservation issues. Funds for the Conservation Grant Program are derived from the sale of conservation license plates, or "moose plates." Vehicle owners may voluntarily purchase conservation license plates for \$38 the first year, and \$30 in succeeding years. The Conservation Grant Program is one way that the voluntary contributions result in improved natural resource conservation in New Hampshire.

Contact: Dea Brickner-Wood

Telephone and E-mail: 603-868-6112 and bluesky24@comcast.net

Website: <http://www.nh.gov/scc/grants/index.htm>

Statutory Reference: RSA 261:97-c, III (Chapter 20:1, III Laws of 1998).

Application Deadline: October 3, Annually.

3. Water Supply Land Protection Grants (Currently there are no funds available)

Type of Program: Grant Program

Administering Agency: New Hampshire Department of Environmental Services

Purpose: To provide grant funds for the acquisition of land or conservation easements to assist in the protection of a community drinking water supply.

Who Can Participate: NH municipalities and non-profit 501(c)(3) organizations having water supply as a principal mission are eligible to apply. The land has to be within the Source Water Protection Area (SWPA) for a proposed or existing water supply (contact DES for assistance with that determination or utilize GRANIT's drinking water supply coverage layer) and it must be from a willing seller.

How it Works: The surest way to prevent contamination of drinking water is to control the land by acquisition or obtaining restrictive easements. Restrictive easements are agreements that prevent the landowner from developing or otherwise using the land in a way that might threaten groundwater. Since the 1800s, water suppliers in New Hampshire have purchased land to protect surface water supply reservoirs. The same strategy can work for groundwater. Unfortunately, cost is a major drawback. It is expensive to buy land and keep it undeveloped.

Contact: Holly Green and Sarah Pillsbury

Telephone and E-mail: 603-271-3114 and holly.green@des.nh.gov; 603-271-1168 and sarah.pillsbury@des.nh.gov

Statutory Reference: No reference.

Application Deadline: Contact the program for application deadlines.

4. Wildlife Habitat – Small Grants Program

Type of Program: Grant Program

Administering Agency: New Hampshire Fish and Game Department

Purpose: For restoring, sustaining, or enhancing wildlife habitat on privately owned land.

Who Can Participate: Owners of private, municipal, corporate or other non-governmental lands can apply for funds to implement habitat-improving practices.

How it Works: The N.H. Fish and Game Department has a Small Grants Program to help landowners with a minimum of 25 acres restore or enhance habitat for wildlife. Funding of up to

\$2,000 per year (no more than \$6,000 over a ten-year period) is available for the creation and/or maintenance of wildlife habitat within the property. Examples of projects that may qualify for funding include: brush clearing or mowing to maintain grasslands and shrub-lands; release of old apple trees; and maintenance of woodland openings. In exchange for the grant, landowners agree that their land will remain open for non-motorized public access activities, including hunting.

Contact: Charlie Bridges

Telephone and E-mail: 603-271-2461 and cbridges@wildlife.state.nh.us

Website: <http://www.wildnh.com/Wildlife/wildlife.htm>

Application Deadline: Contact the program for application deadlines.

TABLE 4.1: NEW HAMPSHIRE

STATE CONSERVATION AND INCENTIVES PROGRAM	Type of Program	Administering Agency	Contact Information	Website	Statutory Reference	Deadline
GRANT PROGRAMS						
1. New Hampshire Land and Community Heritage Investment Program (LCHIP)	Grant and Loan Program; Cost-share Program	New Hampshire Land and Community Heritage Investment Program (LCHIP)	Deborah Turcott, 603-224-4113, dturcott@lchip.org	http://www.lchip.org/default.asp	RSA chapter 227-M	Opens – July 1, Closes – August 30, Annually
2. Conservation License Plate Grant Program	Grant Program	New Hampshire State Conservation Committee	Dea Brickner-Wood, 603-868-6112, bluesky24@comcast.net	http://www.nh.gov/scc/grants/index.htm	RSA 261:97-c, III (Chapter 20:1, III Laws of 1998)	October 3, Annually
3. Water Supply Land Protection Grants (Currently there are no funds available)	Grant Program	New Hampshire Department of Environmental Services	Holly Green, 603-271-3114, holly.green@des.nh.gov and Sarah Pillsbury, 603-271-1168, sarah.pillsbury@des.nh.gov	http://des.nh.gov/organization/divisions/water/dwgb/dwspp/land_acqui/index.htm	None	Contact the program for application deadlines.
4. Wildlife Habitat - Small Grants Program	Grant Program	New Hampshire Fish and Game Department	Charlie Bridges, 603-271-2461 and cbridges@wildlife.state.nh.us	http://www.wildnh.com/Wildlife/wildlife.htm	None	Contact the program for application deadlines.

V. *New York*

The bulk of *state* funding for land conservation is allocated to purchasing open space for water quality protection through state agencies. All these programs are grant programs and are primarily funded by the state Environmental Protection Fund. The Environmental Protection Fund was specifically created to fund initiatives within the New York State Open Space Plan and is financed through real estate transfer taxes and revenue from New York State bluebird license plates. In 2009, approximately \$58 million was appropriated to this fund and \$17 million was dedicated to purchasing lands. Another common avenue for conservation within the state is at the local municipal level. Municipalities have adopted either a mortgage transfer tax, county-wide sales tax, or real-estate transfer tax through ballot measures that benefit local programs for land acquisition, or preservation of open space. While these measures should operate within the parameters of the New York State Open Space Plan, there is no process or incentive to ensure that they do so.

Grant Programs

1. Habitat/Access Stamp Funding Program

Type of Program: Grant Program

Administering Agency: New York State Department of Environmental Conservation (DEC)

Purpose: To provide funding through reimbursement for fish and wildlife habitat management and the improvement and development of public access for hunting, fishing, trapping and other fish and wildlife related recreation and study.

Who Can Participate: Eligible recipients include municipalities, non-profit organizations, and private landowners applying through a municipality or non-profit organization.

How it Works: Projects are eligible anywhere within the political boundaries of New York State. Projects are grouped within New York State Department of Environmental Conservation regional boundaries for review and award purposes. The Department reserves the right to equally distribute funding between each of the 9 DEC Regions, and also reserves the right to award a portion of the available funds or none of the funding if it is in the best interest of the State to do so. Grants are available in two categories:

- 1) Fish and wildlife habitat management and/or improvement
- 2) Access projects which provide access to hunting, fishing, trapping or other fish and wildlife related recreation and study.

Projects deemed eligible for Federal Sportfish and Wildlife Restoration Funding will not be considered for this grant program. Reimbursement funding will be available for three years from the date of the official notification by the Department of a grant award. Extension of the funding period will only be made with the approval of the Director of the Division of Fish, Wildlife, and Marine Resources (Director). The Director may request whatever information is necessary to make such an approval. Although the Department does not limit an applicant's total project cost, grants will be awarded for a minimum of \$1,500 and will not exceed a maximum of \$15,000. Grant funding will be distributed on a reimbursement basis only. Due to the limited amount of grant money available for this program, additional weight will be given to eligible projects requiring the least amount of grant funding. The Department anticipates a total allocation of \$100,000 to be available from State fiscal year 2006-07 funds for this grant program. Matching funds are not required. State assistance may reimburse up to 100 percent

(not to exceed the maximum grant amount of \$15,000) of the eligible, approved project costs. Project scoring will consider economic factors such as additional funding supplied by project participants.

Contact: Gerald Barnhart

Telephone and E-mail: 518-402-8845 and fwinfo@gw.dec.state.ny.us

Website: http://www.dec.ny.gov/docs/wildlife_pdf/hsappins.pdf

Application Deadline: Varies, contact the program for deadline information.

Statutory Reference: None.

2. Hudson River Estuary Grant Program

Type of Program: Grant Program

Administering Agency: New York State Department of Environmental Protection

Purpose: The Estuary Program protects and improves the natural and scenic Hudson River watershed for all its residents. The program was created in 1987 and extends from the Troy dam to upper New York harbor.

Who Can Participate: Funding for municipalities and not-for-profits to complete projects that carry out the Action Agenda goals for restoring the Hudson and the human uses it supports.

How it Works: The Estuary Grants were created to help fulfill those goals of the Hudson River Estuary Action Agenda that can be implemented most effectively by municipalities, not-for-profit organizations, and other local partners. Estuary grants are offered in five categories:

- Community Interpretive Centers and Education
- Open Space Planning and Acquisition
- Community-based Habitat Conservation and Stewardship
- Watershed Planning and Implementation
- Hudson River Access

The application changes every year, so it's best to contact the agency for additional information.

Contact: No name provided.

Telephone and E-mail: 845-256-3016 or 518-402-8996 and hrep@gw.dec.state.ny.us

Website: <http://www.dec.ny.gov/lands/5091.html>

Application Deadline: Varies, contact the program for deadline information.

Statutory Reference: None.

3. Hudson River Valley Greenway Communities Grant Program

Type of Program: Grant Program

Administering Agency: Hudson River Valley Greenway Communities Council

Purpose: To preserve, enhance, and develop the world-renowned scenic, natural, historic, cultural and recreational resources of the Hudson River Valley, that is also consistent with economic development goals and the tradition of municipal home rule.

Who Can Participate: Municipalities

How it Works: This program provides financial and technical assistance to municipalities located within the designated Greenway Area who share the Greenway goals and objectives, listed on the website. Only municipalities that have passed a local resolution to become a Greenway Community are eligible. Funding provided through these grants are approximately \$5,000 - \$10,000 and are awarded for no more than 50% of the total project cost (for example, a \$10,000 project would be awarded no more than \$5,000). Grants work on a reimbursement basis, therefore the municipality or organization must pay the cost up front and then submit vouchers to the Greenway to be reimbursed. Communities can undertake a variety of projects as a

Greenway Community under this program. The following is a general list of projects that may be funded or provided technical assistance and is intended to provide only general guidance for applicants:

- Community Planning (Comprehensive plans, zoning and subdivision ordinances, site plans.)
- Economic Development (Enhance tourism, agriculture protection plans and implementation techniques, main street and waterfront revitalization plans and implementation techniques)
- Natural Resource Protection (Natural resource inventories and management plans, critical environmental area designations, natural resource protection ordinances) - Cultural Resource Protection (Cultural resource inventories, historic preservation plans/ordinances)
- Scenic Resource Protection (Viewshed analysis, scenic impact review guidelines, scenic road protection, development of scenic easement programs)
- Open Space Protection (Open space inventories, comprehensive open space, recreation and trails plans, development of conservation easement programs, transfer of development rights ordinances)

Projects must be located in the designated Greenway Area, which includes the municipalities located within the following counties: Albany, Columbia, Dutchess, Orange, Putnam, Rensselaer, Rockland Saratoga, Ulster and Westchester; municipalities in Greene County outside of the Catskill Park; and the Hudson River waterfront in the Bronx and New York counties. A work program for each phase of funding, with projected costs and an estimated timeline for completion, must be submitted and approved by the Greenway Council Board prior to the awarding of any grant funding. If a project involves the development of a plan or similar product, final disbursement of funding will not be made until the plan is completed in final form and adopted by the governing body of the relevant municipality. Intermunicipal collaboration projects (those that involve two or more municipalities) will rate higher than single-community projects.

Contact: No contact listed.

Telephone and E-mail: 518-473-3835 and no e-mail listed.

Website: <http://www.hudsongreenway.state.ny.us/GrantFunding/GrantsOverview.aspx>

Application Deadline: Application deadlines vary from year to year.

Statutory Reference: None.

TABLE 5.1: NEW YORK

STATE CONSERVATION AND INCENTIVES PROGRAM	Type of Program	Administering Agency	Contact Information	Website	Statutory Reference	Deadline
GRANT PROGRAMS						
1. Habitat/Access Stamp Funding Program	Grant Program	New York State Department of Environmental Conservation	Gerald Barnhard, 518-402-8845 and fwinfo@gw.dec.state.ny.us	http://www.dec.ny.gov/docs/wildlife_pdf/hsappins.pdf	None	Varies, contact the program for deadline information.
2. Hudson River Estuary Grant Program	Grant Program	New York State Department of Environmental Protection	No name provided, 845-256-3016 or 518-402-8996 and hrep@gw.dec.state.ny.us	http://www.dec.ny.gov/lands/5091.html	None	Varies, contact the program for deadline information.
3. Hudson River Valley Greenway Communities Grant Program	Grant Program	Hudson River Valley Greenway Communities Council	No name provided, 845-256-3016 or 518-402-8996 and hrep@gw.dec.state.ny.us	http://www.hudsongreenway.state.ny.us/GrantFunding/GrantsOverview.aspx	None	Application deadlines vary from year to year.

VI. Massachusetts

The major source of state funding for Massachusetts conservation programs comes from an Environmental Bond Bill, a state legislature (general obligation) authorization bill. The 2008-2013 Environmental Bond Bill allocates \$1.675 billion to various land and natural resource development programs throughout the state. Whatever funding is allocated to a program must be paid back in 30 years. Recent legislatures have developed and formalized a cap for the bond, which is currently calculated for each individual program. Individual programs approach the state budget office with a written debt analysis and list of projects in need of funding, and the state assigns a cap to the size of the loan the program can receive for each project.

Land Acquisition Programs

1. Massachusetts Local Acquisitions for Natural Diversity (MA LAND) Program

Type of Program: Grant Program

Administering Agency: Executive Office of Energy and Environmental Affairs

Purpose: Provides funding to assist municipal conservation commissions in acquiring land or conservation restrictions suitable for conservation purposes.

Who Can Participate: Municipal conservation commissions with an approved Open Space and Recreation Plan on file with the Division of Conservation Services.

