



Doris Duke Charitable Foundation
Land Conservation Initiative

Mid-Term Assessment

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Introductory Note

This report assesses the interim status of the Doris Duke Charitable Foundation's Land Conservation Initiative in New Jersey and Rhode Island. Section I provides a summary of the findings and recommendations. Section II briefly describes the task with which I was charged and the method I used to tackle it. Section III covers findings on grant activity and impacts in New Jersey and Rhode Island. While Section IV discusses findings on LCI strategy. Recommendations are presented in Section V. A number of supporting appendices follow the end of the report.

My work was shaped by a number of individuals, and I want to thank them at the outset. Peter Howell, the Foundation's Program Director for the Environment, set the tone for the project with his desire for honest inquiry. Peter Stein of Lyme Timber Company, Conservation Advisory Services offered invaluable advice and Ben Silberfarb, his colleague at Lyme, assisted with map preparation and spatial analyses. The primary grantees in New Jersey and Rhode Island were utterly open with information, contacts, and observations. They included: Rose Harvey and Leigh Rae of the Trust for Public Land, Michael Catania of The Nature Conservancy (NJ), Michele Byers of the New Jersey Conservation Foundation, Barbara Lawrence and Sam Hamill of New Jersey Future, Doug Parker, Terry Sullivan, and Kathleen Wainwright of The Nature Conservancy (RI), and Scott Wolf and Shiela Brush of Grow Smart Rhode Island. Lastly, Paige Siempelkamp offered insightful editorial commentary. Each of these individuals was a pleasure to work with.

Cover photo by Gary Layda

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Summary

Across America open land is disappearing. It is difficult to read a newspaper these days and not come across a story about a fight over plans to turn a farm or forest into a new housing development or mega-store or theme park. The loss of open land brings with it the loss of food sources and living spaces for plants and animals and, as well, the loss of places for people to roam and recreate.

Nowhere is this more evident than the Northeastern seaboard. It is here that the Doris Duke Charitable Foundation launched its Land Conservation Initiative (LCI) in December 1999 to protect land and find ways to manage the tide of growth in ecologically valuable places. Initial efforts concentrated on key parts (called “focus areas” by LCI) of New Jersey and Rhode Island, the nation’s two most densely populated states. The Foundation followed up these initial grants in the Northeast with grants in ecologically rich and relatively pristine places in the West and Southeast—the Gulf Coastal Plain and Greater Yellowstone—where the problem of land loss is now emerging rapidly. With nearly two full years completed, the Foundation contracted for an assessment of LCI in New Jersey and Rhode Island in the late summer of 2001. This report presents the results of that assessment, which examined progress against grant agreements, looked closely at LCI grantmaking strategy, and sought out opportunities for improving the initiative.

The assessment found that grantees are on track to meet most grant requirements. More specifically, in New Jersey:

Finding NJ-1: The achievements of land protection versus agreed-to targets have been impressive. Four-year leverage targets already have been exceeded and LCI is three-quarters of the way to four-year acreage goals.

Finding NJ-2: There is considerable doubt that the growth management activities currently supported by LCI in New Jersey will produce substantial impacts for conservation in the near term.

Finding NJ-3: Capacity building holds a great deal of promise as a means of building skill, tapping into decision makers and change makers in local communities, and increasing the resources for land conservation.

The findings were similar for Rhode island:

Finding RI-1: Rhode Island land protection has achieved a great deal in the first two years of the grant. The grantee is 90 percent of the way to the four-year acreage target and the four-year goal for private leverage has already been surpassed.

Finding RI-2: Though more proactive activities need to become incorporated into the approach, and the grantee’s strengths more effectively leveraged, growth

management activity supported by LCI in Rhode Island has been constructive and holds out the promise of relatively tangible results.

Finding RI-3: Land trust capacity building work supported through LCI shows a great deal of promise. This work also highlights some of the limitations that are encountered in this area.

Beyond the acres protected, however, the LCI strategy is unlikely to produce substantial, focus-area-wide impacts for conservation in the grant period. A land conservation *initiative* implies a coherent strategy comprised of goals, target places, and tactics through which the goals are achieved at the target places. Reasons for the likely lack of focus-area-wide impact may be found in each of these elements.

Goals

Finding LCI-1: The goals of LCI are broad. The language used to describe LCI in grant agreements and board memoranda and by Foundation staff refers, among other things, to protecting ecologically significant places and combating sprawl. Neither is stressed as paramount, and, more problematically, neither is defined. The time frame for impact (and definition of what that impact should be beyond acres and dollars) also remains unclear.

Target places

Finding LCI-2: New Jersey and Rhode Island are what might be called “end-game” states, densely populated, substantially developed, with full build-out on the horizon. Because development pressures in these states are high, and have been so for decades, the time to protect ecologically valuable places is relatively short (and the costs of acquiring them can, in some instances, be prohibitive). However, while development has spread amoeba-like across New Jersey and Rhode Island, short-term development forces are not uniform within the focus areas. There appear to be “battle zones” where development pressures are highest, and less active “emerging areas”. A better understanding of land use patterns and processes could help LCI to become more effective in the midst of a challenging environment.

Finding LCI-3: Effective land use policy and planning is rare in New Jersey and Rhode Island (with the exception of the New Jersey Pine Barrens).

Tactics

LCI tactics appear to be insufficiently coincident (same geographical location), complementary (same agenda), and proactive (close to or at the source of near-term change) for work in end-game states.

Finding LCI-4: Coincidence. The relatively large New Jersey focus areas make it difficult for the individual tactics supported by LCI (land protection, growth management, capacity building) to reach critical mass and for all the tactics to occur in the same place. The relative smallness of the South County, Rhode Island focus area has concentrated land protection and brought all three tactics into some degree of proximity.

Finding LCI-5: Complementarity. At times the agenda of growth management has not been complementary to land conservation. This is particularly problematic in the case of New Jersey.

Finding LCI-6: Proactivity. Given the time pressures of being in end-game states, tactics, especially growth management, need to be targeted more closely at the source of the threat to critical areas, for example, blocking bad land use through local regulatory change, major-development critiques, and perhaps even assistance with legal defense for towns in cases where good plans and zoning are challenged by developers. A particular problem is the finding that growth management grantee strengths are not being leveraged fully.

An additional area, knowledge development

A critical area of potential impact is the capture and transfer of knowledge produced through LCI.

Finding LCI-7: While selected mechanisms are in place (e.g., land transaction tracking, grantee convenings), LCI has not formalized how it intends to produce knowledge that can be used to inform land conservation in other places within LCI (e.g., the Gulf Coastal Plan and Greater Yellowstone) or outside it (other battle zone or emerging areas, or even pristine places).

Based on these mid-term findings about LCI, the Foundation might want to consider four major recommendations for improving LCI.

Recommendation 1: Bring greater clarity to LCI goals.

The primacy of ecological or anti-sprawl objectives needs to be established and communicated to grantees, and the roles of these two areas need to be specified. A target timeframe for impact (recognizing that this will need to be general and revisited) should be agreed to with grantees.

Recommendation 2: Focus on places and support tactics that accelerate conservation impact at these places.

Focus on places. A logical response to the dispersion of efforts across a large focus area is to concentrate efforts in a smaller area. More manageable LCI project areas could be drawn, with ecologically based boundaries and possessing some distinct

character. These places should have significant potential for preservation of ecological value within, give or take, ten years.

Support tactics that accelerate conservation impact at these places. Time is short, in the scheme of things, for protecting ecologically valuable places, so impacts of LCI-funded tactics need to be accelerated beyond the current pace of progress, and additional tactics should be added to the initiative where they are needed. Two criteria are suggested for grading new tactics and determining which existing tactics should be deemphasized. First, desirable tactics would *increase the rate* of land protection. This might be achieved by growing the size and skill of the land protection community, enacting policy and regulatory measures with direct conservation benefit within five years, or increasing the resources for land protection within a short timeframe, say three-years. Second, desirable tactics would *slow the local pace* of land consumption in the relative near term. This might be accomplished through changes in town land use planning and zoning or leveling the playing field of local land use decision making.

Recommendation 3: Build and transfer knowledge to help advance conservation in other places. Derive LCI management tracking from the effort to build knowledge.

DDCF should consider testing the proposition that other places (both within and outside of LCI) can improve their conservation efforts by learning from the LCI experience in New Jersey and Rhode Island. This is a significant opportunity for leverage that might be accomplished by setting up LCI as an experiment and paying careful attention to the distillation and dissemination of results. The transfer of knowledge should be monitored by DDCF. Who was exposed to LCI cases? Where did actual change take place because of this?

This ongoing process of attempting to capture and disseminate knowledge can serve as the vehicle for LCI grant tracking and management. Financial leverage and acres protected, while important measures, can become distractions from the core issue of conservation status.

Recommendation 4: Within current grant agreements, make LCI in New Jersey and Rhode Island more integrated and proactive:

- Allow New Jersey Future to shift grant funds from one-on-one local assistance to state-level policy work, including, for example, efforts to test and strengthen the new Governor's Smart Growth Council, to develop and pursue a short list of achievable policy/regulatory changes that have a direct benefit for conservation in the focus areas (e.g., sewer regulations, Transfer of Development Rights), and to conduct applied research (e.g., case studies of how areas transition from rural to built out).
- Consider allowing NJCF the flexibility to move some of its unexpended funds to re-grants or other areas.

In Rhode Island :

- Allow GSRI the flexibility to pursue growth management educational efforts during this year's gubernatorial campaign. This work was productive last year in New Jersey (though LCI did not fund it there).
- Facilitate a meeting with TNC and GSRI (and perhaps others, such as the Champlin Foundation or the Rhode Island Foundation) to discuss how to further South County efforts. Several items should be discussed, including how to tie the Sustainable Economy Project and the Greenspace Protection Plan together, how to best use regrants to reinforce the goals of these plans and GSRI training, and what should be the content of a State-level growth management agenda that is relevant for South County land conservation.
- In concert with TNC, consider supporting shared staffing for South County land trusts as a means to jump start some efforts and rev-up others.

Overall, the Foundation should consider initiating a process to define more targeted project areas within all three focus areas. All grantees should be involved in these discussions, and while project areas may build on LCI land protection accomplished in the first two years, expediency should not displace wiser choices, if they exist. As well, the Foundation should consider convening a group to design an approach to knowledge capture.

Task and method

The basic task of the assessment was to gauge the progress of LCI in New Jersey and Rhode Island halfway through the grant period. I want to emphasize that this was not a post-grant evaluation, but, rather, a probing of emerging impacts.