How it Works: The Self Help Grant Program is now known as the Massachusetts Local Acquisitions for Natural Diversity Program. The program was established in 1961 to assist municipal conservation commissions acquiring land for natural resource (wildlife, habitat, trails) and passive outdoor recreation purposes (hiking, fishing, hunting). Access by the general public is required. This state program pays for the acquisition of land, or a partial interest (such as a conservation restriction), and associated acquisition costs such as appraisal reports and closing costs. Funds are derived from bond expenditures.

Contact: Celia Riechel

Telephone and E-mail: 617-626-1187 and celia.riechel@state.ma.us

Website:[http://www.mass.gov/?pageID=eoeeterminal&L=4&L0=Home&L1=Grants+%26+Technical+Assistance&L2=Grant+%26+Loan+Programs&L3=Division+of+Conservation+Services+\(DCS\)&sid=Eoeea&b=terminalcontent&f=eea_dcs_dcs_grant_programs&csid=Eoeea](http://www.mass.gov/?pageID=eoeeterminal&L=4&L0=Home&L1=Grants+%26+Technical+Assistance&L2=Grant+%26+Loan+Programs&L3=Division+of+Conservation+Services+(DCS)&sid=Eoeea&b=terminalcontent&f=eea_dcs_dcs_grant_programs&csid=Eoeea)

Statutory Reference: 301 CMR 5.00

Application Deadline: Date changes. Contact the program for availability of funds.

2. Drinking Water Source Protection Program (DWSP)

Type of Program: Grant Program

Administering Agency: Massachusetts Department of Environmental Protection

Purpose: To protect drinking water quality by acquiring land, or conservation restrictions.

Who Can Participate: Eligible applicants include all municipalities, as well as public water systems established by a legislative act to provide drinking water to the public.

How it Works: This grant program enables eligible communities and public water systems to acquire land to protect public drinking water quality. Proposed land projects must be located in MassDEP approved drinking water supply protection zones. Proposed land areas may be acquired through outright purchase or through a conservation restriction. The anticipated available funding for the FY11 grant round is \$500,000. The maximum grant award for a single

application is \$100,000. The maximum reimbursement amount is 75% of the total project cost. Final grant awards are contingent upon funding.

Contact: Catherine Hamilton

Telephone and E-mail: 617-556-1070 and Catherine.sarafinas@state.ma.us

Website: <http://www.mass.gov/dep/water/dwgrant.htm>

Application Deadline: Date changes. Contact the program for availability of funds.

Grant Programs

1. Conservation Partnership Grant Program

Type of Program: Grant Program

Administering Agency: Executive Office of Energy and Environmental Affairs

Purpose: Financially assists non-public, not-for-profit corporations in acquiring or receiving a gift donation of land or conservation restriction for conservation or recreation purposes.

Who Can Participate: Non-profit organizations (IRS 501 (c)(3)) that have been formed for one of the purposes described in Section 4 of Chapter 180 of the General Laws of Massachusetts. Municipalities are not eligible for funding.

How it Works: The Conservation Partnership Grant Program is a component of the Administration's goal of biodiversity conservation. The program is part of an overall effort to protect undeveloped lands, unique ecosystems, rare species and Priority Habitats, and working lands, and to preserve the Commonwealth's rich natural heritage for the future. This program provides reimbursements to non-profit organizations for up to 50% for a single conservation project. There are two types of eligible projects: 1) land or conservation restriction purchased by an eligible applicant and 2) due diligence costs for acquisitions or gifts to an eligible applicant. Contract awards for both types of projects are not to exceed 50% of the estimated total project cost, and 100% of the reimbursable (under contract) expenses, with a maximum grant request and award of \$85,000. Applicants must submit an appraisal, the estimated total project cost, and a specific grant request as part of the application package.

Contact: Celia Riechel

Telephone and E-mail: 617-626-1187 and celia.riechel@state.ma.us

Website:[http://www.mass.gov/?pageID=eoeceaternal&L=4&L0=Home&L1=Grants+%26+Technical+Assistance&L2=Grant+%26+Loan+Programs&L3=Division+of+Conservation+Services+\(DCS\)&sid=Eoecea&b=terminalcontent&f=eea_dcs_dcs_conserv_partner_grant&csid=Eoecea](http://www.mass.gov/?pageID=eoeceaternal&L=4&L0=Home&L1=Grants+%26+Technical+Assistance&L2=Grant+%26+Loan+Programs&L3=Division+of+Conservation+Services+(DCS)&sid=Eoecea&b=terminalcontent&f=eea_dcs_dcs_conserv_partner_grant&csid=Eoecea)

Statutory Reference: 815 CMR 2.00

Application Deadline: Date changes. Contact the program for availability of funds.

2. Forest Stewardship Planning Grants for Private and Town Forestlands

Type of Program: Reimbursement Grant Program

Administering Agency: Department of Conservation and Recreation

Purpose: To provide funding for preparing new forest stewardship plans and upgrading existing plans for the purpose of enrolling in a Green Certification program.

Who Can Participate: Privately owned woodlands of 10 acres or more (7 of which must be wooded), that are not currently enrolled in Forest Stewardship or Chapter 61, 61A or 61B programs, and which do not have a permanent conservation easement recorded on the property. Eligible private landowners include individuals, land trusts, clubs (i.e. hunting and fishing clubs), limited liability companies (LLC's), associations, and corporate entities. Municipally owned

forest land parcels of 25 acres or more that are not permanently protected are also eligible. Leaseholders are eligible as well.

How it Works: This is a reimbursement program for preparing new forest stewardship plans, or upgrading existing plans. Through this initiative, woodland owners as well as consulting foresters will have the ability to access funding or information for a spectrum of needs, such as carbon sequestration credits, estate planning, and green certification.

Contact: Michael Downey, or Douglas Hutcheson

Telephone: 413-442-8928 x 135, or 413-237-9713

Website: <http://www.mass.gov/dcr/stewardship/forestry/service/steward.htm>

Application Deadline: Date changes. Contact the program for availability of funds.

3. Urban Forest Planning and Education Grants

Type of Program: Grant Program

Administering Agency: Department of Conservation and Recreation

Purpose: Work to involve the community in the management of all a municipality's or region's "green infrastructure" in order to maximize social, economic and environmental quality.

Who Can Participate: All local government and nonprofit 501(c)(3) organizations. Local tree departments and citizen tree groups are specifically encouraged to apply.

How it Works: These are 50-50 matching grants offered to municipalities and non-profit groups in Massachusetts communities for the purpose of building local capacity for urban and community forestry at the local and regional level. This grant is not new, but a combination of previous grant opportunities (Mass ReLeaf, Planning and Education, and Heritage Grants). The format has been changed in an effort to streamline the grant process for applicants and better target limited resources.

Contact: Jane Calvin, Paul Jahnige, and Eric Seaborn

Telephone and E-mail: 617-626-1456 and Urbanforestry@propseed.net; 413-577-2966 and Paul.Jahnige@state.ma.us; 617-626-1468 and Eric.Seaborn@state.ma.us

Website: <http://www.mass.gov/dcr/stewardship/forestry/urban/urbanGrants.htm>

Application Deadline: Full Proposals are due (postmarked on or before) May 1 and November 1. Intent to Apply forms are due a minimum of one month before these dates, and preferably two months.

4. Buzzards Bay Watershed Municipal Mini-grant Program

Type of Program: Grant Program

Administering Agency: Buzzards Bay National Estuary Program

Purpose: Provides technical assistance to Buzzards Bay municipalities in their efforts to protect and restore water quality and living resources in Buzzards Bay and its surrounding watershed.

Who Can Participate: Eligible municipalities include Fall River, Wetport, Dartmouth, New Bedford, Acushnet, Fairhaven, Rochester, Mattapoisett, Marion, Wreham, Middleborough, Carver, Plymouth, Bourne, Falmouth, and Gosnold. Specific restoration and protection projects must lie principally within the Buzzards Bay watershed.

How it Works: This is a grant program through the Buzzards Bay National Estuary Program in the Massachusetts Office of Coastal Zone Management (CZM). Funding is available to assist eligible Buzzards Bay watershed municipalities to protect open space, rare and endangered species habitat, and freshwater and saltwater wetlands, by restoring tidally restricted salt marshes, to develop designs and remediate stormwater discharges threatening water quality, to provide support for mapping stormwater drainage networks, to construct pump-out facilities, to update town parcel data, to digitize wetland boundaries approved in permits, to assist in the monitoring

of water quality to prioritize stormwater remediation, to address problems in migratory fish passage, and to implement other recommendations contained in the watershed management plan for Buzzards Bay. This work is being conducted in accordance with a Cooperative Agreement with the US EPA.

Contact: Sarah Williams

Telephone and E-mail: 508-291-3625 x13 and sarah.williams@state.ma.us

Website: <http://www.buzzardsbay.org/funding.htm>

Application Deadline: Date changes. Contact the program for availability of funds.

5. Riverways Program Grants for River Restoration and Revitalization Priority Projects (Funding currently not available)

Type of Program: Grant Program

Administering Agency: Division of Ecological Restoration, Massachusetts Department of Fish and Game.

Purpose: To restore and protect the health and integrity of the Commonwealth's rivers, wetlands, and watersheds for the benefit of people, fish, and wildlife.

Who Can Participate: Open to public agencies and 501(c)(3) certified non-profit organizations, including, but not limited to state agencies, cities and towns, regional planning agencies, watershed organizations, and land trusts for work on selected priority projects.

How it Works: Funds are intended to further the goals of the DFG by restoring the ecological integrity of rivers and streams throughout the Commonwealth working in partnership with federal, state, and municipal governments, watershed associations and other organizations. Riverways supports sustainable river restoration projects that restore natural processes, remove ecosystem stressors, increase the resilience of the ecosystem; support riverine habitat, promote passage of fish and wildlife through dam and other barrier removal. Support is also provided for urban stream revitalization projects that improve the inter-connection between water quality, aquatic ecology, physical river structure and land use, taking into consideration the social, cultural and economic landscape.

Contact: Nick Wildman

Telephone: 617-626-1527

Website: <http://www.mass.gov/dfwele/der/index.htm>

Conservation Easement Program

1. The Agricultural Preservation Restriction Program

Type of Program: Easement Program

Administering Agency: Massachusetts Department of Agricultural Resources

Purpose: Seeks to preserve and protect agricultural land, including designated farmland soils, from urban development and any activity that would not support the land's agricultural uses and potential.

Who Can Participate: The program offers a non-development alternative to farmers and other owners of "prime" and "state important" agricultural land who are faced with a decision regarding future use.

How it Works: This program funded through legislative appropriation and implemented through the Department of Agricultural Resources is a voluntary program that offers to pay farmland owners the difference between the "fair market value" of their land and the "agricultural value" in exchange for a permanent deed restriction that ensures the owner maintain the land's agricultural viability.

Contact: Ron Hall, APR Program Coordinator

Telephone and E-mail: 617-626-1718 and Ronald.Hall@state.ma.us

Website: <http://www.mass.gov/agr/landuse/APR/index.htm>

Statutory Reference: c. 20, §§ 23 through 26, and c. 184, §§ 31 and 32, Massachusetts General Law.

Financial Incentives

1. Conservation Tax Credits

Type of Program: Tax Incentive

Administering Agency: State of Massachusetts

Purpose: This tax credit provides a financial incentive through an Environmental Bond to preserve land, rather than develop it.

Who Can Participate: Private Landowners

How it Works: In January 2009, a bill was signed establishing a law for a state income tax credit for landowners who voluntarily donate qualifying conservation land to a municipality, the state or a nonprofit conservation organization. This initiative will go into effect in 2011. Lands that qualify include those that protect drinking water supplies, wildlife habitat, scenic vistas, and those that contribute to the tourism, agricultural and forest product industries. The tax credit is valued at 50% of the appraised fair market value of the land, however there are some limitations. A tax credit is limited to \$50,000 per gift and it cannot exceed the donor's annual state income tax liability, but may be carried forward for 10 consecutive years. In addition, a cap is in place that limits the tax credits granted each year at no more than \$2 million.

Website: <http://www.mass.gov/legis/laws/seslaw08/sl080509.htm>

Statutory Reference: Chapter 509 of the Acts of 2008.

2. Community Preservation Act (CPA)

Type of Program: Financial Incentive, Cost-share program

Administering Agency: State of Massachusetts

Purpose: The Community Preservation Act is a tool to help communities preserve open space and historic sites, and create affordable housing and recreational facilities.

Who Can Participate: The Community Preservation Act is statewide enabling legislation to allow cities and towns to exercise control over local planning decisions.

How it Works: The CPA is a law that allows cities and towns in Massachusetts to raise local property taxes to acquire and protect open space, preserve historic buildings and landscapes, and create and maintain affordable housing. It also provides significant state matching funds – an estimated \$26 million annually – to participating communities. In order for a municipality to qualify for state matching funds, Town Meeting or City Council must vote place a property tax surcharge of no more than 3 percent on the ballot. Alternatively, CPA may be placed on the ballot through a petition signed by at least 5 percent of the city or town's registered voters. Once CPA is placed on the ballot, local voters must approve it. Participating cities and towns can opt out of CPA after five years and end the surcharge. The law went into effect December, 2000.

Contact: Stuart Saginor, Executive Director

Telephone: 617-367-8998

Website: <http://www.communitypreservation.org/index.cfm>

Statutory Reference: M.G.L ch.44B.

TABLE 6.1: MASSACHUSETTS

STATE CONSERVATION AND INCENTIVES PROGRAM	Type of Program	Administering Agency	Contact Information	Website	Statutory Reference	Deadline
LAND ACQUISITION PROGRAMS						
1. MA Local Acquisitions for Natural Diversity (MA LAND) Program	Grant Program	Executive Office of Energy and Environmental Affairs	Celia Riechel 617-626-1187 celia.riechel@state.ma.us	http://www.mass.gov/?pageID=eoeceaterminal&L=4&L0=Home&L1=Grants+%26+Technical+Assistance&L2=Grant+%26+Loan+Programs&L3=Division+of+Conservation+Services+(DCS)&sid=Eoea&b=terminalcontent&f=eea_dcs_dcs_grant_programs&csid=Eoea	301 CMR 5.00	Date changes. Contact the program for availability of funds.
2. Drinking Water Source Protection Program (DWSPP)	Grant Program	Massachusetts Department of Environmental Protection	Catherine Hamilton 617-556-1070 Catherine.sarafinas@state.ma.us	http://www.mass.gov/dep/water/dwgrant.htm		Date changes. Contact the program for availability of funds.
GRANT PROGRAMS						
1. Conservation Partnership Grant Program	Incentive Program	Executive Office of Energy and Environmental Affairs	Celia Riechel 617-626-1187 celia.riechel@state.ma.us	http://www.mass.gov/?pageID=eoeceaterminal&L=4&L0=Home&L1=Grants+%26+Technical+Assistance&L2=Grant+%26+Loan+Programs&L3=Division+of+Conservation+Services+(DCS)&sid=Eoea&b=terminalcontent&f=eea_dcs_dcs_conserv_partner_grant&csid=Eoea	815 CMR 2.00	Date changes. Contact the program for availability of funds.

TABLE 6.1: MASSACHUSETTS

STATE CONSERVATION AND INCENTIVES PROGRAM	Type of Program	Administering Agency	Contact Information	Website	Statutory Reference	Deadline
<p>2. Forest Stewardship Planning Grants for Private and Town Forestlands</p>	<p>Grant Program</p>	<p>Department of Conservation and Recreation</p>	<p>Michael Downey, or Douglas Hutcheson 413-442-8928 x 135, or 413-237-9713</p>	<p>http://www.mass.gov/dcr/stewardship/forestry/service/steward.htm</p>		<p>Date changes. Contact the program for availability of funds.</p>
<p>3. Urban Forest Planning and Education Grants</p>	<p>Grant Program</p>	<p>Department of Conservation and Recreation</p>	<p>Jane Calvin, 617-626-1456, Urbanforestry@propseed.net; Paul Jahnige, 413-577-2966, Paul.Jahnige@state.ma.us; and Eric Seaborn, 617-626-1468, Eric.Seaborn@state.ma.us</p>	<p>http://www.mass.gov/dcr/stewardship/forestry/urban/urbanGrants.htm</p>		<p>Full Proposals are due (postmarked on or before) May 1 and November 1. Intent to Apply forms are due a minimum of one month before these dates, and preferably two months.</p>
<p>4. Buzzards Bay Watershed Municipal Minigrant Program</p>	<p>Grant Program</p>	<p>Buzzards Bay National Estuary Program</p>	<p>Sarah Williams, 508-291-3625 x13, sarah.williams@state.ma.us</p>	<p>http://www.buzzardsbay.org/funding.htm</p>		<p>Date changes. Contact the program for availability of funds.</p>

TABLE 6.1: MASSACHUSETTS

STATE CONSERVATION AND INCENTIVES PROGRAM	Type of Program	Administering Agency	Contact Information	Website	Statutory Reference	Deadline
5. Riverways Program Grants for River Restoration and Revitalization Priority Projects	Grant Program	Division of Ecological Restoration, Massachusetts Department of Fish and Game	Nick Wildman, 617-626-1527	http://www.mass.gov/dfwele/der/index.htm		
CONSERVATION EASEMENT PROGRAM						
1. The Agricultural Preservation Restriction Program	Easement Program	Department of Agricultural Resources	Ron Hall, 617-626-1718, Ronald.Hall@state.ma.us	http://www.conservationalmanac.org/secure/almanac/newengland/ma/programs.html	c. 20, §§ 23 through 26, and c. 184, §§ 31 and 32, Massachusetts General Law	
FINANCIAL INCENTIVES						
1. Conservation Tax Credits	Tax Incentive	State of Massachusetts		http://www.mass.gov/legis/laws/seslaw08/sl080509.htm	Chapter 509 of the Acts of 2008	
2. Community Preservation Act (CPA)	Financial Incentive, Cost-share program	State of Massachusetts		http://www.communitypreservation.org/index.cfm	M.G.L ch.44B	

VII. Rhode Island

The majority of the state funding available for the grant programs in Rhode Island comes from the state Department of Environmental Management through the Watershed Restoration Fund. As of 2004, a portion of this fund was devoted to the creation of an Open Space Bond. Funds for the bond are allocated to programs for open space and watershed restoration and development. The Oil Spill Prevention and Response Fund (OSPAR) finances the Coastal and Estuarine Habitat Restoration Trust Fund using a per-barrel fee on petroleum products. While the funds given to each program from this petroleum fee are small in comparison to the Open Space Bond, they are a reliable source of funding. The Rhode Island Coastal Resources Management Council (CRMC) is allocated \$250,000 annually from this petroleum fee, all of which is then re-issued through grant projects.

Grant Programs

1. Open Space and Recreational Development – Land Acquisition

Type of Program: Grant Program funded by Open Space, Recreation, Bay and Watershed Protection Bonds

Administering Agency: Department of Environmental Management (DEM), State Land Conservation and Acquisition Program

Purpose: The primary purpose of this program is the preservation of open space that possesses natural, ecological, agricultural or scenic values, by purchase of fee title or, development rights, or conservation easements.

Who Can Participate: The applicant must be either a municipality, land trust, non-profit organization or a charitable trust in Rhode Island, or a private non-profit organization in another state or the District of Columbia among whose purposes is the preservation of open space.

How it Works: Grants are made available through state referendum bonds on a matching basis for open space and recreational land preservation consistent with the state guide plan and local comprehensive plan. Grants are for 50 percent of approved project costs, with a maximum award of \$250,000. Funds are available for the acquisition of open space through the purchase of fee title lands, or conservation easements. The property must be open, with no man-made structures to be maintained, and have a scenic, natural, agricultural or ecological value. In addition, an approved "Management Plan" is required that outlines appropriate procedures and requirements to preserve the land in perpetuity.

Costs associated with the acquisition of the property or interests in land are eligible for reimbursement and include appraisal, survey, title search and title insurance expenses. All such costs must be incurred after a grant application has been approved or after the applicant has received a waiver from the DEM allowing such costs to be incurred in advance of the project approval.

Contact: Lisa Primiano

Telephone and E-mail: 401-222-2776 and lisa.primiano@dem.ri.gov

Website: <http://www.dem.ri.gov/programs/bpoladm/plandev/grants.htm>

Application Deadline: Applications for Open Space Grant awards must be filed within the prescribed period established by the Natural Heritage Preservation Commission.

Statutory Reference: Adopted Pursuant to Chapters 42-35 and 42-17.5 of the Rhode Island General Laws of 1956, as amended.

2. Rhode Island State Coastal and Estuarine Habitat Restoration Program and Trust Fund

Type of Program: Grant Program

Administering Agency: Rhode Island Coastal Resources Management Council

Purpose: To restore ecological function to a coastal area that has been degraded by human impacts.

Who Can Participate: Cities and towns, any committee, board, or commission chartered by a city or town, non-profit corporations, civic groups, educational institutions, and state agencies.

How it Works: This fund was established from the Oil Spill Prevention, Administration and Response Fund (OSPAR) and seeks projects that restore coastal and estuarine habitats including seagrass beds, salt marshes and river systems. The OSPAR Fund was created in 1996 in the aftermath of the environmentally devastating North Cape oil spill. The fund was created, and is continually supported, by the assessment of a \$.05 per barrel fee on petroleum products received at marine terminals in Rhode Island. To receive funding from this fund applicants are expected to provide information on the type of restoration initiative to take place, the historical impact to the site, the natural resources benefited and impacted (target species), any physical, ecological, biological, cultural/historical, geological and survey data collected to date, a site map, any available photography and photographs of the site, preliminary restoration drawings, maps and engineering plans, and proof of property owner permission for the restoration activity to take place.

Contact: Caitlin Chaffee

Telephone and E-mail: 401-783-3370 and cchaffee@crmc.ri.gov

Website: <http://www.crmc.ri.gov/habitatorrestoration/HabRestStrategy.pdf>

Application Deadline: Contact the Rhode Island Coastal Resources Management Council for exact dates.

Statutory Reference: RIGL §46-23.1-3.

3. Narragansett Bay and Watershed Restoration Bond Fund

Type of Program: Grant Program funded by the Open Space, Recreation, Bay and Watershed Protection Bonds

Administering Agency: Department of Environmental Management

Purpose: Provides grants on a matching basis to restore and protect the water quality and enhance the economic viability and environmental sustainability of Narragansett Bay and the State's watersheds.

Who Can Participate: State and local agencies, nonprofit organizations and other nongovernmental entities.

How it Works: This program provides funding assistance for the feasibility analysis, design, construction and /or rehabilitation of nonpoint source water pollution control facilities, including stormwater pollution control projects, and riparian buffer restoration projects. In order to achieve its goal the monies from this fund are apportioned between three sub-funds: the Governmental Entities Nonpoint Sources Water Pollution Control Fund, the Non-Governmental Nonpoint Source Water Pollution Control Fund and the Riparian Buffer Restoration Fund. Applicants must be able to match at least fifty percent of eligible costs. At the

Director's discretion, a grant for up to seventy five percent of eligible costs may be awarded to those applicants whose proposed projects implements a TMDL recommendation.

Contact: Betsy Drake

Telephone and E-mail: 401-222-4700 and Betsy.Drake@dem.ri.gov

Website: www.dem.ri.gov/pubs/regs/regs/water/nbwsrbf2.pdf

Application Deadline: Contact the Department of Environmental Management.

Statutory Reference: R.I. Gen. Laws Sections 42-17.1-2(s), 46-12-24 and 46-12-24.1, and adopted pursuant to the procedures set forth in R.I. Gen. Laws Chapter 42-35, as amended.

Financial Incentives

1. Public Drinking Water Protection or "Penny per Hundred Program" (Funding currently not available)

Type of Program: Financial Incentive

Purpose: To protect the quality of the public drinking water supply through land acquisition

Administering Agency: Rhode Island Water Resources Board

Who Can Participate: Municipal water suppliers

How it Works: This program is often referred to by municipal water suppliers as the "penny per hundred" program. For every one hundred gallons of water delivered [by major water suppliers] one cent is collected and set aside for land acquisition or for water quality improvement projects. Each water supplier participating in this program must spend a minimum of 55% for land acquisition - the primary protection activity.

Contact: William Riverso

Telephone and E-mail: 401-222-1450 x2054 and will.riverso@wrb.ri.gov

Website: http://www.wrb.state.ri.us/program_pdwp.htm

Statutory Reference: TITLE 46 Waters and Navigation CHAPTER 46-15.3 Public Drinking Water Supply System Protection SECTION 46-15.3-10.

TABLE 7.1: RHODE ISLAND

STATE CONSERVATION AND INCENTIVES PROGRAM	Type of Program	Administering Agency	Contact Information	Website	Statutory Reference	Deadline
GRANT PROGRAMS						
1. Open Space and Recreational Development - Land Acquisition	Grant Program funded by the Open Space, Recreation, Bay and Watershed Protection Bonds	Department of Environmental Management, State Land Conservation and Acquisition Program	Lisa Primiano; 401-222-2776 and lisa.primiano@dem.ri.gov	http://www.dem.ri.gov/programs/bpoladm/plandev/grants.htm	Adopted Pursuant to Chapters 42-35 and 42-17.5 of the Rhode Island General Laws of 1956, as amended	Applications for Open Space Grant awards must be filed within the prescribed period established by the Natural Heritage Preservation Commission.
2. Rhode Island State Coastal and Estuarine Habitat Restoration Program and Trust Fund	Grant Program	Rhode Island Coastal Resources Management Council	Caitlin Chaffee; 401-783-3370 and cchaffee@crmc.ri.gov	http://www.crmc.ri.gov/habitatoration/HabRestStrategy.pdf	RIGL §46-23.1-3	Contact the Rhode Island Coastal Resources Management Council for exact dates.
3. Narragansett Bay and Watershed Restoration Bond Fund	Grant Program funded by the Open Space, Recreation, Bay and Watershed Protection Bonds	Rhode Island Water Resources Board	Betsy Drake; 401-222-4700 and Betsy.Drake@dem.ri.gov	www.dem.ri.gov/pubs/regs/regs/water/nbwsrbf2.pdf	R.I. Gen. Laws Sections 42-17.1-2(s), 46-12-24 and 46-12-24.1, and adopted pursuant to the procedures set forth in R.I. Gen. Laws Chapter 42-35, as amended	Contact the Department of Environmental Management.

TABLE 7.1: RHODE ISLAND

STATE CONSERVATION AND INCENTIVES PROGRAM	Type of Program	Administering Agency	Contact Information	Website	Statutory Reference	Deadline
FINANCIAL INCENTIVES						
1. Public Drinking Water Protection or “Penny per Hundred Program” (Funding currently not available)	Financial Incentive	Department of Environmental Management	William Riverso; 401-222-1450x2054 and will.riverso@wrb.ri.gov	http://www.wrb.state.ri.us/program_pdw.p.htm	TITLE 46 Waters and Navigation CHAPTER 46-15.3 Public Drinking Water Supply System Protection SECTION 46-15.3-10	

VIII. Connecticut

Many of the conservation programs in Connecticut are funded through the Community Investment Act. With the passage of the act, a \$30 recording fee is collected for all municipal land records including deeds, mortgages, condominium declarations, name change certificates and notices of variances. Four dollars of each \$30 fee collected is distributed to town clerks for administrative fees and to local governments to help fund capital improvement projects. The remaining portion (\$26) is submitted to the state for deposit into its land protection, affordable housing and historic preservation account, which is distributed equally among the Commission on Culture and Tourism (which includes historic preservation), the Housing Finance Authority, the Department of Environmental Protection and the Department of Agriculture.