In December of 1999, the Foundation made approximately \$14 million in grants to organizations that protect land, promote smart growth, and provide technical assistance in New Jersey and Rhode Island. In New Jersey, \$8,400,000 was granted to the Trust for Public Land and The Nature Conservancy for land protection and associated operating expenses, \$450,000 was granted to New Jersey Future for promoting ecologically beneficial smart growth policies, and \$500,000 was granted to the New Jersey Conservation Foundation to build the capacity of local conservation groups, engage new constituencies, and develop additional resources for stewardship of protected lands. In Rhode Island, \$4,391,000 was granted to The Nature Conservancy for land protection and technical assistance to land trusts, and \$350,000 was granted to Grow Smart Rhode Island for promoting ecologically beneficial smart growth policy and economic activity.

The focus of the assessment was grant making strategy, rather than grantee performance, though progress toward grant requirements also was examined. I believe that an initiative such as LCI, in contrast to an open, general grant making program, implies a strategy aimed at an end. Examining LCI's strategy was my central purpose. While I recognize that the success of any strategy is dependent upon the actors who carry it out, it is the design of the strategy that, first and foremost, determines whether even successful action will accomplish desired ends. With that in mind, the assessment centered on three main questions: 1) What has occurred so far? 2) What benefits have been produced and what conservation impact has been realized? 3) What modifications to the initiative are warranted?

Findings—Activity and Impacts

In both New Jersey and Rhode Island, grantees are on track to meet most grant requirements and realize a wide range of impacts. Land protection is yielding the most significant conservation impacts, with growth management resulting in the least direct effect. Initial activity in Rhode Island appears to be unfolding much more along the lines of what the Foundation envisioned for LCI than experience to date in New Jersey. In Rhode Island, land protection efforts have been complemented by capacity building and, to some degree, growth management. As will be discussed further in Section IV and Section V, restructuring LCI could enhance the results of the initiative in both states over the medium to longer term.

A. New Jersey: Land Protection

Finding NJ-1: As Table 1 indicates, the achievements of land protection in New Jersey versus agreed-to targets have been impressive. In just two years, LCI is three-quarters of the way to the four-year 10,000 acre goal (See Figure 1a.). And, Figure 1b illustrates by just how much leverage targets have been bested. Public leverage is 25 percent above the four-year goal, while private leverage is already double what had been expected. Over all, the rate of leverage on DDCF funds granted is 10:1, significantly greater than the 4:1 standard set in grant agreements.

These projects have resulted in a number of primary and secondary impacts. As shown in Table 2, primary impacts have included securing ecologically valuable parcels, heading off sprawl, preserving recreation opportunities, and maintaining local farms. The ecological impacts, as reported by grantees, included protecting specific species and communities of plants and animals, and connecting or expanding protected areas (See Table 3). Some of the ecological impacts occurred immediately with the acquisition of a parcel, while others are occurring over time across sites as several parcels are purchased. (It should be noted that as Table 3 was prepared based solely on tracking forms, it likely understates the species protected.)

The most important secondary impacts of the land protection projects include establishing and strengthening relationships and building the capacity of others to fund and complete land deals. Simply closing some of these projects was an accomplishment. But for the effort of the grantees, a number of deals would not have happened. (See Map 1 for a general orientation to New Jersey focus areas and land protection projects.)

Two cases help articulate the multiple impacts of most of the LCI deals. Map 2 illustrates the case of the Valley View Farms and PMI projects. The unusual micro-environments of the ridge and limestone valley region in the northwestern part of the Highlands focus area support a number of rare species. Two major housing developments with some 420 residential units were proposed for the towns of Fredon, Andover, and Newton in this area, which is several times the total number of building permits issued in these towns in any given year. Locals and town officials feared the number of new residents would alter the quality of life and stress municipal services. The

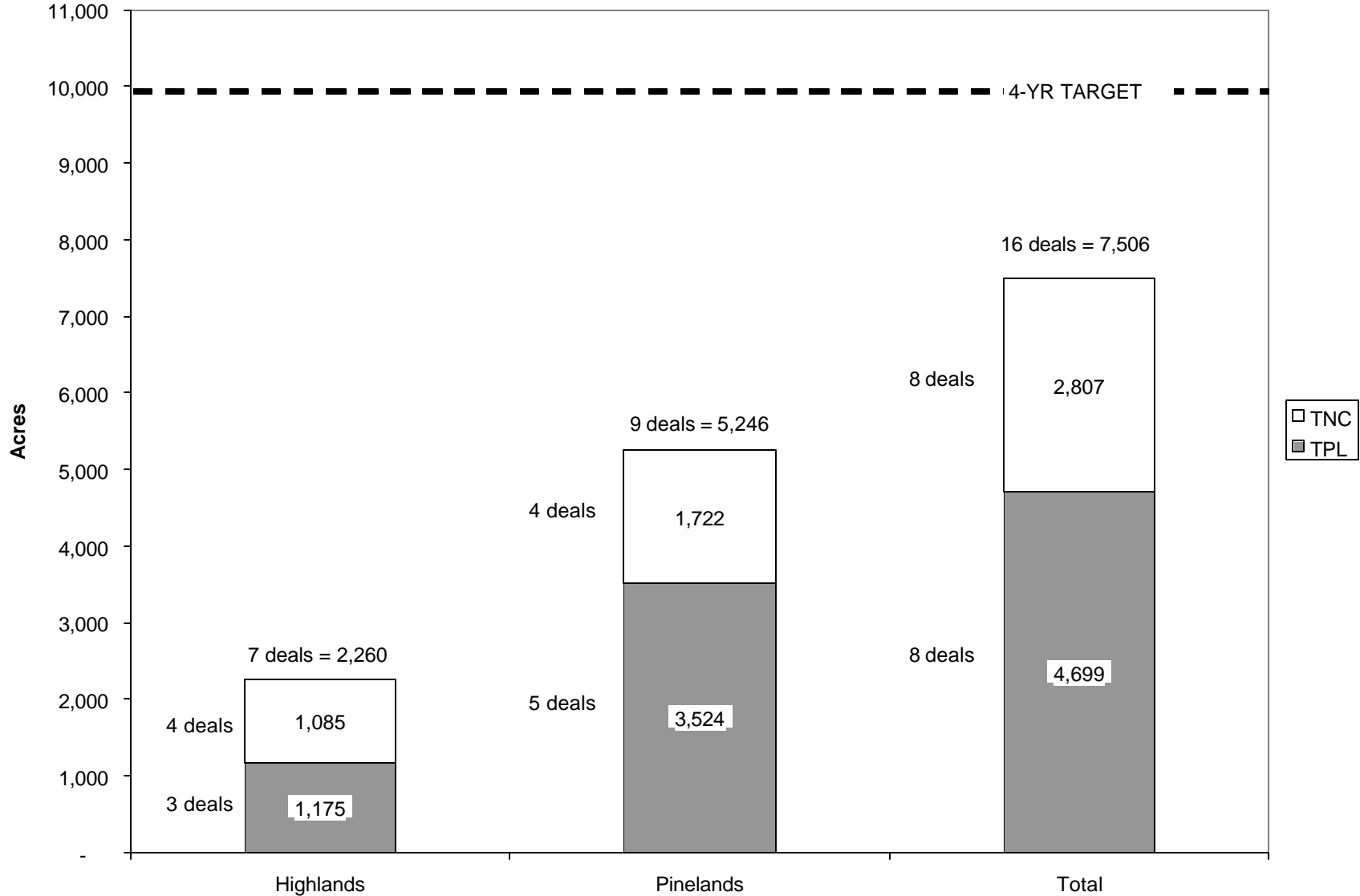
Table 1. New Jersey Land Protection Activity, 2000 & 2001*

	<u>4-Year</u> <u>Target</u>	<u>2-Year</u> <u>Total</u>	<u>Highlands</u>	<u>Pinelands</u>
Deals	n.a.	16	7	9
Acres	10,000	7,506	2,260	5,246
Cost	n.a.	37.1	20.9	16.1
Value	n.a.	50.5	24.2	25.9
DDCF\$	8.0	4.4	3.0	1.4
Leverage	32.0	46.1	21.5	24.6

*Cost, Value, DDCF\$ and Leverage in \$ millions

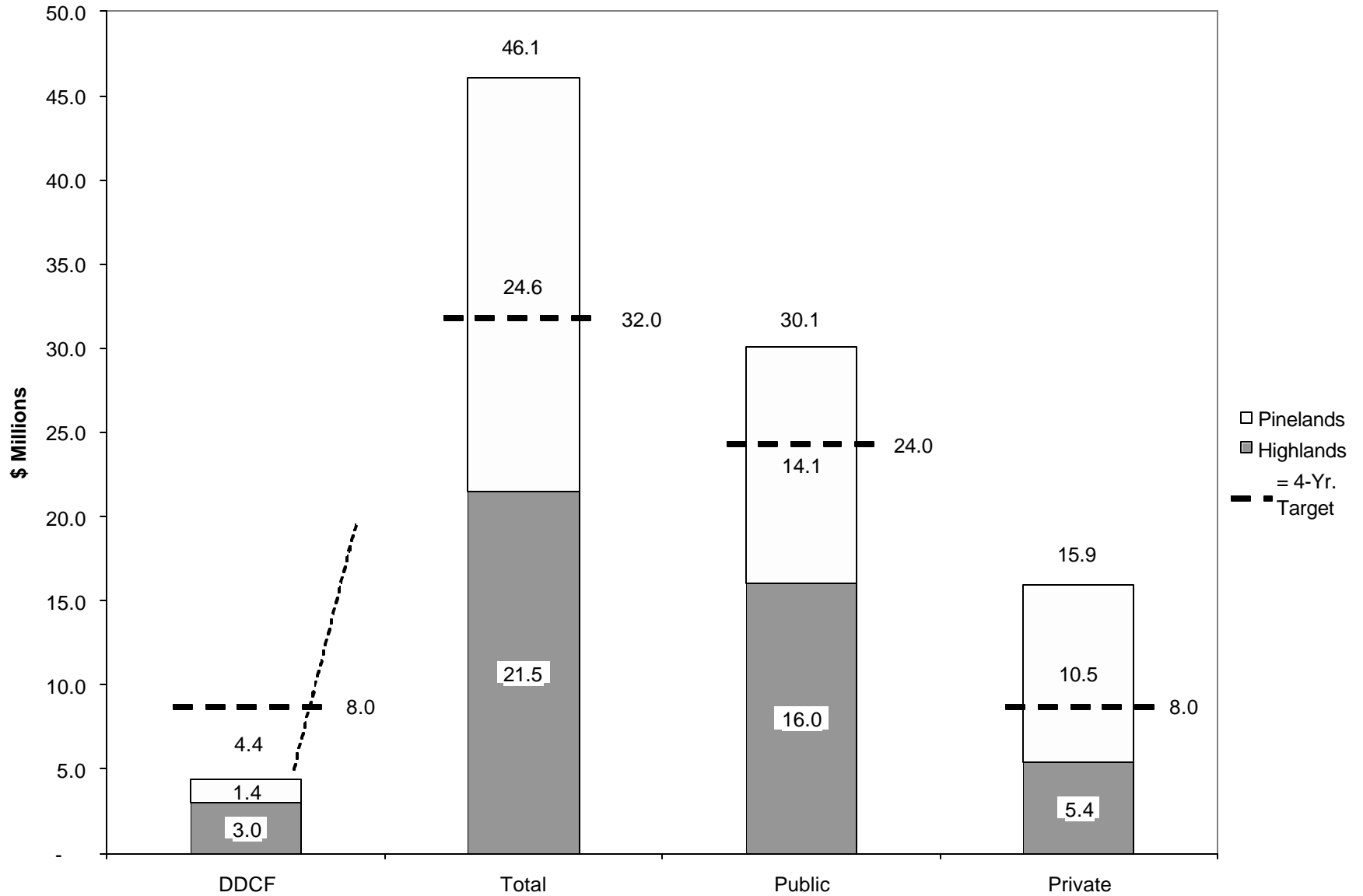
Source: Grant agreements; LCI Transaction Information Tracking