Land Acquisition Programs

1. Recreation and Natural Heritage Trust Program

Type of Program: Land Acquisition Program

Administering Agency: Department of Environmental Protection (DEP)

Purpose: To expand the state's system of parks, forests, wildlife and other natural open spaces.

Who Can Participate: Any landowner or agent of a landowner.

How it Works: The DEP manages the acquisition of land of statewide significance that represents the ecological and cultural diversity of Connecticut, with a focus on unique features such as rivers, mountains, rare natural communities, scenic qualities, historic significance, connections to other protected land, and access to water.

To ensure the property is compatible with the goals of the Recreation and Natural Heritage Trust Program, each potential acquisition is evaluated using a review system. It should possess one or more of the following attributes: (1) It should provide high quality recreation opportunities, either active or passive; (2) be a resource offering conservation to a unique, natural area or protection of a species considered threatened, endangered, or of special concern; or (3) correspond to an example of a prime, natural feature of the Connecticut landscape. The DEP purchases land from willing sellers. In many cases, the property owners contact the agency. In other instances, the Department or conservation organizations initiate contact. To submit property for consideration for purchase by the DEP, a Prospective Land Acquisition Application form must be filled out. Additionally, applications will be reviewed only if one of the following conditions is met: 1) Property is for sale on the open market, or (2) Property is not currently for sale on the open market, but the property owner has expressed interest in the current or future sale or donation of the property.

Contact: Suzanne M. Barkyoumb

Telephone and E-mail: 860.424.3016 and suzanne.barkyoumb@po.state.ct.us

Website: http://www.ct.gov/dep/cwp/view.asp?a=2706&q=323840&depNav_GID=1641

Application Deadline: No deadline.

Grant Programs

1. Open Space and Watershed Land Acquisition Grant Program

Type of Program: Grant Program

Administering Agency: Connecticut Department of Environmental Protection

Purpose: Provides financial assistance to municipalities and nonprofit land conservation organizations to acquire land for open space and to water companies to acquire land to be classified as Class I or Class II water supply property.

Who Can Participate: Municipalities and nonprofit land conservation organizations.

How it Works: Grants are made for the purchase of land that is: 1) valuable for recreation, forestry, fishing, conservation of wildlife or natural resources; 2) a prime natural feature of the state's landscape; 3) habitat for native plant or animal species listed as threatened, endangered or of special concern; 4) a relatively undisturbed, outstanding example of an uncommon native ecological community; 5) important for enhancing and conserving water quality; 6) valuable for preserving local agricultural heritage; or 7) eligible to be classified as Class I or Class II watershed land. Other considerations include: 1) protection of land adjacent to and complementary to existing open space, preserved agricultural land or Class I or Class II water company land; 2) proximity to urban areas; 3) land vulnerable to development; 4) consistency with the State's Plan of Conservation and Development; and 5) lands with multiple values such as water supply protection and recreation, or forest preservation and fishing access.

Linkages between open spaces are an important consideration as are multi-town projects such as greenways. Cooperative efforts are fostered between towns, land conservation organizations and local community groups. Preference is given to open space acquisitions that comply with local and regional open space or conservation and development plans.

Land acquired will be preserved in perpetuity: 1) predominately in its natural scenic and open condition; 2) for the protection or provision of potable water; 3) or for agriculture. A permanent conservation easement will be provided to the State to ensure that the property remains in a natural and open condition for the conservation, open space, agriculture, green space or water supply purpose for which it was acquired. The easement will include a requirement that the property be made available to the general public for appropriate recreational purposes. Where development rights will be purchased and where general public access would be disruptive of agricultural activity, an exception to the provision for public recreational access may be made, at the discretion of the Commissioner. Where development rights are to be purchased, the State of Connecticut will become an equal holder of those rights as a substitute for the easement.

No grant may be made for: 1) land to be used for commercial purposes or for recreational purposes requiring intensive development, except for forest management or agricultural use; 2) land with environmental contamination; 3) land which has already been committed for public use; 4) development costs; 5) land to be acquired by eminent domain; 6) reimbursement of in-kind services or incidental expenses; 7) or for property acquired by the grant applicant prior to the grant application deadline.

Contact: David Stygar; Allyson Clarke

Telephone and E-mail: 860.424.3081 and david.stygar@ct.gov; 860.424.3774 and Allyson.clarke@ct.gov

Website: http://www.ct.gov/dep/cwp/view.asp?a=2706&q=323834&depNav_GID=1642

Application Deadline: Varies from year to year.

Statutory Reference: C.G.S. Section 7-131d to 7-131k, inclusive.

Conservation Easement Program

1. Farmland Preservation Program

Type of Program: Easement Program

Administering Agency: Connecticut Department of Agriculture

Purpose: To preserve farmland soils by acquiring the development rights on farms in farm communities.

Who Can Participate: Landowners, towns, and land trusts

How it Works: The Department of Agriculture preserves farmland by acquiring development rights to agricultural properties. The farms remain in private ownership and continue to pay local property taxes. A permanent restriction on nonagricultural uses is placed on these properties. The program is voluntary on the part of the applicant. Applications are evaluated according to state regulation criteria. Successful applicants must own active farms that contain a high percentage of prime farmland soils and are in established farm communities. Early program studies estimated a development rights program in Connecticut would average 40% acquisition of lands classified by the United States Department of Agriculture, Natural Resources Conservation Service as prime and important farmland soils. The program's efforts through its negotiations and scoring criteria recognize the benefits of clustering farms in active farm communities. It has allowed the Commissioner to work with the best applications and has enabled the program to protect and average of 65% prime and important farmland soils on its preserved farms.

Contact: J. Joseph Dippel, Director

Telephone and E-mail: 860.713.2511 and Joseph.Dippel@ct.gov

Website: <http://www.ct.gov/doag/cwp/view.asp?a=3260&q=399016>

Application Deadline: No deadline.

Financial Incentives

1. Conservation Tax Credits

Type of Program: Tax Incentive

Administering Agency: State of Connecticut

Purpose: To protect the state's unique natural and historical resources by rewarding and assisting habitat stewardship by private landowners.

Who Can Participate: Private landowners

How it Works: Connecticut provides a state corporate income tax credit for donations of conservation land or easements equal to 50% of the donation's fair market value. A 10-year carry forward period is available to donors whom do not use up the entire credit in the year of its origination. Donated land or easements must a) conserve natural or scenic resources, b) protect natural streams or water supplies, c) conserve soils, wetlands, beaches, or tidal marshes, d) enhance neighborhood parks, forests, wildlife preserves, nature reservations, or other open space, e) enhance public, recreation opportunities, or f) preserve historic sites. The Connecticut conservation easement tax credit is non-transferable.

Website: <http://www.ct.gov/drs/lib/drs/forms/2009forms/corpbusiness/ct-1120dl.pdf>

Statutory Reference: Conn. Gen. Stat. §12-217ff.

Application Deadline: No deadline.

TABLE 8.1: CONNECTICUT

STATE CONSERVATION AND INCENTIVES PROGRAM	Type of Program	Administering Agency	Contact Information	Website	Statutory Reference	Deadline
LAND ACQUISITION PROGRAM						
1. Recreation and Natural Heritage Trust Program	Land Acquisition Program	Department of Environmental Protection (DEP)	Suzanne M. Barkyoumb; 860.424.3016 and suzanne.barkyoumb@po.state.ct.us	http://www.ct.gov/dep/cwp/view.asp?a=2706&q=323840&depNav_GID=1641		No deadline.
GRANT PROGRAM						
1. Open Space and Watershed Land Acquisition Grant Program	Grant Program	Connecticut Department of Environmental Protection	David Stygar and Allyson Clarke; 860.424 .3081 and david.stygar@ct.gov ; 860.424.3774 and Allyson.clarke@ct.gov	http://www.ct.gov/dep/cwp/view.asp?a=2706&q=323834&depNav_GID=1642	C.G.S. Section 7-131d to 7-131k, inclusive	Varies from year to year.
CONSERVATION EASEMENT PROGRAM						
1. Farmland Preservation Program	Easement Program	Connecticut Department of Agriculture	J. Joseph Dippel, Director; 860.713.2511 and Joseph.Dippel@ct.gov	http://www.ct.gov/doag/cwp/view.asp?a=3260&q=399016		No deadline.
FINANCIAL INCENTIVES						
1. Conservation Tax Credits	Tax Incentive	State of Connecticut		http://www.ct.gov/drs/lib/drs/forms/2009forms/corpbusiness/ct-1120dl.pdf	Conn. Gen. Stat. §12-217ff	No deadline.

IX. Pennsylvania

Pennsylvania mostly has grant programs dedicated to land conservation and one easement program. The bulk of state funding for conservation is through the state Environmental Stewardship Fund. Established under the Growing Greener legislation in 1999 and funded by a permanent municipal waste disposal fee, this fund has in the past allocated between \$30 to \$40 million to the Bureau of Recreation and Conservation for its Community Conservation Partnerships Program (C2P2) program.

Grant Programs

1. Community Conservation Partnerships Program (C2P2)

Type of Program: Grant Program

Administering Agency: Pennsylvania Department of Conservation and Natural Resources - Bureau of Recreation and Conservation

Purpose: Pennsylvania is ranked among the top ten most populated and most densely populated states in the nation. At current growth and development rates, the state is experiencing a loss of approximately 300 to 350 acres of open space every day. In order to foster and facilitate conservation and recreation-focused projects and programs in the state, the Pennsylvania Department of Conservation and Natural Resources (PDCNR) authorized the C2P2 program.

Who Can Participate: Municipalities, municipal agencies, a pre-qualified land trust and authorized organizations are all eligible applicants. Authorized organizations must be both tax-exempt under Section 501(c) (3) of the Internal Revenue Code and registered with the Pennsylvania Department of State, Bureau of Charitable Organizations.

How it Works: C2P2 grants are awarded to municipalities and authorized nonprofit organizations for recreation, park and conservation projects. These include the rehabilitation and new development of parks and recreation facilities (development projects); acquisition of land for active or passive park and conservation purposes (acquisition projects); and planning for feasibility studies, trails studies, conservation plans, site development planning, and comprehensive recreation, greenway and open space planning . Most projects require a 50% match except for some technical assistance grants and development projects eligible as small community projects whose total project cost is \$60,000 or less. The small community development projects provide a municipal applicant with a population of 5,000 or less with an alternate method of funding with a focus on playground rehabilitation to meet current safety and accessibility standards.

Website: <https://www.grants.dcnr.state.pa.us/LearnMore.aspx?GrantProgramId=18>

Contact: Grants Customer Service

Telephone and E-mail: 800-326-7734 and dcnr-grants@state.pa.us

Application Deadline: Contact the agency for deadline information.

Statutory Reference: None

2. Wild Resource Conservation Grants

Type of Program: Grant Program

Administering Agency: Pennsylvania Department of Conservation and Natural Resources

Purpose: To maintain, manage, enhance and restore Pennsylvania's native wild flora and non-game fauna and their habitats.

Who Can Participate: Counties, other municipalities, tax-exempt 501(3) (c) organizations registered with the Bureau of Charitable Organizations and educational institutions are eligible to receive grants from the Environmental Stewardship Fund (ESF) for projects intended to protect and conserve biological diversity. Conservation Districts and municipal authorities are also eligible for some types of projects funded by ESF. Individuals, state government agencies and for-profit businesses, in addition to the categories above, are eligible for Wildlife Resource Conservation Fund (WRCF) monies but not ESF monies. The great majority of the funds available through this solicitation are expected to be ESF monies. Therefore, applicants are strongly advised to seek a sponsoring organization that is eligible for ESF monies. The full legal name of the sponsoring organization must be used on the application form and, for 501(3) (c) organizations, must be the same name as is registered with the Bureau of Charitable Organizations and with the Internal Revenue Service.

How it Works: These grants fund four types of projects: 1) identification of species and natural communities most at risk from climate change; 2) species inventory and monitoring; 3) sustainable energy extraction and transport; and 4) critical conservation needs. A minimum 10% cash or in-kind match is required to demonstrate the applicant's serious commitment to the project. Matching support at that level or higher will be expected for all projects except those granted an exemption. Match amounts greater than 10% will enhance a proposal's chances of being funded. Cash match and non-cash match will count equally toward the match. Cash match must be a source of funds other than ESF or WRCF. Non-cash match is the performance, at no cost to the grantee, of a portion of the approved scope of work. The performance of this work must be documented, and must be in lieu of work otherwise charged to the grant. The two types of non-cash match are: 1) Donated service [professional service] (claimed at the firm's or individual's normal billing rate times the number of hours worked) and 2) Volunteer service [non-specialized labor] (claimed at the normal hourly labor rate for the type of work performed times the number of hours worked).

Website: <http://www.dcnr.state.pa.us/wrcp/2010grants/index.aspx>

Contact: Greg Czarnecki

Telephone and E-mail: 717-783-1337 and gczarnecki@state.pa.us

Application Deadline: Contact the agency for deadline information.

Statutory Reference: None

3. Growing Greener Watershed Grants

Type of Program: Grant Program

Administering Agency: Pennsylvania Department of Environmental Protection

Purpose: The purpose of the grant is to address nonpoint sources of pollution such as abandoned mine drainage, urban and agricultural runoff, atmospheric deposition, on-lot sewage systems, earthmoving, stream hydromodification and timber harvesting through restoration of watersheds and streams, reclaim mined lands, and remediation.

Who Can Participate: These grants are available to a variety of eligible applicants, including: counties, authorities and other municipalities; county conservation districts; watershed organizations; and other organizations involved in the restoration and protection of Pennsylvania's environment.

How it Works: The Environmental Stewardship and Watershed Protection Act authorizes the Department of Environmental Protection (DEP) to allocate nearly \$547 million in grants for acid mine drainage abatement, mine cleanup efforts, abandoned oil and gas well plugging and local watershed-based conservation projects. These projects can include watershed assessments and development of watershed restoration or protection plans; implementation of watershed

restoration or protection projects (stormwater management wetlands, riparian buffer fencing and planting, streambank restoration; construction of mine drainage remediation systems; reclamation of previously mined lands; and demonstration/education projects and outreach activities.

Website:http://www.depweb.state.pa.us/portal/server.pt/community/growing_greener/13958/watershed_grants/588895

Contact: None

Telephone and E-mail: 717-772-5642 and GrowingGreener@state.pa.us

Application Deadline: Contact the agency for deadline information.

Statutory Reference: Section 6105(b) of the Environmental Stewardship and Watershed Protection Act (27 Pa. C.S. 6101 et seq.).

Conservation Easement Program

1. Farmland Preservation Program

Type of Program: Financial Incentive

Administering Agency: Pennsylvania Department of Agriculture

Purpose: The purpose of this program is to slow the loss of prime farmland to non-agricultural uses. The program enables state, county and local governments to purchase conservation easements, or development rights from owners of quality farmland.

Who Can Participate: Counties

How it Works: Fifty-seven participating county programs receive state funds for the purchase of agricultural conservation easements. Counties participating in the program have appointed agricultural land preservation boards with a state board created to oversee this program. The state board is responsible for distribution of state funds, approval and monitoring of county programs and specific easement purchases.

Farm owners apply to the county program and farm applications are ranked and then forwarded to the state board for approval after offers have been made. To date, more than 400,000 acres have been permanently protected. Each farm is rated against other eligible parcels according to the following criteria:

- Quality of the Farmland. State regulations require that easements be purchased on farms of a minimum of 50 acres in size or at least 35 acres if a county adopts to allow farms of that size into their program. Parcels as small as 10 acres may be preserved if adjacent to existing preserved farmland or used for the production of crops unique to the area. At least half the tract must either be harvested cropland, pasture or grazing land and it must contain 50 percent soil capability, classes I-IV.
- Stewardship. Farms are rated on the use of conservation practices and best management practices of nutrient management and control of soil erosion and sedimentation.
- Likelihood of Conversion. Easements offered for sale to counties will be scored and ranked for acquisition based on a variety of factors such as:
 - Proximity of farm to sewer and water lines.
 - Extent and type of non -agricultural uses nearby.
 - Amount and type of agricultural use in the vicinity.
 - The amount of other preserved farmland in close proximity.

Farmers may choose to receive the proceeds from easement sales in a lump sum payment, installments up to five years, or on a long-term installment basis. Many farmers use the proceeds

from easement sales to reduce debt loads, expand operations and pass on farms to the next generation.

Website:http://www.agriculture.state.pa.us/portal/server.pt/gateway/PTARGS_0_2_24476_10_297_0_43/http://10.41.0.36/AgWebsite/ProgramDetail.aspx?name=Easement-Purchase-&navid=12&parentnavid=0&palid=11&

Contact: Doug Wolfgang

Telephone and E-mail: 717-787-1079x3015 and dowolfgang@state.pa.us

Application Deadline: None

Statutory Reference: 3 P.S. § 914.1.

TABLE 9.1: PENNSYLVANIA

STATE CONSERVATION AND INCENTIVES PROGRAM	Type of Program	Administering Agency	Contact Information	Website	Statutory Reference	Deadline
GRANT PROGRAMS						
1. C2P2 Community Recreation and Conservation	Grant Program	Pennsylvania Department of Conservation and Natural Resources - Bureau of Recreation and Conservation	Grants Customer Service, 800-326-7734 and dcnr-grants@state.pa.us	https://www.grants.dcnr.state.pa.us/LearnMore.aspx?GrantProgramId=18	None	Contact the agency for deadline information.
2. Wild Resource Conservation Grants	Grant Program	Pennsylvania Department of Conservation and Natural Resources	Greg Czarnecki, 717-783-1337 and gczarnecki@state.pa.us	http://www.dcnr.state.pa.us/wrcp/2010grants/index.aspx	None	Contact the agency for deadline information.
3. Growing Greener Watershed Grants	Grant Program	Pennsylvania Department of Environmental Protection	717-772-5642 and GrowingGreener@state.pa.us	http://www.depweb.state.pa.us/portal/server.pt/community/growing_greener/13958/watershed_grants/588895	Section 6105(b) of the Environmental Stewardship and Watershed Protection Act (27 Pa. C.S. 6101 <i>et seq.</i>)	Contact the agency for deadline information.

TABLE 9.1: PENNSYLVANIA

STATE CONSERVATION AND INCENTIVES PROGRAM	Type of Program	Administering Agency	Contact Information	Website	Statutory Reference	Deadline
CONSERVATION EASEMENT PROGRAM						
1. Farmland Preservation Program	Financial Incentive	Pennsylvania Department of Agriculture	Doug Wolfgang, 717-787-1079x3015, dowolfgang@state.pa.us	http://www.agriculture.state.pa.us/portals/server.pt/gateway/PTARGS_0_2_244_76_10297_0_43/http://10.41.0.36/AgWebsite/ProgramDetail.aspx?name=Easement-Purchase-&navid=12&parentnavid=0&palid=11&	3 P.S. § 914.1	None

X. New Jersey

For the majority of the land conservation programs in New Jersey, funding comes from the state through general obligation bonds passed by the legislature. In 1997, the Garden State Preservation Trust Act was passed to provide a steady stream of revenue to several land conservation programs. The Act had a ten year life span and was fueled by a proportion of the sales tax revenues mixed with general bonds. Since 2007, however, funding for conservation programs has returned to relying on bonds passed every few years. A 2007 bond referendum allocated a total of \$200 million to state land conservation programs, and the 2009 bond referendum doubled this amount at \$400 million.

Land Acquisition Programs

1. Green Acres Program

Type of Program: Provides loans and grants for land acquisition

Administering Agency: New Jersey Department of Environmental Protection (NJDEP)

Purpose: Through partnerships develop a system of interconnected open spaces, whose protection will preserve and enhance New Jersey's natural environment and its historic, scenic, and recreational resources for public use and enjoyment.

Who Can Participate: Local Governments, municipalities, land owners, and non-profits.

How it Works: The New Jersey Department of Environmental Protection (NJDEP) Green Acres Program was created in 1961 to meet New Jersey's growing recreational and conservation needs. To date, Green Acres, working with its partners, has protected more than 497,000 acres of open space and developed hundreds of public parks, bringing the statewide system of preserved open space to more than 1.18 million acres. Green Acres protects land that preserves the State's water supply quality and other natural and historic resources, expands existing state parks, forests, and natural areas, and provides urban and neighborhood parks.

As the land acquisition agent for, the NJDEP, Green Acres acquires land directly from private landowners. The land acquired becomes part of the system of state parks, forests, natural areas and wildlife management areas.

Green Acres also provides grants and low-interest loans to local governments and nonprofit land trusts to augment local open space tax funds and to encourage open space preservation and the development of community parks. Green Acres awards funding in several categories with the highest grant ratios going to urban aid communities and communities with progressive open space policies and practices.

The Green Acres Planning Incentive provides funds to local governments who have passed a local open space tax for the acquisition of land for conservation and recreation purposes and who have a Green Acres approved Open Space and Recreation Plan (OSRP) to guide the expenditure of these funds. Participants in the program are eligible to receive a 50% grant rather than the standard 25% grant, and have the greatest flexibility in applying those funds for land acquisition projects in their communities. The Green Acres Planning Incentive provides a 50% matching grant, up to an established cap based on available funds.

Local governments who do not have an approved OSRP and have not yet passed an open space tax can be funded through Standard Acquisition funding. The award is a 25% matching grant with the balance made in a low-interest loan (payable over thirty years) up to the cap. Loan funds may be provided by Green Acres or the New Jersey Environmental Infrastructure Trust, depending on the nature of the project.

Green Acres Urban Aid acquisition funding provides grants and loans to urban municipalities for acquisition and park development. Funding takes the form of a 75% grant and 25% loan up to the funding cap. In some instances, this funding has been an important catalyst for ongoing partnerships that continue to revitalize the community and attract other facilities.

Green Acres also provides funding for park development. Funding availability for parks and recreation facilities varies with the qualifications of the local government. Urban Aid communities receive 50 percent of the project cost in grant funding with the balance in a loan up to the cap. Non-urban communities receive loan funding up to the cap. Loans for development are at 2% and are repayable over twenty years.

Green Acres awards 50% matching grants to nonprofit organizations for land acquisition and recreational development projects. To date, Green Acres has limited nonprofit recreational development funding to projects in urban aid communities.

Contact: Martha Sullivan Sapp. (State, local, and nonprofit projects are handled by regional teams. For more details on contacts within your region, visit the website).

Telephone and E-mail: 609-984-0570 and Martha.Sapp@dep.state.nj.us

Website: <http://nj.gov/dep/greenacres/staff.html>

Application Deadline: Varies from year to year.

2. State Acquisition Program

Type of Program: Land Acquisition

Administering Agency: State Agriculture Development Committee (SADC) through the Farmland Preservation Program

Purpose: The purpose of this program is to preserve farmlands in New Jersey. Farmland limits urban sprawl, protects water and soils, provides an abundance of locally grown farm products and maintains our connection to the land and the longstanding agricultural traditions that earned New Jersey the reputation as the Garden state.

Who Can Participate: Priority farms that meet or exceed the county average in size and quality score. See below.

How it Works: The State Agriculture Development Committee (SADC) purchases development rights or farmland outright for preservation purposes under its state acquisition program. Landowners can either sell the development rights to their land and continue to own and farm the land, or sell their land outright. In both cases, the land is permanently deed-restricted for agricultural use. When the SADC purchases farms outright, it resells them at public auction as permanently preserved farms.

This program seeks to preserve priority farms that are strategically located in each county. Priority farms are those that meet or exceed the county average in size and quality score. Minimum acreage requirements for qualifying as a priority farm in each county are: 50 in Atlantic; 10 in Bergen; 92 in Burlington; 35 in Camden; 38 in Cape May; 86 in Cumberland; 54 in Gloucester; 54 in Hunterdon; 61 in Mercer; 59 in Middlesex; 39 in Monmouth; 31 in Morris; 42 in Ocean; 16 in Passaic; 96 in Salem; 61 in Somerset; 54 in Sussex; and 72 in Warren.

Quality scores are determined based on a number of factors, including soil quality, proportion of tillable acres, proximity to other preserved farms and local support for agriculture.

Applications for farms not meeting these criteria still will be accepted and considered for approval on a case-by-case basis.

Contact: Heidi Winzinger

Telephone and E-mail: 609-984-2504 and Heidi.winzinger@ag.state.nj.us

Website: <http://www.nj.gov/agriculture/sadc/farmpreserve/programs/acquisition.html>

Application Deadline: Accepted year round.

3. Blue Acres Program

Type of Program: Land Acquisition

Administering Agency: New Jersey Department of Environmental Protection

Purpose: A program to acquire land in the floodways of the Delaware River, the Passaic River, and the Raritan River, and their respective tributaries, and other areas of New Jersey that are prone to flooding, and to dedicate those lands that are purchased for recreation and conservation purposes.

Who Can Participate: Landowners within the floodways of the Delaware River, Passaic River, or Raritan River, and their respective tributaries.

How it Works: Properties (including structures) that have been damaged by, or may be prone to incurring damage caused by, storms or storm-related flooding, or that may buffer or protect other lands from such damage, are eligible for acquisition. All Blue Acres acquisitions must be from willing sellers.

Contact: Courtney Wald-Wittkop

Telephone and E-mail: 609-984-0500 and Courtney.Wald-Wittkop@dep.state.nj.us

Website: http://www.nj.gov/dep/greenacres/pdf/blue_acres_app.pdf

Application Deadline: No deadline.

Conservation Easement Programs

1. Traditional County Easement Purchase

Type of Program: Easement Program, Financial Incentives

Administering Agency: State Agriculture Development Committee (SADC) through the Farmland Preservation Program

Purpose: To preserve farmlands in New Jersey.

Who Can Participate: Landowners

How it Works: Landowners sell the development rights on their farmland to their county. When landowners sell their development rights — also known as development easements — they retain ownership of their land, but agree to permanent deed restrictions that allow only agricultural use. The State Agriculture Development Committee (SADC) provides counties with grants to fund 60-80 percent of the costs of purchasing development rights on approved farms. It generally holds one funding round per year for this program.

Contact: Contact the county's agriculture development board.

Website: <http://www.nj.gov/agriculture/sadc/farmpreserve/programs/countyeasementpurchase.s.pdf>

Application Deadline: Contact the county's agriculture development board for application deadlines.

2. County Planning Incentive Grants

Type of Program: Easement Program, Financial Incentive

Administering Agency: State Agriculture Development Committee (SADC) through the Farmland Preservation Program

Purpose: To preserve farmlands in New Jersey.