Figure 1a. Acres Protected in New Jersey, 2000 & 2001



Source: LCI Transaction Information Tracking; grant agreements

Figure 1b. New Jersey Leverage, 2000 & 2001



Note: Leverage is understated. Does not include funds raised for such items as TNC stewardship endowments (20% of purchase price), holding costs, and taxes.

Source: LCI Transaction Information Tracking; grant agreements

Table 2. Impacts of New Jersey Land Protection Projects

Project	Primary Impacts					Secondary Impacts				Comments
	Ecology	Sprawl	OS/Ed/Rec	Farming	Drinking Water	Precedent	Build Capacity	Engage Funder	Build Relationship	
VVF	✓	✓		✓		✓		✓		Muchshaw Ponds Pres. 86 to 411 acres; 1st SADC non-p grant; 1 parcel from WMA
PMI	✓	✓		✓					✓	see above
Danza	✓	✓	✓			✓				Town donated land to non-p --a 1st; TNC now controls access road
Tranquility	✓		✓	✓			✓		✓	Engaged Warren & Sussex Cos; Sussex recently enacted land cons tax
Marks	✓								✓	1st purch for new preserve; led to talks w/adjacent landowner (650 acres)
Elley	✓									Builds on Marks
Larrabee	✓		✓						✓	Core of Pole Bridge Branch site; built rel w/Pinelands Pre Alliance --educ
Leone	✓								✓	Built rel w/neighbor w/8,000 acres; reduc mining threat; got trails grant
Brown	✓	✓			✓		✓		✓	#1 priority for Rockaway --water supply; led to Johnson Woods
Lighthouse			✓					✓		One of last tracts on Bay; DDCF \$\$ helped keep deal together (Penn)
Jackson 1&2	✓	✓					✓			Very large parcel; multiple public partners; Ocean County capacity (also in on Krischer)
Glen Gray	✓		✓							Oldest continually operating BSA camp
Johnson Woods	✓	✓	✓		✓					Key connection for Beaver Brook Wetland in WRWMA
Bonsangue	✓	✓	✓						✓	Built rel w/Lacey TWP and add'l land owner
Krischer	✓	✓					✓			Pulled parcel out of litigation and into preservation; helps stop sprawl in Whiting

Source: LCI Transaction Information Tracking; interviews; site visits; analysis

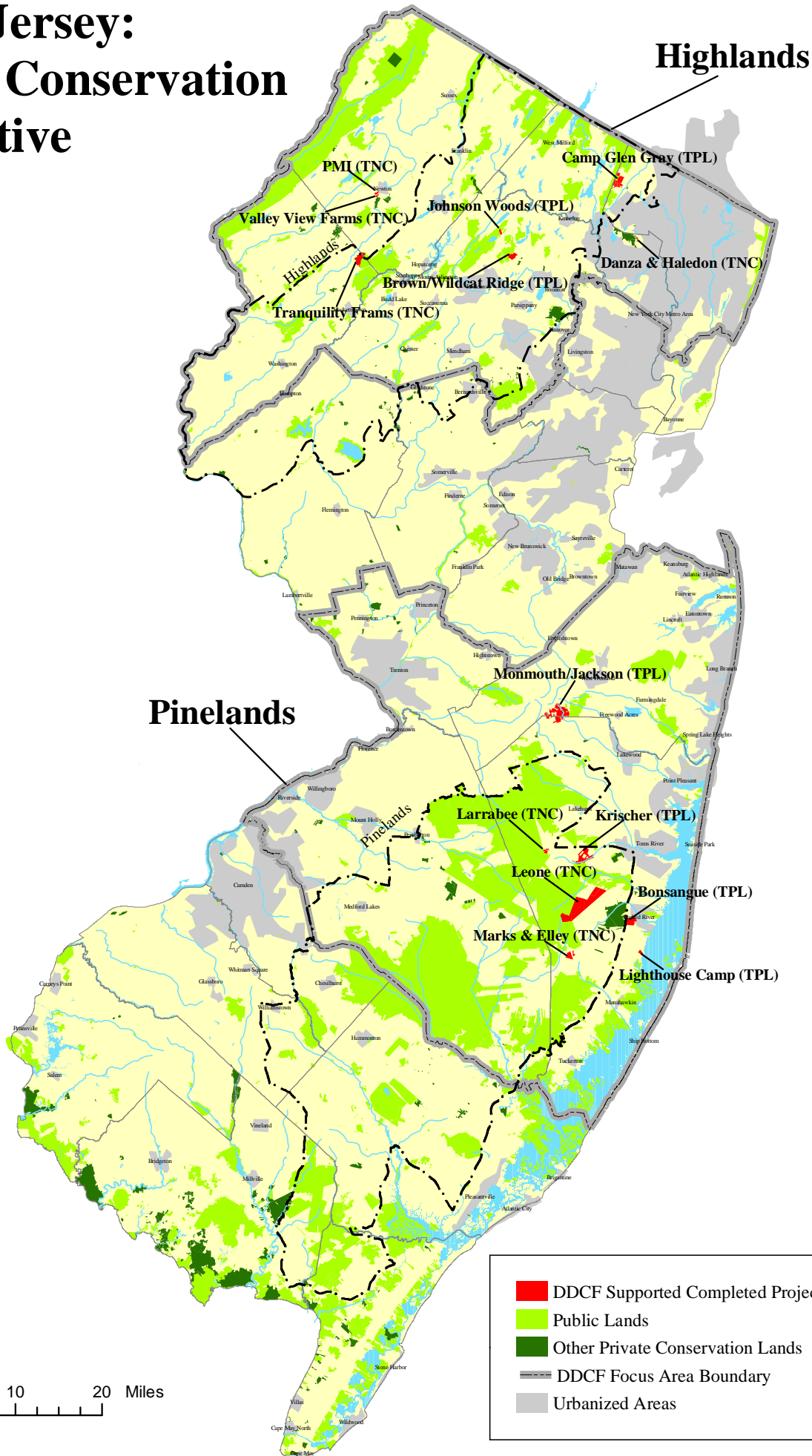
Table 3. Reported Ecological Impacts of New Jersey Land Protection Projects

Project	Species Protected	Communities Protected	Connections	Expansions
Valley View Farms		<u>Site</u> : Sinkhole ponds, dolomite ridges, calcareous forests		Expands TNC Muckshaw Ponds Preserve from 86 acres to 285 acres
PMI	<u>Site</u> : Longtail salamander (Threatened); barred owl	<u>Site</u> : Boltonia-Aster-Mint pondshore (G1G2, S1S2), Sycamore-Green Ash-American Elm-redosier Dogwood-Meadow Sedge sinkhole pond floodplain forest (G2G3,S1)		Expands TNC Muckshaw Ponds Preserve from 285 acres to 411 acres
Danza & North Haledon	<u>Site</u> : Buffer for Torrey's mountain mint			Expands 1,154-acre High Mountain Park Preserve
Tranquility Farms			Connects Allamuchy State Forest to east (7,000 ac), preserved farmland to west (1,000), Township Municipal Park to north, and Stuyvesant land (700) to south soon to be purchased by Green Acres	
Elley		<u>Parcel</u> : Buffer for globally imperiled pine plains; <u>Site</u> : Globally imperiled pine plains		Adjacent to the 17,616 acre Stafford Forge Wildlife Management Area and the 28,224 acre Greenwood Forest Wildlife Management Area
Larrabee	<u>Parcel</u> : Good population of Pine Barren's boneset, a rare wetlands plant	<u>Site</u> : Complex of hardwood and Atlantic white cedar swamps and a surrounding pitch pine upland forest		Parcel is adjacent to the 34,500-acre Lebanon State Forest
Marks		<u>Parcel</u> : Buffer for the globally imperiled pine plains; two coastal plain intermittent ponds		Adjacent to the 17,616 acre Stafford Forge Wildlife Management Area; and the 28,224 acre Greenwood Forest Wildlife Management Area
Leone		<u>Site</u> : Dwarf pine plains or pygmy pines; Forked River Macrosite is B2		
Brown	<u>Site</u> : Bog turtle, bog asphodel		Connects state Wildcat Ridge Wildlife Management Area lands to Beaver Brook wetland	Addition to Wildcat Ridge State Park
Lighthouse Camp	<u>Site</u> : Over 150 species of birds due to habitat and location under Atlantic Flyway; coastal fish nursery; maritime forest, salt marshes, small freshwater streams, hummocks			Expands Edwin B. Forsythe National Wildlife Refuge. But is not contiguous
Jackson-Monmouth Phase 1 & Phase 2		<u>Parcel</u> : Headwaters of South branch of Metedeconk and Toms River		Adjacent to State Turkey Swamp Wildlife Mgmt Area and Turkey Swamp Park (Monmouth County)
Camp Glen Gray				Links to over 3,500 acres of protected lands in the Ramapo Mountain region
Johnson Woods		<u>Site</u> : Beaver Brook wetlands	Joins two smaller outholdings of Wildcat Ridge WMA	Adjacent to Picatinny Arsenal
Bonsangue		<u>Site</u> : Middle Branch of Forked River		Expands Edwin B. Forsythe National Wildlife Refuge (contiguous?)
Krischer		<u>Site</u> : White cedar swamps and sedge swamps		Adjacent to Double Trouble State Park, Pasadena State Wildlife Management Area and Greenwood Forest State Wildlife Management Area

Note: Table prepared based on Tracking forms. Likely understates species protected.