Who Can Participate: Counties

How it Works: The County Planning Incentive Grant is a new program that encourages a comprehensive planning process for farmland preservation at the county level. It offers several other advantages over the traditional easement purchase program, including enabling counties to accept and process farmland preservation applications year-round, rather than once a year; reducing the timeframe from landowner application to closing; and rewarding counties that complete transactions in a timely manner with the potential for additional funding.

The planning incentive grant process establishes a strong framework for municipalities, counties and the State to coordinate in the strategic targeting of farmland to ensure we retain farmland and provide the support necessary to keep successful agricultural operations on that land. One of the most significant results has been increased local understanding of the complex facets of agricultural retention beyond farmland preservation.

Contact: Steve Bruder or Tim Brill

Telephone and E-mail: 609-984-2504 and sadc@ag.state.nj.us

Website: <http://www.nj.gov/agriculture/sadc/farmpreserve/programs/countyPIG.html>

Application Deadline: No deadline.

Statutory Reference: N.J.A.C. 2:76.

3. Municipal Planning Incentive Grants

Type of Program: Easement Program, Financial Incentive

Administering Agency: State Agriculture Development Committee (SADC) through the Farmland Preservation Program

Purpose: To preserve farmlands in New Jersey.

Who Can Participate: Municipalities.

How it Works: The Municipal Planning Incentive Grant enables the State Agriculture Development Committee (SADC) to provide grants to eligible counties and municipalities to purchase development easements for permanent preservation of farmland in designated project areas.

Contact: Stefanie Miller

Telephone and E-mail: 609-984-2504 and sadc@ag.state.nj.us

Website: <http://www.nj.gov/agriculture/sadc/farmpreserve/programs/municipalPIG.html>

Application Deadline: December 17, Annually.

Statutory Reference: N.J.A.C. 2:76-17.6-17.7 or 17A.6 – 17A.7.

4. Eight-Year Preservation Program

Type of Program: Easement Program, Financial Incentive

Administering Agency: State Agriculture Development Committee (SADC) through the Farmland Preservation Program

Purpose: To protect and preserve farmlands in New Jersey.

Who Can Participate: Landowners who own land within an Agricultural Development Area, eligible for a Farmland Assessment and meet local and/or county program criteria.

How it Works: Farmland owners agree to voluntarily restrict nonagricultural development for a period of eight years in exchange for certain benefits. There are two types of eight-year programs: municipally approved programs, which require a formal agreement among the landowner, county and municipality, and non-municipally approved programs, which require an agreement between only the landowner and county.

Landowners enrolled in both municipally and non-municipally approved programs receive no direct compensation for participating but are eligible to apply to the State Agriculture

Development Committee (SADC) for grants that fund up to 50 percent of the costs of approved soil and water conservation projects. Additionally, those in municipally approved programs enjoy greater protections from nuisance complaints, emergency fuel and water rationing, zoning changes and eminent domain actions.

An eight-year agreement is recorded with the county clerk in the same manner as a deed. Land may be withdrawn prior to expiration of the eight-year period only in cases of death or incapacitating illness of the owner or other serious hardship or bankruptcy. Withdrawal from the program must be approved by the county agriculture development board and, for municipally approved programs, by the municipality. An owner who wants to sell the farm while enrolled in an eight-year program must provide the SADC with an executed contract of sale for the property. The SADC then has the first right and option to match the conditions of that contract and purchase the property itself.

Contact: Landowners should contact their county agriculture development board, or the State Agriculture Development Committee.

Telephone: (609) 984-2504.

Website: <http://www.nj.gov/agriculture/sadc/farmpreserve/programs/eightyearprogram.pdf>

Application Deadline: No deadline.

Financial Incentive

1. The Pinelands Development Credit Program

Type of Program: Transferable Development Rights

Administering Agency: The Pinelands Commission and the Pinelands Development Credit Bank

Purpose: The Pinelands is a very large area, containing irreplaceable resources. Because the Pinelands' sandy soils don't filter pollutants well, water supplies are easily contaminated by septic systems, fertilizers, pesticides and run-off from heavily traveled roads. To prevent further suburbanization, the Pinelands Plan sets aside sensitive areas where the amount of development is limited and other areas where growth is encouraged.

Who Can Participate: Any landowner.

How it Works: The Pinelands Development Credit (PDC) Program is a transfer of development rights (TDR) program that helps to redirect growth in the Pinelands from the preservation and agricultural districts to infrastructure-supported regional growth areas. PDCs are development rights which are allocated to certain lands ("sending areas") that can be transferred to increase the amount of residential development permitted on other lands ("receiving areas"). Each PDC transfers the right to build four homes and can be bought and sold in 1/4 (or 1 right) increments. Sending areas include preservation and agricultural areas. PDCs may also be allocated to other properties that can't be developed because of environmental problems. Conservation or agricultural easements are placed on the sending properties when the PDCs are transferred. Allocations to sending properties range from 0.2 PDCs for each 39 acres of undevelopable wetlands, to two PDCs for each 39 acres of upland farmland or active berry agriculture. Receiving areas consist of Regional Growth Areas where zoning allows roughly 50% more homes to be built using PDCs than would otherwise be permitted (originally estimated to be 22,500 bonus units/46,200 base units). However, since the program is voluntary and not all developers use PDCs, there are roughly twice as many opportunities to use PDCs as there are PDCs available for use. As a result, the Commission estimates that only 6,600 additional housing units will be developed with PDCs. PDCs can also be used by property owners in other areas of the Pinelands to build homes on certain lots which are slightly smaller than normally required or which involve slight deviations from development standards. PDCs can be bought and sold

privately or through the publicly chartered Pinelands Development Credit Bank. While most PDCs are sold to developers, the state began instituting programs in 1999 to buy and retire PDCs, removing them from the market.

Contact: John Stokes

Telephone: 609-894-7300

Website: <http://www.state.nj.us/dobi/pinelands/pinelandsbank.htm>.

Application Deadline: No deadline.

TABLE 10.1: NEW JERSEY

STATE CONSERVATION AND INCENTIVES PROGRAM	Type of Program	Administering Agency	Contact Information	Website	Statutory Reference	Deadline
LAND ACQUISITION PROGRAMS						
1. Green Acres Program	Provides loans and grants for land acquisition	New Jersey Department of Environmental Protection	Martha Sullivan Sapp. (State, local, and nonprofit projects are handled by regional teams. For more details on contacts within your region, visit the website. 609-984-0570 and Martha.Sapp@dep.state.nj.us	http://nj.gov/dep/greenacres/staff.html		Varies from year to year.
2. State Acquisition Program	Land Acquisition	State Agriculture Development Committee (SADC) through the Farmland Preservation Program	Heidi Winzinger, 609-984-2504 and Heidi.winzinger@ag.state.nj.us	http://www.nj.gov/agriculture/sadc/farmpreservation/programs/acquisition.html		Accepted year round.

TABLE 10.1: NEW JERSEY

STATE CONSERVATION AND INCENTIVES PROGRAM	Type of Program	Administering Agency	Contact Information	Website	Statutory Reference	Deadline
3. Blue Acres Program	Land Acquisition	New Jersey Department of Environmental Protection	Courtney Wald-Wittkop, 609-984-0500 and Courtney.Wald-Wittkop@dep.state.nj.us	http://www.nj.gov/dep/greenacres/pdf/blue_acres_app.pdf		No deadline.
CONSERVATION EASEMENT PROGRAMS						
1. Traditional County Easement Purchase	Easement Program, Financial Incentives	State Agriculture Development Committee (SADC) through the Farmland Preservation Program	Contact the county's agriculture development board	http://www.nj.gov/agriculture/sadc/farmpreservation/programs/couneyeasementpurchases.pdf		Contact the county's agriculture development board for application deadlines.

TABLE 10.1: NEW JERSEY

STATE CONSERVATION AND INCENTIVES PROGRAM	Type of Program	Administering Agency	Contact Information	Website	Statutory Reference	Deadline
2. County Planning Incentive Grants	Easement Program, Financial Incentive	State Agriculture Development Committee (SADC) through the Farmland Preservation Program	Steve Bruder or Tim Brill, 609-984-2504 and sadc@ag.state.nj.us	http://www.nj.gov/agriculture/sadc/farmpreservation/programs/countyPIG.html	N.J.A.C. 2:76	No Deadline.
3. Municipal Planning Incentive Grants	Easement Program, Financial Incentive	State Agriculture Development Committee (SADC) through the Farmland Preservation Program	Stefanie Miller, 609-984-2504 and sadc@ag.state.nj.us	http://www.nj.gov/agriculture/sadc/farmpreservation/programs/municipalPIG.html	N.J.A.C. 2:76-17.6-17.7 or 17A.6 – 17A.7	December 15, Annually.

TABLE 10.1: NEW JERSEY

STATE CONSERVATION AND INCENTIVES PROGRAM	Type of Program	Administering Agency	Contact Information	Website	Statutory Reference	Deadline
4. Eight-Year Preservation Program	Easement Program, Financial Incentive	State Agriculture Development Committee (SADC) through the Farmland Preservation Program	Landowners should contact their county agriculture development board, or the State Agriculture Development Committee. (609) 984-2504.	http://www.nj.gov/agriculture/sadc/farmpreservation/programs/eightyearprogram.pdf		No Deadline.
FINANCIAL INCENTIVES						
1. The Pinelands Development Credit Program	Transferable Development Rights	The Pinelands Commission and the Pinelands Development Credit Bank	John Stokes, 609-894-7300	http://www.state.nj.us/dobi/pinelands/pinelandsbank.htm		No Deadline.

XI. Delaware

Land conservation in the state of Delaware is solely focused on financial incentive mechanisms such as conservation easements and tax incentives. State funding for these programs usually comes from either the normal state budget or a \$409 million Bond Bill, which funds capital projects like highway and school construction, as well as agricultural land protection. Additionally, on occasion these financing programs will receive money from the county budgets.

Conservation Easement Programs

1. Delaware Agricultural Lands Preservation Program

Type of Program: Easement Program; Financial Incentive

Administering Agency: State of Delaware Department of Agriculture

Purpose: The Delaware Agricultural Lands Preservation Foundation preserves farms. The Foundation preserves historic structures, wildlife habitats, important environmental features, wetlands, and forests, as well as setting aside, permanently, the critical farmland for future generations.

Who Can Participate: Any landowner.

How it Works: Delaware's farmland preservation program has two major components: Agricultural Preservation Districts and Agricultural Conservation Easements. A district is a voluntary agreement to use land only for agricultural purposes for at least a ten year period. Land must yield a minimum farm income, satisfy a scoring system standard, and undergo a review and approval process. Almost any size farm anywhere in the state can qualify. There is no payment to the landowner for creating the district.

However, there are several benefits to landowners in an agricultural district. The unimproved land in the district is exempt from real estate transfer, county, and school taxes. There are significant protections against nuisance suits for land in the district. Landowners are permitted limited residential uses. Permitted agricultural uses include but are not limited to: crop production, herd animal and poultry operations, horse operations, forest production, non-commercial hunting, trapping and fishing, agricultural eco-tourism operations, as well as farm markets and roadside stands.

In order to permanently preserve farmland, the Foundation purchases development rights from landowners and imposes a permanent agricultural conservation easement on the land. Land must first be in an Agricultural Preservation District before the owner can apply to sell the development rights.

Telephone: 302-698-4530

Website: <http://dda.delaware.gov/aglands/index.shtml>

Application Deadline: No Deadline.

2. Delaware Agricultural Forestland Preservation Program

Type of Program: Easement Program; Financial Incentive

Administering Agency: State of Delaware Department of Agriculture: Forestry

Purpose: To protect and preserve forestland in Delaware

Who Can Participate: Any landowner.

How it Works: Delaware's Forestland Preservation Program protects forestlands through perpetual conservation easements. A conservation easement is a permanent deed restriction whereby the landowner still owns the property but certain development activities are prohibited. The owner can sell the property, but all future owners must also follow the same restrictions. This program is designed to protect working forests; therefore, the easements allow forest management activities, including timber harvests, to continue. Landowners can harvest timber at any time on their property as long as they follow a forest management plan prepared by a professional forester. The program also does not affect hunting activities on the property.

Telephone: 302-698-4530

Website:<http://dda.delaware.gov/forestry/Forestland%20Preservation%20Program%20Guidelines.pdf>

Application Deadline: No Deadline.

Statutory Reference: 3 Del. C., §933.

Financial Incentives

1. Open Space Program

Type of Program: Land acquisition; Easement Program; Financial Incentives

Administering Agency: State of Delaware Department of Natural Resources and Environmental Control

Purpose: To protect designated State Resource Areas (SRAs).

Who Can Participate: Any landowner.

How it Works: The Delaware Land Protection Act established an Open Space Program. This program oversees the protection of designated State Resource Areas. These areas are permanently protected through the purchase of land including parks, fish and wildlife habitat, forests, nature preserves and cultural sites.

Many SRAs are not protected through acquisition – the intent has not been to purchase all SRAs. Rather, the purpose of the SRAs is to guide state acquisition of open space from willing sellers and to be incorporated by counties in their land use plans.

Website: <http://www.dnrec.delaware.gov/OpenSpaces/Pages/OpenSpaceProgram.aspx>

Application Deadline: No Deadline.

Statutory Reference: Chapter 75: 7505.

2. Conservation Tax Credits

Type of Program: Tax Incentive

Administering Agency: State of Delaware

Purpose: Delaware conservation donations aim to conserve open space, natural habitat, recreational properties, resource conservation, and historic properties.

Who Can Participate: Individuals or corporations.

How it Works: Delaware provides a tax incentives to individuals or corporations that donate land or conservation easements. The credit is equal to 40% of the fair market value of the donation with a maximum credit of \$50,000 for individuals per year. A 5-year carry forward period is available to individuals whom do not use up the entire credit in the year of its origination. The Delaware conservation easement tax credit is non-transferable.