Source: ICI Transaction Tracking Information forms

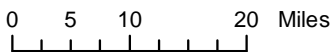
New Jersey: Land Conservation Initiative



Pinelands

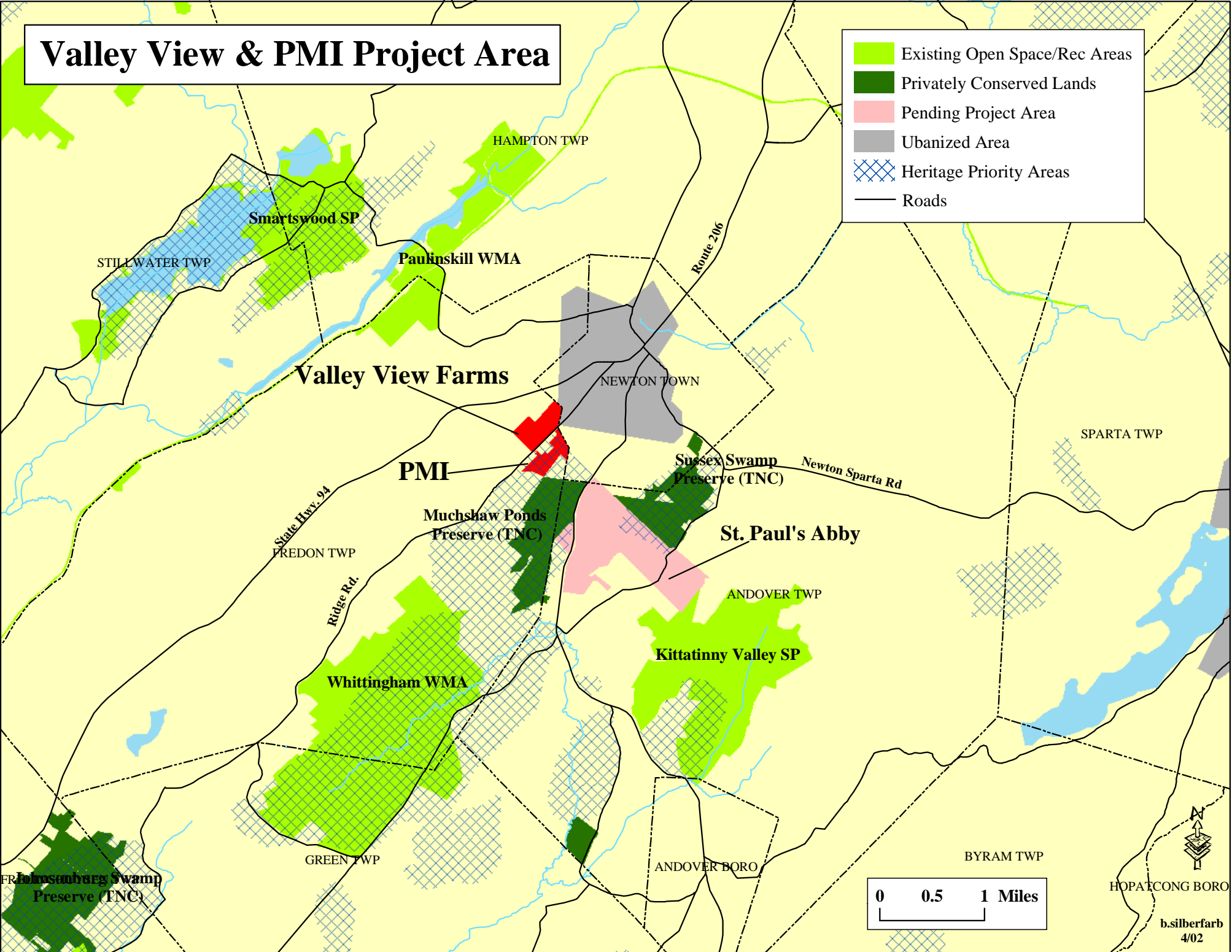
Highlands

- DDCF Supported Completed Projects
- Public Lands
- Other Private Conservation Lands
- DDCF Focus Area Boundary
- Urbanized Areas



Valley View & PMI Project Area

- Existing Open Space/Rec Areas
- Privately Conserved Lands
- Pending Project Area
- Urbanized Area
- Heritage Priority Areas
- Roads



effect on the local school system alone would have required large budget and tax increases. However, the threatened parcels also happened to be adjacent to The Nature Conservancy's (TNC) Muchshaw Ponds Preserve, which caused, in the end, the Conservancy to acquire the two parcels. The 198-acre Valley View Farms was purchased in October 2000 for \$2.75 million (\$850,000 in DDCF funds), and PMI, 135 acres, was bought for \$1.5 million (\$300,000 DDCF) in June of 2001.

The primary impacts of the projects were to head off sprawl and to quintuple the size of the Muchshaw Ponds Preserve, protecting globally significant pond shore communities and such species as the barred owl and the long tail salamander.

But the impacts of these projects went far beyond simply securing the land. Valley View Farms was the first project to obtain State Farmland Preservation funds from the newly established Nonprofit Program. The deal helped the State Agricultural Development Committee (SADC) understand how nonprofits do conservation projects, increasing the SADC's comfort level with the program. Under pressure to get funds expended, SADC staff worked closely with TNC for leads and projects. By the end of 2001, TNC had two-thirds of all pending Nonprofit Program grants (\$2.375 million). The Valley View Farms project also kept a young, local farmer in business through a lease from The Nature Conservancy. The lease generates money to help the Conservancy fund stewardship activities, and lease-control has enabled TNC to stipulate a phase-out of the pumping of irrigation water from a large and important pond on the property. Relationships built through the projects contributed to the passage of conservative Sussex County's first open space funding initiative. This, and other TNC farm-related deals, have given the organization credibility with the state's farming community.

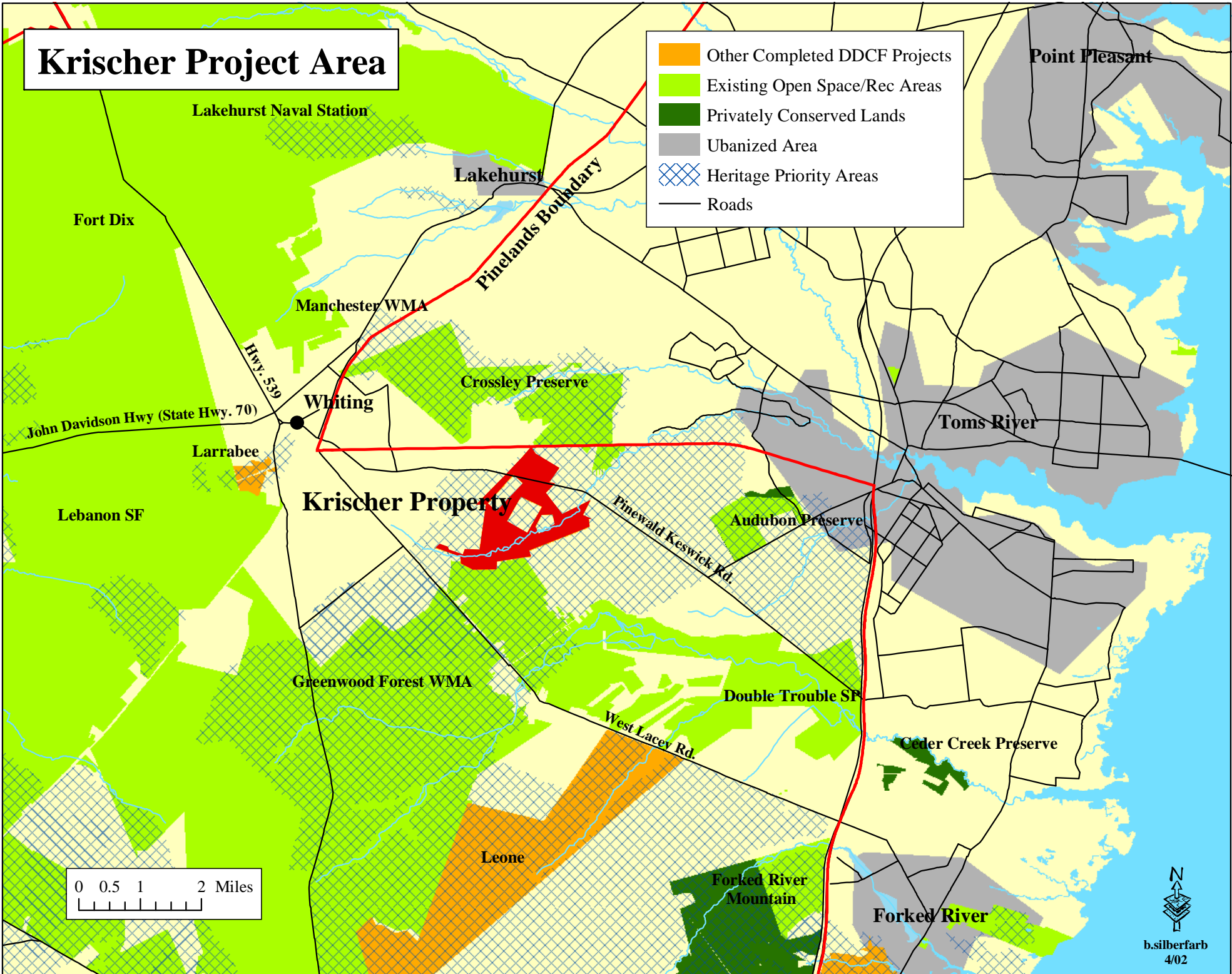
These are highly successful and satisfying projects, with just the sort of blend of conservation and anti-sprawl benefits LCI seems to aspire to achieve. However, the projects also raise important questions about the initiative. Valley View cost nearly \$14,000 an acre, while PMI cost more than \$11,000 an acre, respectively the second and third most expensive LCI projects so far. While this particular landscape, though small, had high ecological value, it is worth recognizing that LCI's resources are scarce. In fighting sprawl by buying out planned developments, is there an economic threshold LCI would be unwilling to cross? In addition, for the most part, local zoning still does not prevent incompatible development near the preserve, leaving one to wonder about the basket of tactics that need to be brought to bear to protect a place for the long term.