Website: <http://delcode.delaware.gov/title30/c018/sc01/index.shtml>

Application Deadline: No Deadline.

Statutory Reference: Title 30, Chapter 18 §1801:1807.

TABLE 11.1: DELAWARE

STATE CONSERVATION AND INCENTIVES PROGRAM	Type of Program	Administering Agency	Contact Information	Website	Statutory Reference	Deadline
CONSERVATION EASEMENT PROGRAMS						
1. Delaware Agricultural Lands Preservation Program	Easement Program; Financial Incentive	State of Delaware Department of Agriculture	No Contact Name. 302-698-4530	http://dda.delaware.gov/aglands/index.shtml		No Deadline
2. Delaware Agricultural Forestland Preservation Program	Easement Program; Financial Incentive	State of Delaware Department of Agriculture: Forestry	No Contact Name. 302-698-4530	http://dda.delaware.gov/forestry/Forestland%20Preservation%20Program%20Guidelines.pdf	3 Del. C., §933	No Deadline
FINANCIAL INCENTIVES						
1. Open Space Program	Land acquisition; Easement Program; Financial Incentives	State of Delaware Department of Natural Resources and Environmental Control	No Contact	http://www.dnrec.delaware.gov/OpenSpaces/Pages/OpenSpaceProgram.aspx	Chapter 75: 7505	No Deadline
2. Conservation Tax Credits	Tax Incentive	State of Delaware	No Contact	http://delcode.delaware.gov/title30/c018/sc01/index.shtml	Title 30, Chapter 18 §1801:1807	No Deadline

XII. Maryland

The basic funding structure that provides resources to land conservation programs in Maryland is quite simple: almost all of the funding for these programs comes from the state real estate transfer tax. The .05% transfer value fee is then split roughly in half between the state Department of Natural Resources (DNR) and local sources. The DNR allocates its portion out to a wide array of natural resource-related programs, including those for land conservation. The other half is distributed to the counties according to what proportion of the transfer tax money each county collected.

Land Acquisition Program

1. Open Space Program

Type of Program: Grant Program

Administering Agency: Maryland Department of Natural Resources (DNR)

Purpose: The program makes funds available to local government to help them buy land and build park facilities that will help meet specific land conservation and recreation goals.

Who Can Participate: County Governments, Municipalities/Towns, and Local Land Trust Organizations.

How it Works: Program Open Space (POS) is a nationally recognized program with two components: a local grant component often called Localside POS and a component that funds acquisitions by the State. The first component provides financial and technical assistance to local subdivisions for the planning, acquisition, and/or development of recreation land or open space areas, including dedicated funds for Maryland's state and local parks and conservation areas.

To qualify for POS funding, a local governing body *must* have an *Annual Program* reviewed by Maryland Department of Planning (MDP) and reviewed and approved by DNR for the current fiscal year. By July 1 of each year, the participating local governing body (defined as "The Maryland-National Capital Park and Planning Commission, and the governing body of any county, municipality, or Baltimore City") shall submit an *Annual Program* simultaneously to the DNR and the MDP.

Upon review and approval as to consistency with the *Local Land Preservation and Recreation Plan*, the *Annual Program* shall become the basis for total allocations to each of the local governing bodies within the limits imposed by the formula developed for the apportionment of the annual allocation from POS. Municipalities may submit annual programs through their governing bodies.

Website: http://www.dnr.state.md.us/land/pos/pos_how_to_apply.asp

Contact: James Price

Telephone and E-mail: 410-260-8426 and cprice@dnr.state.md.us

Application Deadline: Not Applicable.

Statutory Reference: Code Natural Resources Article, secs. 5-901 through 5-910.

Grant Programs

1. Small Creek and Estuaries Water Quality Restoration Cost-Share Program

Type of Program: Grant Program

Administering Agency: Maryland Department of Environment

Purpose: To offer financial assistance to local governments for voluntary stream and creek restoration projects that provide water quality and habitat benefits.

Who Can Participate: County Governments, Municipalities/Towns, and Regional Governments.

How it Works: This program provides cost share grant funds to local governments for water quality restoration projects in polluted creeks and estuarine tributaries in the State of Maryland, with emphasis on the Chesapeake Bay watershed. The program typically provides up to 50% of eligible project costs.

Large-scale water quality restoration efforts (i.e., sediment and erosion control, point and nonpoint nutrient reduction programs for the Chesapeake Bay, etc.) are not immediately effective in the localized areas because of the accumulated pollution, which may take years to flush from the system. In some cases, water quality problems may need to be mitigated by applying immediate intervention techniques such as mechanical aeration, channel stabilization, and restoration of aquatic habitat. Because pollution sources are rarely confined to county boundaries, local governments typically request State assistance in dealing with these water quality problems. This program provides the Department of the Environment (MDE) with a mechanism to cooperatively fund such restoration efforts with interested local governments.

Projects are ranked according to the following criteria: the severity of the problem; whether sufficient water quality and other environmental improvements can be accomplished within a reasonable budget (cost vs. benefit); local community support for the projects; the anticipated benefit to the department's pollution reduction/prevention goals; completion of phased projects with prior commitment of funding; readiness to proceed; use of innovative or alternative technologies; and public visibility and environmental educational opportunities of the completed project.

Website: <http://www.mde.state.md.us>

Contact: Elaine Dietz

Telephone and E-mail: 410-537-3908 or 800-633-6101 and edietz@mde.state.md.us

Application Deadline: Contact the agency for deadline information.

Statutory Reference: None

2. Maryland's Rural Legacy Program

Type of Program: Grant Program

Administering Agency: Maryland Department of Natural Resources

Purpose: The Rural Legacy Program provides the focus and funding necessary to protect large, contiguous tracts of land rich in natural and cultural resources from sprawl development.

Who Can Participate: County Governments, Municipalities/Towns, and Local Land Trusts. National Land Trust organizations require a cooperative agreement with Maryland Environmental Trust.

How it Works: The Rural Legacy Program, a keystone of Maryland's "Smart Growth Initiatives," was enacted by the 1997 Maryland General Assembly and signed into law of that year. The Program encourages local governments and private land trusts to identify Rural Legacy Areas and to competitively apply for funds to complement existing land conservation efforts or to develop new ones. Easements or fee estate purchases are sought from willing landowners in

order to protect areas vulnerable to sprawl development that can weaken an area's natural resources, thereby jeopardizing the economic value of farming, forestry, recreation and tourism. The Rural Legacy Advisory Committee, appointed by the Governor, and confirmed by the Senate, reviews all applications and makes recommendations to the Rural Legacy Board. The Rural Legacy Board, in turn, makes final recommendations to the Governor and the Board of Public Works. The Board of Public Works designates the Rural Legacy Areas and approves the grants for Rural Legacy funding.

Website: <http://www.dnr.state.md.us/land/rurallegacy/index.asp>

Contact: Stacy Schaefer

Telephone and E-mail: 410-260-8431 and sschaefer@dnr.state.md.us

Application Deadline: Contact the agency for deadline information.

Statutory Reference: Natural Resources Article, §§5-9A-03, Annotated Code of Maryland.

Conservation Easement Programs

1. Conservation Property Tax Credit

Type of Program: Financial Incentive

Administering Agency: Maryland Department of Natural Resources

Purpose: Program encourages donation of conservation easements and gives participating landowners a 15-year property tax credit on unimproved land under easement to the Maryland Environmental Trust.

Who Can Participate: For Profit Organizations, Individuals, and Nonprofit Organizations.

How it Works: A landowner will pay no property tax on land that is subject to a donated Trust easement for 15 years from date of donation. At the end of the 15-year period unimproved land under donated easement will be assessed at the highest agricultural rate. This rate is currently \$500 per acre. Property will qualify for this assessment rate even if the property is not actively farmed. If the property is in agricultural use it will be assessed at the appropriate agricultural level. However, the tax credit and assessment rate will not apply to any residential improvements, or to a minimum of one acre around these improvements.

Website: <http://www.dnr.state.md.us/met/taxbenefits.html>

Contact: John Hutson

Telephone and E-mail: 410-514-7910 and jhutson@dnr.state.md.us

Application Deadline: Easements must be recorded by June 30th to qualify for a current tax year.

Statutory Reference: None

2. State Income Tax Credit

Type of Program: Financial Incentive

Administering Agency: Maryland Department of Natural Resources

Purpose: Program encourages donation of conservation easements and gives landowners a state income tax credit in return for the donation of easement to the Maryland Environmental Trust or the Agricultural Land Preservation Foundation.

Who Can Participate: For Profit Organizations, Individuals, and Nonprofit Organizations.

How it Works: Maryland provides a tax incentive to for-profit organizations, individuals and nonprofit organizations that donate land as a perpetual easement to the Maryland Environmental Trust (MET) or the Maryland Agricultural Land Preservation Foundation (MALPF), and approved by the Board of Public Works.

The total credit taken cannot exceed the appraised value of the easement, reduced by any payment received for the easement. The maximum credit that an individual may take per year is the smaller of \$5,000, or the amount of State income taxes owed for that year. An individual may take the credit for the year in which he or she conveyed the conservation easement, and continue, at a maximum of \$5000 per year, for an additional 15 years, for a total of up to \$80,000. A taxpayer may not claim a State income tax deduction and a State income tax credit for the same conservation easement donation.

When multiple individuals (owners) jointly donate an easement, each one is separately entitled to the tax credit of up to \$5,000 per year. For example, a husband and wife, even if filing jointly, may take up to a \$10,000 credit per year. To calculate the total credit which an individual may take, multiply the appraised easement value by the individual's percentage ownership of the property.

Easements donated before July 1, 2001 do not qualify for this credit. However, a second easement, or amendment, that materially strengthens the conservation restrictions of the original easement may create a tax credit.

Website: <http://www.dnr.state.md.us/met/sitc.html>

Contact: John Hutson

Telephone and E-mail: 410-514-7910 and jhutson@dnr.state.md.us

Application Deadline: Easements must be recorded by December 31st to qualify for a current tax year.

Statutory Reference: None

TABLE 12.1: MARYLAND

STATE CONSERVATION AND INCENTIVES PROGRAM	Type of Program	Administering Agency	Contact Information	Website	Statutory Reference	Deadline
LAND ACQUISITION PROGRAMS						
1. Program Open Space	Grant program	Maryland Department of Natural Resources	James W. (Chip) Price, 410-260-8426, cprice@dnr.state.md.us	http://www.dnr.state.md.us/land/pos/pos_how_to_apply.asp	Code Natural Resources Article, secs. 5-901 through 5-910	Not Applicable.
GRANT PROGRAMS						
1. Small Creek and Estuaries Water Quality Restoration Cost-Share Program	Grant program	Maryland Department of Environment	Elaine Dietz, 410-537-3908 or 800-633-6101 and edietz@mde.state.md.us	http://www.mde.state.md.us	None	Contact the agency for deadline information.
2. Maryland Rural Legacy	Grant program/1 and acquisition and easement	Maryland Department of Natural Resources	Stacy Schaefer, 410-260-8431 and sschaefer@dnr.state.md.us	http://www.dnr.state.md.us/land/rurallegacy/index.asp	Natural Resources Article, §§5-9A-03, Annotated Code of Maryland	Contact the agency for deadline information.

TABLE 12.1: MARYLAND

STATE CONSERVATION AND INCENTIVES PROGRAM	Type of Program	Administering Agency	Contact Information	Website	Statutory Reference	Deadline
CONSERVATION EASEMENT PROGRAMS						
1. Conservation Property Tax Credit	Financial Incentive	Maryland Department of Natural Resources	John Hutson, 410-514-7910, jhutson@dnr.state.md.us	http://www.dnr.state.md.us/met/taxbenefits.html	None	Easements must be recorded by June 30 th to qualify for a current tax year.
2. State Income Tax Credit	Financial Incentive	Maryland Department of Natural Resources	John Hutson, 410-514-7910, jhutson@dnr.state.md.us	http://www.dnr.state.md.us/met/sitc.html	None	Easements must be recorded by December 31 st to qualify for a current tax year.

XIII. West Virginia

While the state of West Virginia itself does not dedicate significant funding to land conservation programs for wildlife, funding for the state's easement program is generated through the counties. According to the Voluntary Farmland Protection Act 2002 amendment (WV Code §8A-12-21), counties with Farmland Protection Programs can generate money to fund those programs through real estate transfer taxes. The act enables the program to receive as much as \$2.20 of every \$1000 of the real estate transfer value, to be used exclusively to fund farmland preservation. In addition, these programs occasionally receive federal match money, in part because of the inability of the states to provide matching funding to these programs.

Conservation Easement Program

1. West Virginia Agricultural Land Protection Authority

Type of Program: Financial Incentive

Administering Agency: West Virginia Department of Agriculture

Purpose: The Authority seeks to preserve farmland in the state of West Virginia.

Who Can Participate: Private Landowners.

How it Works: Under the Voluntary Farmland Protection Act passed by the West Virginia legislature, a West Virginia Agricultural Land Protection Authority was established beginning July, 2002. The Authority is empowered to accept conservation easements from anywhere in the state, including from landowners in those counties that also have Farmland Protection Boards. The Authority is intended to provide a state-level entity as a dual system in parallel with the county Farmland Protection Boards. The Authority also serves to assist those landowners in counties that do not have Farmland Protection Boards.