Map 3 shows the case of the Krischer Project. The northeastern corner of the New Jersey Pine Barrens, a state and national reserve established in the late 1970s, is a sort of inter-tidal zone between the built-up Jersey shore and the lands in the reserve that have special protection. In this zone, development pressure from Tom's River and the Pine Barrens town of Whiting has flowed around a large swath of land designated by Pine Barrens land use regulation as protected forest.

For some time, this pressure has threatened to envelop a large parcel known as Krischer. The land owners had sued the Pinelands Commission over the classification of

Krischer Project Area

- Other Completed DDCF Projects
- Existing Open Space/Rec Areas
- Privately Conserved Lands
- Urbanized Area
- Heritage Priority Areas
- Roads



their land as protected forest, claiming that the true character of the land was defined by the resort and retirement developments that surround the parcel on three sides. The Pinelands Commission hoped to protect this important prong of forest and to defend the principles upon which they had categorized land. Accepting surrounding land use as a reference point would have threatened the classification of numerous other areas, perhaps unraveling two decades of land use planning and regulation in the Pine Barrens.

Recognizing the value of the parcel and sympathetic to the Commission's desire to settle the conflict rather than risk a court judgment, the Trust for Public Land (TPL) entered and helped resolve the dispute. TPL engineered a deal whereby a transitory up-zoning would afford the land owner the tax benefit of a bargain sale to TPL, who would then sell it to the State. In December 2001, TPL purchased the 1,063-acre parcel for \$1.5 million (\$125,000 DDCF).

The project had significant ecological and anti-sprawl value. It protects a large swath of land that includes white cedar and sedge swamps, important bird breeding areas, and some two miles of Toms River headwaters. It connects to 30,000 acres of State park and wildlife management area lands. Of equal direct importance, the parcel forms a wedge between the westward-sprawling coastal developments of Toms River and the eastward-spreading retirement communities of Whiting, perhaps laying the groundwork for even more of the land in this area to be protected.

The resolution of the litigation surrounding the parcel had important secondary impacts. The town of Berkeley, where Krischer is located, completed the process of bringing its comprehensive plan and zoning into conformance with the Pinelands Management Plan, one of the last Pine Barrens towns to do so. (Berkeley also initiated a review of open space lands in town, with an eye toward creating a protection initiative.) In addition, the Pinelands land use system was preserved, heading off, for now, a threatening challenge to zoning criteria.

Beyond the impacts, I want to note that this is the sort of project the State would not have taken on willingly. The situation was highly charged and needed a more neutral party to handle the resolution. In addition, once a deal was agreed to, it needed to be executed quickly. By all accounts, TPL's ability to move faster than most thought possible helped realize the deal.

Krischer raises interesting questions about the role of land protection in shaping land use. The land that was acquired through the deal has been protected. Doing so formed a barrier between two sprawling towns. But how effective a barrier will this be long term? For example, is the barrier wide enough? While the barrier effects of the deal were not especially intentional, might there be other opportunities to use land protection as a land-use-pattern-shaping tool? Is this a wise use of scarce acquisition funds?

B. New Jersey: Growth management

Finding NJ-2: There is considerable doubt that the growth management activities currently supported by LCI in New Jersey will produce substantial impacts for conservation in the near term. So far, efforts have occurred in four areas. First, three research reports have been written and disseminated, one, known as “20 Ways,” outlined a broad agenda for smart growth in New Jersey (this report used only a limited amount of DDCF funds), another examined conservation policy and regulation in 44 towns (referred to in short hand as “44 Towns”), and the last analyzed the progress of the State’s Farmland Preservation program. Second, New Jersey Future, the Foundation’s grantee, has initiated an effort to create a Smart Growth Network, a loose coalition of groups sharing a smart growth agenda. The coalition has met a couple of times and work has begun on a web site of smart growth resources (e.g., model ordinances) that would be a resource for community groups and for towns across the state. Thirdly, New Jersey Future (NJF) has worked with a few municipalities on smart growth issues and initiated a contract with the Association of New Jersey Environmental Commissions to train local officials in smart local land use. Due to cultural incompatibilities and relatively slow progress getting started, the contract was terminated recently. Fourth, NJF worked hard throughout 2001 to raise the profile of growth management in the gubernatorial campaign. While LCI did not directly support these education efforts, many of the concrete proposals NJF pressed with both the Democratic and Republican candidates were drawn directly from the 20 Ways report.

The reports have so far been the highlight of NJF’s work under LCI. They resulted in approximately 28 newspaper articles in 2001 (14 in the Asbury Park Press). In addition, they have bolstered NJF’s capability to do this sort of applied research and enhanced NJF’s credibility with local media and policy makers. And, while recently elected Governor James McGreevey has taken some early promising steps for growth management (which will be discussed in greater detail in a later section), no direct impacts for conservation have been realized through growth management in the first two years of LCI in New Jersey.

C. New Jersey: Capacity building

Finding NJ-3: Capacity building holds a great deal of promise as a means of building skill, tapping into decision makers and change makers in local communities, and increasing the resources for land conservation. Most of the LCI capacity building work took place through its primary capacity building grantee, the New Jersey Conservation Foundation (NJCF), however, there were additional capacity building effects from LCI land protection deals.

The New Jersey Conservation Foundation has provided a range of technical assistance to local conservation groups, building on NJCF’s longstanding commitment to support local land conservation and advocacy organizations. LCI supported NJCF’s survey of the capacity needs of dozens of local groups. NJCF staff took the results of this survey and developed assistance plans for 13 groups (so far). Approximately 50 local

groups have been helped each year. Most importantly, through the DDCF grant, NJCF hired a full-time staff person into its Community Assistance Program. Along with providing on-demand technical assistance, this person has worked in-depth in two areas of the Highlands. With LCI support, NJCF has been able to supplement technical assistance with a re-grant program. In 2000 and 2001, the pool of funds available for re-grants totaled \$90,000, including funds from DDCF, the Educational Foundation of America, and the Victoria Foundation. Thirty proposals totaling twice that amount were received in 2001. Re-grants have been particularly useful, because they have often been used as a carrot to get otherwise reluctant groups to make use of NJCF technical assistance.

The progress in capacity building has outweighed NJCF's limited efforts in a planned constituency building program of outreach to non-traditional partners and its limited successes in identifying additional resources for land stewardship (though NJCF did draft a white paper on easement monitoring and has taken the issue up with the State).

Land protection has helped build local capacity to do deals. Three projects have been completed so far with Ocean County, land protection activity has helped instigate local open space plans (Lopatcong Twp., Berkeley Twp.), and it has helped spark the establishment of open space funds (e.g., Allamuchy Twp., Fredon Twp., Harmony Twp., Sussex County) as well as the refueling of existing funds (e.g., Rockaway). However, a distinct, though minor, disappointment of LCI in New Jersey has been the infrequency of envisioned land-protection-deal partnering between national and local land trusts. So far, land trusts have participated in only two of 16 LCI-supported deals. And the two land trusts involved are fairly established regional land trusts (Ridge and Valley Conservancy, Morris Land Conservancy), not fledgling local land trusts. The fact is that the national groups believe local groups add unnecessary complexity and bring insufficient speed to what are often rapidly changing, high pressure situations. In the end, the goal of partnering probably should be dropped in New Jersey for now. If it happens opportunistically, so much the better, however it makes more sense to build local land trust capacity in ways that are working (e.g., through NJCF technical assistance and re-grants), than to try and force a path of greater resistance and not necessarily greater return (i.e., pressing the national groups to do it).

The case of the Philipsburg Riverview Organization (PRO), a local conservation organization in the southwestern Highlands, helps illuminate the ways in which capacity building pays off by tapping the power of community networks. NJCF worked with PRO to expand the group's influence. In the early-to-mid-1990s, PRO received a regional umbrella grant from Green Acres, \$2 million of which remained unspent in 2000. Green Acres was growing restless and there was some risk the State would reprogram the funds. NJCF convened PRO, Green Acres, and Warren County and a project list was developed. Several good projects within PRO's focus area were taken on by PRO's staff person in Lopatcong Township. NJCF trained the person in land transaction basics. With NJCF assistance, this staff person also was placed onto the open space committee in Lopatcong. NJCF worked with a PRO staffer in Harmony Township to develop Harmony's Planning Incentive Grant application for Farmland Preservation funds and to pass an open space

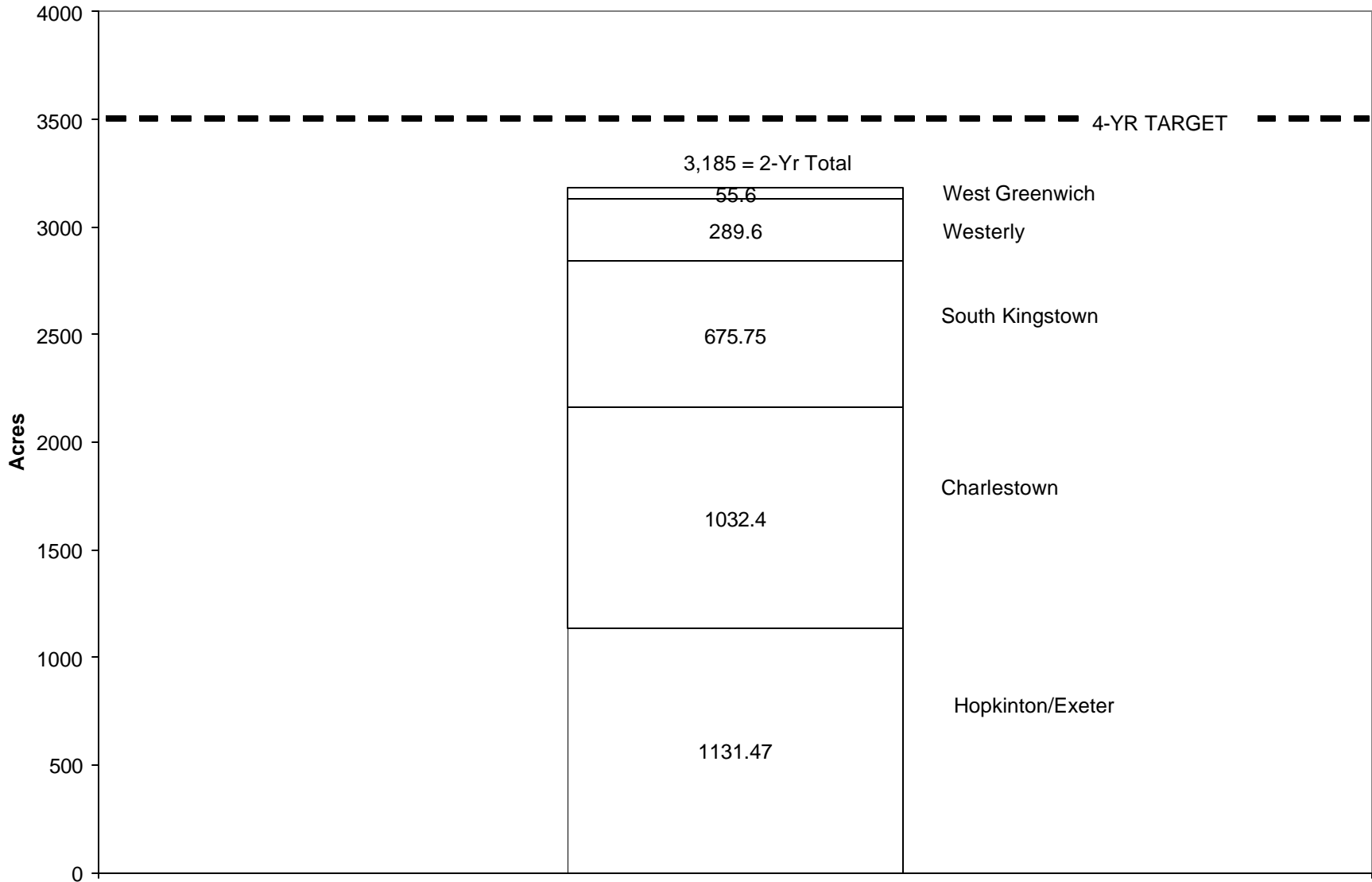
**Table 4. Rhode Island Land Protection
Activity, 2000 & 2001***

	<u>4-Year Target</u>	<u>2-Year Total</u>
Deals	n.a.	16
Acres	3,500	3,185
Cost	n.a.	10.4
Value	n.a.	11.5
DDCF\$	4.0	1.9
Leverage	12.0	9.7

*Cost, Value, DDCF\$ and Leverage in \$ millions

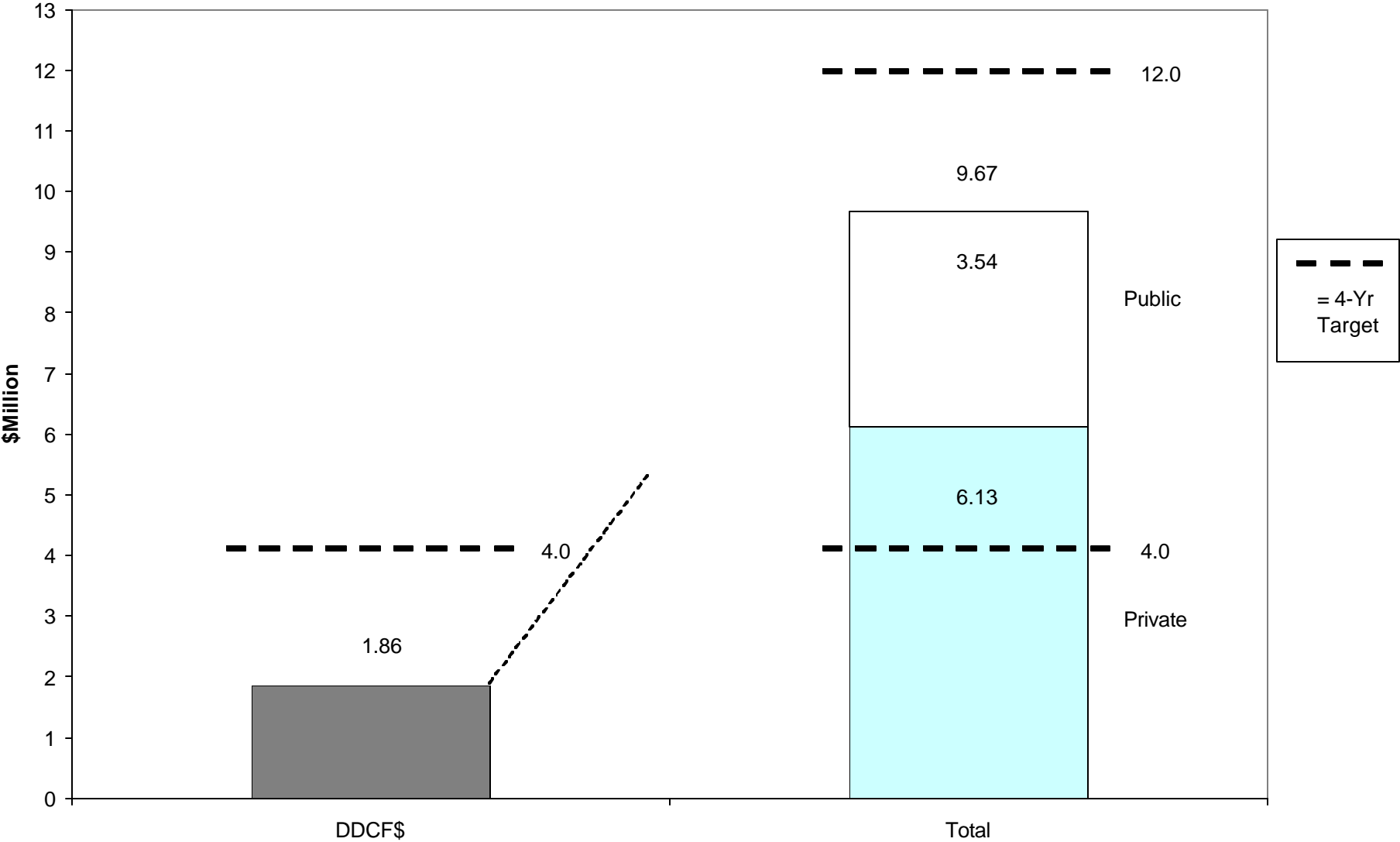
Source: Grant agreements; LCI Transaction Information Tracking

Figure 2a. Acres Protected in Rhode Island, 2000 & 2001



Source: LCI Transaction Information Tracking; grant agreements

Figure 2b. Rhode Island Leverage, 2000 & 2001



Note: Leverage is understated. Does not include funds raised for such items as TNC stewardship endowments (20% of purch price), holding costs, and taxes.
 Source: LCI Transaction Information Tracking; grant agreements

tax in town. When the State announced smart-growth planning grants to counties, NJCF helped PRO put staff on township smart growth committees across the Warren County. Early last year, NJCF hosted a land use planning workshop with PRO which was attended by about 40 officials from county and town government, and local nonprofit organizations.

NJCF also helped build PRO as an institution. Community Assistance Program staff brought in the Land Trust Alliance to advise on board staffing, and PRO asked NJCF to join its board. The NJCF board member is helping PRO develop basic protocols for land acquisition projects and other program areas, and upgrade the group's governance by, for example, purchasing board insurance.

The impacts of NJCF's work with PRO have been numerous. The Green Acres funds were committed and several land acquisition projects are complete, making it possible for PRO to apply for additional funds. And, PRO is now much more capable of doing land acquisition on its own. PRO's board is more systematic and stronger. NJCF's web of local working and information relationships has been expanded, yielding a range of benefits. For example, PRO passed on a tip about a planned Toll Brothers development that led NJCF to purchase a key parcel. Beyond these primary benefits, the efforts have helped thaw PRO's relationship with Warren County, and PRO is now interesting the County in several of its acquisition priorities.

The PRO case reinforces two key points about capacity building. First, a web of local relationships is an asset from which many unanticipated opportunities can arise. Second, more than anything else, it is the desire of a local group to learn and mature that makes technical assistance work.

The NJCF-PRO relationship is partnership at its best. But, it still raises several questions about how the tactic is used by LCI. How many groups would want this degree of resource-intensive assistance? What would be the best way to expand the approach? As it has not in this instance, how might capacity building complement LCI-supported land protection and growth management efforts in the Highlands and Pinelands?

D. Rhode Island: Land protection

Finding RI-1: As Table 4 indicates, Rhode Island land protection has achieved a great deal in the first two years of the grant. In Rhode Island, LCI is 90 percent of the way to the 3,500-acre land protection goal (See Figure 2a). Figure 2b illustrates the tremendous progress made toward leverage objectives. Private leverage exceeds the four-year target by 50 percent. And, while just less than half the DDCF funds have been committed, Rhode Island is four-fifths of the way toward the four-year leverage goal. The overall rate of leverage on DDCF funds so far is 5:1, much stronger than the 3:1 anticipated in the grant agreements.

These projects have resulted in a number of impacts. As shown in Table 5, the main primary impact has been to secure ecologically valuable parcels. Additionally,

while there were few direct battles with developers, land protection groups are making a major investment in the western portion of South Kingstown, one of the most ecologically important areas of the state, and the land deals in Hopkinton may some day add up to a barrier against Connecticut casino sprawl. Most projects had some recreational benefit, while several protected farms. The ecological impacts, as reported by grantees, included protecting numerous communities of plants and animals, and connecting or expanding existing protected areas. (See Table 6. Again, it should be noted that as this table was prepared based solely on tracking forms, it likely understates the species protected.)

The most important secondary impact has been to build local land trust capacity. The South Kingstown Land Trust participated in six LCI-supported land protection projects, significantly deepening the deal-strength of what was already the leading land trust in Rhode Island. The Nature Conservancy helped the newly formed Hopkinton Land Trust complete its first project, and it worked with the West Greenwich Land Trust to complete its second. In addition to capacity building, several projects helped build relationships, most importantly, with the older farming/land owning community along the coast. (See Map 4 for a general orientation to Rhode Island focus areas and land protection projects.)

The extensive work in South Kingstown highlights a compelling case of the many benefits of land protection partnerships. South Kingstown possesses some of the ecologically most important sites in Rhode Island. In addition, the town faces development pressures brought on by its shore location and its proximity to Providence. A fairly progressive town, South Kingstown has made numerous efforts to control growth over the last 30 years. Most recently, a five-year cap on building permits was enacted in 1997. The town has about 28,000 residents and 40,000 acres of land.