In addition to acquiring conservation easements, the Authority also has state-wide duties to disseminate information, seek funding, and assist county Farmland Protection Boards upon request by them. Specifically, the Voluntary Farmland Protection Act outlines the Authority's duties as follows:

- disseminate information regarding agricultural land protection and promote the protection of agricultural land
- assist county farmland protection boards in applying for and obtaining all available state and federal funding that is consistent with the purposes of the farmland protection programs
- upon request of a farmland protection board, provide technical and legal services necessary to procure, acquire, draft, file, and record conservation and preservation easements
- seek and apply for all available funds from federal, state, and private sources for farmland protection programs

The deed recordation revenues are currently at an \$800,000 to \$900,000 level per annum. These revenues are dedicated to the securing of conservation easements, on agricultural lands.

Contact: Bob Tabb

Telephone and Email: (304) 558-2201 (phone preferred), btabb@wvda.us

Website: <http://www.wvfarmlandprotection.org/stateAuthority.cfm>

TABLE 13.1: WEST VIRGINIA

STATE CONSERVATION AND INCENTIVES PROGRAM	Type of Program	Administering Agency	Contact Information	Website	Statutory Reference	Deadline
CONSERVATION EASEMENT PROGRAM						
1. West Virginia Agricultural Land Protection Authority	Financial Incentive	West Virginia Department of Agriculture	Bob Tabb, 304-558-2201 and btabb@wvda.us	http://www.wvfarmlandprotection.org/stateAuthority.cfm	None	None

XIV. Virginia

In general, the largest expenditure by the state for land conservation is through the Land Preservation Tax Credit program. The tax credit program has an annual cap of \$106 million for 2010, all of which has already been used. Besides the tax credit program, there is no singularly dedicated source of funds in Virginia for land conservation. The large sums used for purchases of land are usually bond funds. The Virginia Land Conservation Organization gets its funding from the general assembly through a specific distribution that ranges between \$1 million to \$15 million annually.

Grant Programs

1. Virginia Land Conservation Fund (VLCF)

Type of Program: Grant Program

Administering Agency: The Virginia Department of Conservation and Recreation

Purpose: To provide state funding used to conserve certain categories of special land including open spaces and parks, natural areas, historic areas, and farmland and forest preservation.

Who Can Participate: Applications can be submitted by agencies, localities, public bodies, and registered (tax-exempt) nonprofit organizations in accordance with application procedures.

How it Works: There are four application categories, and each has a particular set of criteria. The four categories are 1) Open Spaces and Parks, 2) Natural Area Protection, 3) Historic Area Preservation, and 4) Farmlands and Forest Preservation. Funds from the foundation are used to establish permanent conservation easements and to purchase open spaces and parklands, lands of historic or cultural significance, farmlands and forests, and natural areas.

A portion of the fund may be used for developing properties for public use. Grants used for acquisition are generally used only for current projects; only in exceptional cases - where considerable public benefit and compelling, unusual financial need and circumstances have been shown - might grants be made for already complete purchases.

The foundation establishes, administers, and manages the Virginia Land Conservation Fund, which is special, non-reverting money in the state treasury. A major function of the foundation is to make matching grants to holders and public bodies for:

- lands for recreational purposes
- lands for threatened or endangered species, fish and wildlife habitat
- natural areas
- and agricultural and forested lands and open space.

The VLCF leverages federal and local investment, paying up to 50 percent of total project costs pursuant to specific criteria defined in each application category. The VLCF was allocated \$4 million over 2009-2010.

Contact: Sarah Richardson

Telephone and E-mail: (804) 225-2048 and sarah.richardson@dcr.virginia.gov

Website: www.dcr.virginia.gov/virginia_land_conservation_foundation/index.shtml

Application Deadline: Varies. Contact the agent for deadline information.

Statutory Reference: Code of Virginia, § 10.1-1020.

2. Water Quality Improvement Fund (WQIF)

Type of Program: Grant Program

Administering Agency: The Virginia Department of Environmental Quality (DEQ) is responsible for administering point source grants, and the Virginia Department of Conservation and Recreation (DCR) administers nonpoint source grants.

Purpose: To provide water quality improvement grants to local governments, soil and water conservation districts and individuals for point and nonpoint source pollution prevention, reduction and control programs.

Who Can Participate: Local governments, soil and water conservation districts and individuals who pursue water quality improvements through point and nonpoint source pollution prevention, reduction and control programs (including riparian open-space and conservation easements).

How it Works: A primary objective of WQIF is to fund grants that will reduce the flow of excess nitrogen and phosphorus into the Chesapeake Bay through the implementation of the tributary strategies. WQIF funds are provided, in accordance with the guidelines, to help stimulate nonpoint source pollution reduction through the Virginia Agricultural Best Management Practices Cost-share Program and water quality improvement projects within the Chesapeake Bay Watershed and Southern Rivers Watershed regions. A team of DCR and other agency or local government staff provide technical expertise in the review, scoring, prioritization and selection of grant applications and proposals. Final decisions for project selection are at the discretion of DCR's director.

Contact: Virginia Department of Conservation and Recreation

Telephone and E-mail: (804) 225-3785 and swcgrants@dcr.virginia.gov

Website: www.dcr.virginia.gov/soil_and_water/wqia.shtml

Application Deadline: Varies. Contact the agency for deadline information.

Statutory Reference: Section 10.1-2128.B. of the Code of Virginia.

Financial Incentives

1. Virginia Open-Space Lands Preservation Trust Fund (PTF)

Type of Program: Incentive Program

Administering Agency: Virginia Outdoors Foundation (VOF)

Purpose: To provide monetary assistance to landowners related to the costs associated with the conveyance of an open-space or conservation easement.

Who Can Participate: Private Landowners.

How it Works: Conservation easements preserve farmland, forestland, and natural and recreational areas by restricting intensive uses, such as development and mining, which would alter the conservation values of the land. Each easement is tailored to reflect the conservation values of the property and is recorded in the local courthouse as a permanent part of the property records. Easements do not grant public access to a landowner's property. Costs that the fund may reimburse include legal costs, appraisal and other costs, and all or part of the easement's value. Priority may be given to applicants who seek cost re-reimbursement only, demonstrate financial need, or cover a family-owned or -operated farm. The VOF's staff and Board of Trustees evaluate each potential easement for its scenic, scientific, natural, historic, recreational or open-space value using the VOF's Guidelines. VOF Guidelines recommend an overall density of principal residences of one house per 100 acres or less, and that parcels of less than 100 acres permit no subdivision.

VOF treats an easement donation that includes cash assistance to the landowner from the Fund as a “bargain sale” transaction. Accordingly, VOF will report PTF payments made to landowners. In addition, the receipt of a payment in partial exchange for an easement will reduce the value of the related gift by the amount of the payment and concomitantly the tax credit available to the landowner. Both the income from the sale of tax credits and PTF assistance funds may be subject to taxation.

VOF will report the transaction in the year that the easement donation is recorded, regardless of when the payment is made. Payment to the landowner can only be made after recording an easement and submission of eligible expenses to VOF. It may be advantageous for the landowner to coordinate the recordation of the easement with receipt of the PTF payment and payment of eligible expenses.

Contact: Bob Lee

Telephone: (540) 347-7727

Website: http://www.virginiaoutdoorsfoundation.org/VOF_land-ptf.php

Application Deadline: Submission of eligible bills must be complete by January 25th of the year following recordation of the easement.

Statutory Reference: Code of Virginia §10.1-1801.1.

2. Land Preservation Tax Credit

Type of Program: Tax Incentive

Administering Agency: State of Virginia

Purpose: To protect the state’s unique natural and historical resources by rewarding and assisting habitat stewardship by private landowners.

Who Can Participate: Tax-payers who donated a conservation easement after January 1, 2000. This tax credit applies to any person, corporation, partnership, organization, trust or estate subject to state or local taxation.

How it Works: Virginia allows an income tax credit for 40 percent of the value of donated land or conservation easements. For tax years 2002 through 2008, taxpayers may use up to \$100,000 per year for the year of sale and the ten subsequent tax years. For tax years 2009 through 2011, taxpayers may use up to \$50,000 per year for the year of the sale, and then 13 subsequent tax years for taxpayers affected by the credit reduction for those years. Unused credits may be sold, allowing individuals with little or no Virginia income tax burden to take advantage of this benefit. The credit is worth 40% of the easement’s fair market value, up to \$100,000 per year. If the credit is not used up in the year of the easement donation, it can be carried forward for an additional five years. Furthermore, if the easement was donated after 2001, the credit may be sold or transferred to other Virginia taxpayers. Individuals and corporations in the state of Virginia may buy or sell conservation tax credits, as long as a notification of the transfer of the credit is sent to the tax commissioner. For 2009 and 2010, the Legislature reduced the cap from \$100k to \$50k, but since the credits are transferable a donor should still be able to claim full credit.

To be eligible for tax credits, the easement must qualify as a charitable deduction under the IRS Code and meet additional requirements under the Virginia Land Conservation Incentives Act. DCR is responsible for verifying the conservation value of Land Preservation Tax Credits for all donations of land or conservation easements for which the donor claims a state tax credit of \$1 million or more. These applicants must meet the Conservation Value Review Criteria adopted by the Virginia Land Conservation Foundation Board.

Contact: Jeremy Stone

Telephone and E-mail: (804) 371-5218 and jeremy.stone@dcr.virginia.gov

Website: http://www.dcr.virginia.gov/land_conservation/lpc.shtml

TABLE 14.1: VIRGINIA

STATE CONSERVATION AND INCENTIVES PROGRAM	Type of Program	Administering Agency	Contact Information	Website	Statutory Reference	Deadline
GRANT PROGRAMS						
1. Virginia Land Conservation Fund (VLCF)	Grant Program	The Virginia Department of Conservation and Recreation	Sarah Richardson, 804-225-2048, sarah.richardson@dcr.virginia.gov	www.dcr.virginia.gov/virginia_land_conservation_foundation/index.shtml	Code of Virginia, § 10.1-1020	Varies. Contact the agent for deadline information.
2. Water Quality Improvement Fund (WQIF)	Grant Program	The Virginia Department of Environmental Quality (DEQ) is responsible for administering point source grants, and the Virginia Department of Conservation and Recreation (DCR) administers nonpoint source grants.	No Contact Name, 804-225-3785 and swecgrants@dcr.virginia.gov	www.dcr.virginia.gov/soil_and_water/wqia.shtml	Section 10.1-2128.B. of the Code of Virginia	Varies. Contact the agency for deadline information.

TABLE 14.1: VIRGINIA

STATE CONSERVATION AND INCENTIVES PROGRAM	Type of Program	Administering Agency	Contact Information	Website	Statutory Reference	Deadline
FINANCIAL INCENTIVES						
1. Virginia Open-Space Lands Preservation Trust Fund (PTF)	Incentive Program	Virginia Outdoors Foundation (VOF)	Bob Lee, 540-347-7727 and no e-mail provided	http://www.virginiaoutdoorsfoundation.org/VOF_land-ptf.php	Code of Virginia §10.1-1801.1	Submission of eligible bills must be complete by January 25th of the year following recordation of the easement.
2. Virginia Clean Water Revolving Loan Fund (VCWRLF)	Land Conservation Loan Program	Department of Environmental Quality, Construction Assistance Program, on behalf of the State Water Control Board (SWCB)	Walter Gills, no telephone number, wagills@deq.virginia.gov	http://www.deq.state.va.us/cap/lcguide.html	Code of Virginia §62.1-229.3	Applications for VRLF Land Conservation Loans will be accepted once each year, concurrent with the program's wastewater facility improvement loan applications, which normally occurs in July.
3. Land Preservation Tax Credit	Tax Incentive	State of Virginia	Jeremy Stone, 804-371-5218 and jeremy.stone@dcr.virginia.gov	http://www.dcr.virginia.gov/land_conservation/lpc.shtml	None	None

XV. State Contacts

Maine:

Tim Glidden, Land for Maine's Future Program (Director)
Carol Gay, Maine Outdoor Heritage Fund

Vermont:

Rodney Pingree, Water Source Protection Loan Program
Faith Ingulsrud, Municipal Planning Grant
Ethan Parke, Vermont Housing and Conservation Board, (Director of Conservation Assessment and Analysis)

New Hampshire:

Charlie Bridges, New Hampshire Fish and Game

New York:

Dan Rosenblatt, New York State Department of Environmental Conservation (Regional Wildlife Manager)
Laura Heady, Hudson River Estuary Program (Biodiversity Outreach Coordinator)
Jack Cooper, New York State Department of Environmental Conservation

Massachusetts:

Michael Downey, Forest Stewardship Planning Grants for Private and Town Forestlands
Celia Riechel, Executive Office of Energy and Environmental Affairs
John O'Leary, Massachusetts Division of Fish and Wildlife
Nick Wildman, Riverways Program Grants for River Restoration and Revitalization Priority Projects

Rhode Island:

Caitlin Chaffee, Rhode Island State Coastal and Estuarine Habitat Restoration Program and Trust Fund

Connecticut:

David Stygar, Open Space and Watershed Land Acquisition Grant Program

Pennsylvania:

Greg Czarnecki, Department of Conservation and Natural Resources: Office of Wild Resource Conservation (Director)
Diane Kripas, Department of Conservation and Natural Resources
Dan Brauning, Pennsylvania Game Commission (Diversity Program Coordinator)

New Jersey:

Steve Jandoli, New Jersey Department of Environment Protection: Green Acres Program
Courtney Wald_Wittkop, New Jersey Department of Environment Protection: Green Acres Program

Delaware:

Rob Hossler, Delaware Division of Fish and Wildlife (Game Species Program Manager)

Maryland:

James Price, Open Space Program

Stacy Schaefer, Maryland's Rural Legacy Program

West Virginia:

Bob Tabb, West Virginia Agricultural Land Protection Authority

Virginia:

Sarah Richardson, Virginia Land Conservation Fund (VLCF)