In the first two years, 7 of the 16 completed LCI Rhode Island land protection projects took place in South Kingstown. The projects totaled 676 acres at a cost of \$2.7 million (\$208,800 in DDCF funds). The protected parcels are concentrated around Worden Pond and around the ponds along the coast. A number of other projects were completed beyond those supported with DDCF funds. This work was the result of a unique partnership between the Town, the State Department of Environmental Management, the US Fish and Wildlife Service, The Nature Conservancy, the South Kingstown Land Trust, and the Champlin Foundation. The group has met on a regular, almost monthly basis since 1998.

The partnership has expanded protected land, helped build the capacity of the South Kingstown Land Trust, and drawn substantial resources to land conservation in South Kingstown. Map 5 shows the status of protected lands in South Kingstown. The land deals, to which DDCF funds have contributed significantly, have resulted in a swath of protected land moving eastward from Trustom Pond, and a buffer to the south of Worden Pond—the largest freshwater pond and wetland area in the state. These projects also have helped solidify the strengths of the South Kingstown Land Trust, which participated in six of the seven LCI deals in South Kingstown. In addition to partnering

Table 5. Impacts of Rhode Island Land Protection Projects

Project	Primary					Secondary				Comments
	Ecology	Sprawl*	OS/Ed/Rec	Farming	Drinking Water	Precedent	Build Capacity	Engage Funder	Build Relationship	
Browning (SK)	✓	✓		✓			✓		✓	Browning has ties to old land owners; dev pressure; Addn to GSMA; SKLT steward
Card's Camp (SK)	✓	✓	✓				✓		✓	High profile; dev pressure; partnership to create children's camp; SKLT stew.
Kenney (SK)	✓	✓					✓			Betw Browning & Card's Camp --the 3 total 434 acres; SKLT led deal; DDCF loan
Greene	✓				✓	✓				Would be first o.s. deal for Charlestown in many years; supports Town GM efforts
Curry	✓								✓	Helped build relationship with adjacent land owner
Pancieria	✓			✓	✓		✓			Protected working farm; LT contributed substantial \$\$ but will not have to manage
Weeden Farms (SK)	✓		✓	✓			✓		✓	Protected highly visible parcel; Browning to lease fields --income for SKLT for stew
McMannis (SK)	✓						✓			First in series of projects to connect Great Swamp to Queens River; SKLT stew
Chappell (SK)	✓	✓								Small parcel abuts or near other TNC land in area; executor had put up for open sale
Canoncet Brook (H)	✓	✓			✓		✓			Dev pressure; 1st Hopkinton LT deal; self-contained stream valley
Mill Pond & Esposito (SK)	✓		✓				✓			Browning&Weeden to east, State to west; part of corridor; viewshed; SKLT \$\$ & stew
Pratt	✓						✓			2nd purch for W. Greenwich LT --stew, better able to manage hunting access
Hopk. Assoc 1 (H)	✓	✓								One of largest parcels left in SoCo; negotiated away from developer
UNC	✓		✓		✓			✓		Largest os purch in RI in 10 yrs; Champlin special grant for project; controlled burns
Lathrop 2	✓		✓							1/2 mi scenic rd frontage; abuts existing preserve; various dev. Proposals
La Plume (H)	✓									Link RIDEM, CT, and Town (Hopkinton) lands

*South Kingstown (SK) projects in western portion town, complementing town efforts to develop eastern portion.

() = Town. H = Hopkinton, SK= South Kingstown

Source: LCI Transaction Information Tracking; interviews; site visits; analysis

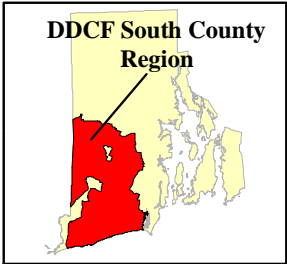
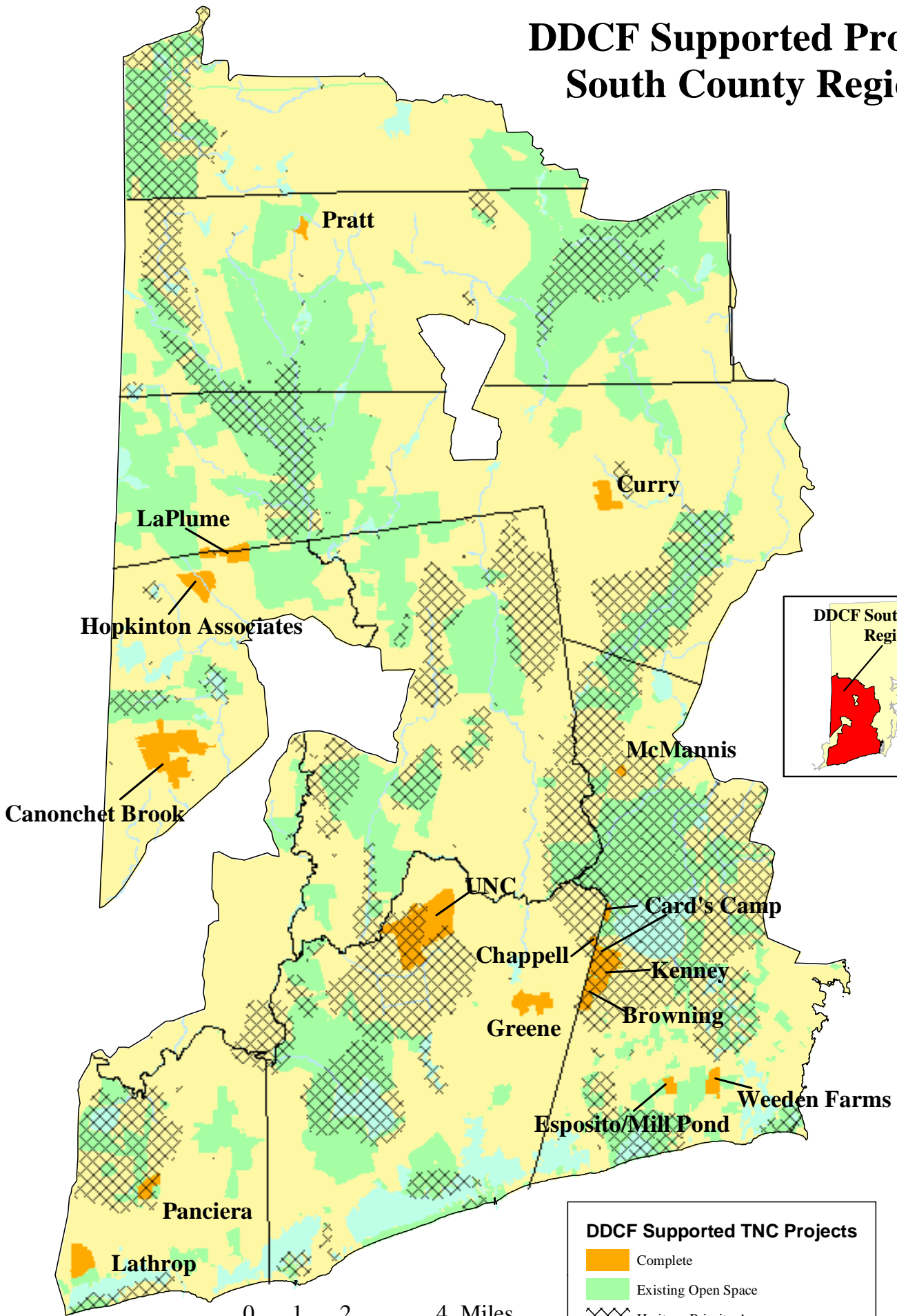
Table 6. Reported Ecological Impacts of Rhode Island Land Protection Projects

Project	Species Protected	Communities Protected	Connections	Expansions
Browning - Great Swamp		<u>Site</u> : Upland from Great Swamp and Worden's Pond	Card's Camp and Kenney.	Adds to State Great Swamp Management Area (DEM)
Card's Camp - Great Swamp		<u>Site</u> : Property is adjacent to Great Swamp, largest freshwater wetland in RI, and Worden's Pond, largest freshwater pond in RI.	With Browning and Kenney, protects 434 contiguous acres	Adds to State Great Swamp Management Area (DEM)
Greene - Pasquisset Pond	<u>Parcel</u> : globally imperiled Ringed Boghaunter dragonfly	<u>Parcel</u> : Wetland complex; Atlantic white cedar swamp, fens and bogs.	Near (but not connected to) Card's Camp/Browning/Kenney	
Curry - Queen's River		<u>Site</u> : In watershed of Queens River -a cold forested stream. Greatest concentration of freshwater mussels in the state.	Part of corridor from State's Big River Management Area (7,000 acres) to the USFWS Trustom Pond NWR.	
Pancieria - Crandall Swamp		<u>Site</u> : Crandall Swamp has third largest freshwater wetland system in RI		TNC owns small easement on south side of site and larger preserve on north end. Town and DEM also own land in the area
Weeden Farms			Connects to Browning's farm to west and South Shore Management Area/other DEM	
McMannis - Great Swamp		<u>Site</u> : Near Great Swamp. GS contains numerous communities --pitch pine/scrub oak barrens, New England acidic level fen, seepage swamp, Atlantic white cedar swamp.		
Chappell - Great Swamp		<u>Parcel</u> : Forest, stream, spring and wetland within Great Swamp watershed.	Abut or near several other TNC tracts in area	
Kenney - Great Swamp		<u>Parcel</u> : Upland of the Great Swamp watershed	Kenney parcel is between Card's Camp and Browning.	Part of a plan to add 500 contiguous acres to Great Swamp
Canonchet Brook		<u>Parcel</u> : The tracts contain oak/heath forest, swamps and Canonchet Brook.		Abuts the Conservancy's Ell Pond Preserve, Arcadia Management Area (RIDEM), and Audubon Society of RI property.
Mill Pond & Esposito		<u>Parcel</u> : Property is mostly forested with small cleared fields; <u>Site</u> : Part of Trustom Pond watershed, Rhode Island's most pristine salt pond, part of coastal system	State land to west and Browning and Weeden farms to east for total of 646.5 contiguous acres.	
Pratt - Wood River Barrens		<u>Parcel</u> : Tract is within the Wood River Barrens site; quality wetlands, intact forest;		Abuts the State's Wickaboxet State Forest
Hopk. Associates 1 - Arcadia Ponds Macro.				Extends the State's Arcadia Management Area to the south (one of last opportunities)
UNC - Indian Cedar Swamp Barrens	<u>Parcel</u> : Grasshopper sparrows	<u>Parcel</u> : Contains example of globally imperiled Pitch/Pine Scrub Oak Barrens, a New England Coastal Plain Pond and a large open field. The property also contains more than 1000 feet of frontage on the Pawcatuck River.		The property abuts five parcels under purchase and sale contract by the Conservancy and links the USFWS Ninigret National Wildlife Refuge to other state management areas
Lathrop 2 - Winnapaug Pond				Abuts an existing preserve
La Plume - Wood River Barrens	<u>Site</u> : globally rare odonates, native brook trout	<u>Parcel</u> : Provides buffer to for Wood River and critical habitat for birds that depend on large interior forest habitats such as the Wood Thrush; <u>Site</u> : large unbroken forests.	Link conservation areas held by RIDEM, the State of Connecticut, and the Town of Hopkinton to create a large area of relatively contiguous protected land.	The property will be added to RIDEM's Arcadia Management Area.

Note: Table prepared based on Tracking forms. Likely understates species protected.

Source: ICI Transaction Tracking Information forms

DDCF Supported Projects South County Region

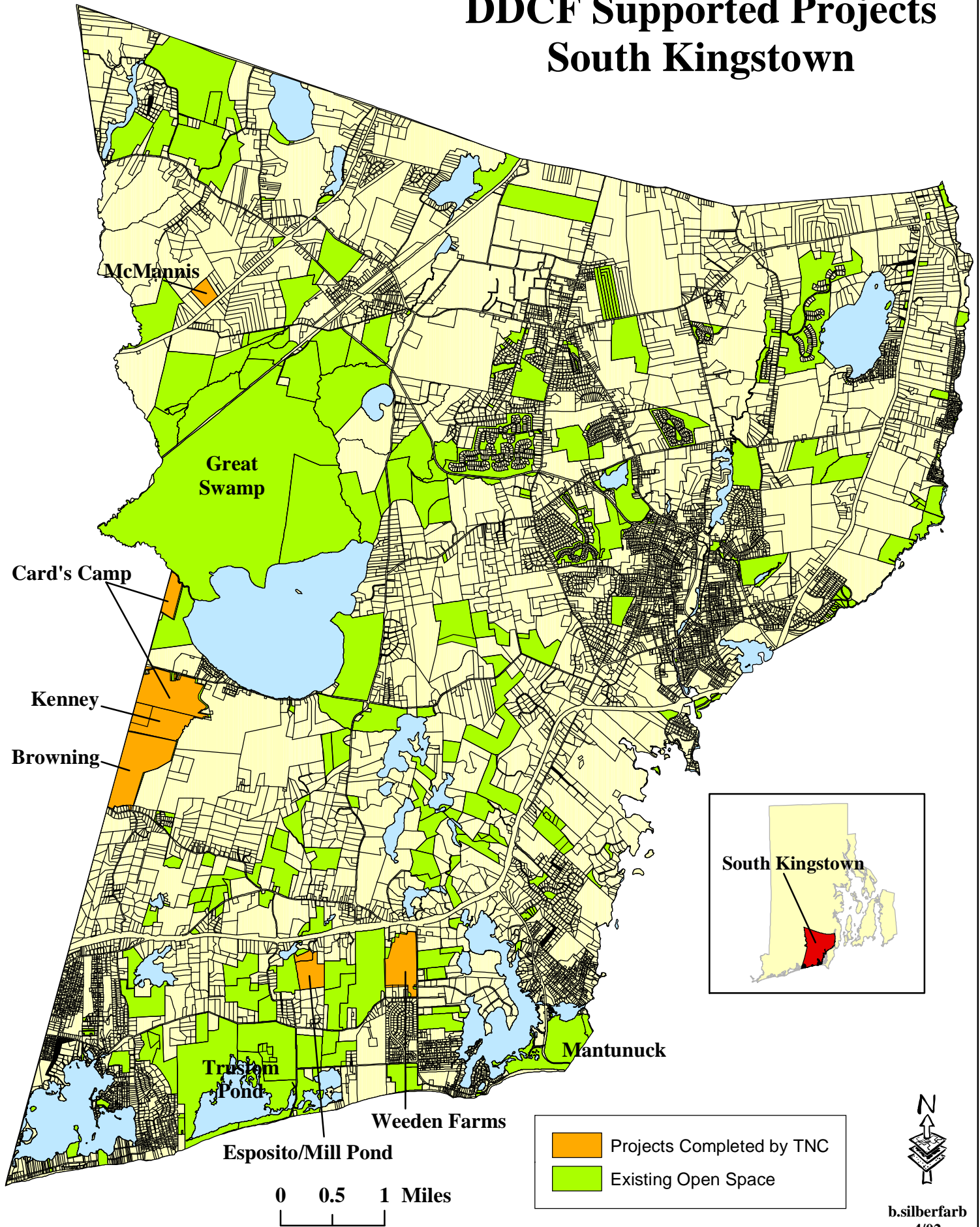


DDCF Supported TNC Projects

- Complete
- Existing Open Space
- Heritage Priority Areas



DDCF Supported Projects South Kingstown



- Projects Completed by TNC
- Existing Open Space

0 0.5 1 Miles

with the land trust, TNC has provided it with ongoing technical assistance and a critical capital campaign planning grant. In total, the partners contributed more than \$1.8 million to LCI-supported projects in South Kingstown (there were of course other projects in town that were not a part of LCI), with some \$1.6 million coming from non-DDCF sources. Table 7 lists the funds contributed from each partner. An additional side benefit of the partnership has been the Fish and Wildlife Service's recent extension of the boundaries of the National Wildlife Refuge around Trustom Pond to the north of Route 1.

While it is an outstanding point of reference, the South Kingstown case raises a number of challenging questions about working in South County for DDCF to consider. First, ownership of the landscape is highly fragmented. Referring back to Map 5, the parcel map of South Kingstown, one can see how few large parcels are left in town, and how subdivision results in atomized land ownership. Can sufficient scale and connectivity be achieved in this landscape in a relevant time frame? Second, while the South Kingstown partnership is an outstanding case, it may be unique. A similar effort in Charlestown has dissolved in the face of local politics. What conditions are needed to help spawn South Kingstown-like success in a place like Hopkinton, where new effort is just underway? Is replication possible? Thirdly, South Kingstown's building cap is just about to expire, and school capacity has been expanded, removing what might have been a strong legal basis for renewing the cap. Projections are that South County's population will grow 25 percent in the next 20 years. In addition, South Kingstown zoning allows for a doubling of population at build out. Is there anything in the growth management tool box, or in the local citizenry, that can help manage these anticipated outcomes in a manner that helps conserve the town's valuable ecological resources? Lastly, DDCF has not played nearly the extensive role in the South Kingstown partnership that Champlin has. Is DDCF satisfied with its current role? Does it need to become a more active participant—county-wide if not just in South Kingstown—to help LCI succeed?

E. Rhode Island: Growth management

Finding RI-2: Though more proactive activities need to become incorporated into the approach, and the grantee's strengths more effectively leveraged, growth management activity supported by LCI in Rhode Island has been constructive and holds out the promise of relatively tangible results. The work has been generally relevant to South County and more than tangentially to conservation.

LCI-supported efforts by the grantee, Grow Smart Rhode Island, have fallen into four areas: training, reports, new resources, and new initiatives. Enhancing the capability of towns to do wise land use planning is the centerpiece of Grow Smart's work. This has involved, primarily, development of a training program. However, it has been supplemented with re-granting efforts and targeted studies. Grow Smart wanted to create a user-friendly training program by making dense land use planning information accessible and practical, while infusing it with principles of adult learning. Achieving this goal took more time than expected, but the material was ready by fall 2001. The program was pilot tested with a group of 35 planning and zoning board, conservation commission, and town council members in the eastern part of the state in late November

Table 7. Partnership Funding of LCI-Supported Projects in South Kingstown, RI

<u>Partner</u>	<u>Contribution</u>
Champlin Fndn	515,000
Federal	350,000
DDCF-LCI (TNC)	208,800
RIDEM	431,000
SK Land Trust	42,000
South Kingstown	<u>268,000</u>
	1,814,800

Source: LCI Transaction Information Tracking

and early December of 2001. The response was strongly positive, and training sessions are now being held for the nine towns in South County.

The training is to be reinforced in 2002 and 2003 with re-grants to towns to help make specific changes to comprehensive plans, ordinances, and other elements of their land use regulatory structure. In addition, GSRI contracted for a study of the extent to which South County towns were using Geographic Information Systems in overall land use planning.

Along with building local land use planning capacity, GSRI has sought to develop a vision for smart growth in South County. LCI funds have supported a county-wide Sustainable Economy Project (SEP), which will essentially be a smart growth vision. Like the training program, a great deal of groundwork went into this effort, which delayed its start. Representation on a planning committee was sought from each of the towns in South County by GSRI's consultant, and a committee was finalized only in early 2002. The project should be completed by the end of the summer of 2002 and will dovetail with the State Department of Environmental Management's Greenspace Protection Plan project. The two projects will be brought together under the auspices of the Washington County Regional Planning Council (South County is the informal name given to Washington County) to form the basis for a conservation and economic development vision for the county.

LCI also supported efforts by GSRI to develop ideas for a statewide open space protection funding initiative, but with limited success. Concepts were developed and tested; however, the effort was put on hold for several reasons. The state of the economy, the Rhode Island budget, and resistance from key stakeholders make the needed tax increases unlikely at this time. Efforts to raise the issue with the public could be revived in this year's gubernatorial campaign. Also, an examination of developing a State forest and farmland preservation program is stalled. GSRI found that there is not sufficient critical mass to build on politically: farms are too few and too small and there is little supporting industry.

It is too soon to tell what the impacts of LCI growth management work in Rhode Island will be. To be sure, there has been little direct conservation impact to date, however, the leading growth management products of LCI in Rhode Island—training and the SEP—took a long time to develop and have only recently been launched. Impacts, or the lack thereof, should become visible in the next couple of years. There is some reason to believe that the SEP will be incorporated into a vision for what South County should look like. However, whether that vision gets translated into reality through the local planning, zoning, and, ultimately, electoral, process is more of an unknown. The training appears to be strong, however turnover at the local level due to elections and commission resignations means training will have to be done continuously. Finding a permanent home for the curriculum GSRI has developed will be an important medium-term challenge.

F. Rhode Island: Capacity building

RI-3: Land trust capacity building work supported through LCI shows a great deal of promise. This work also highlights some of the limitations that are encountered in this area, even by groups with the consistent commitment of TNC Rhode Island, the LCI capacity building grantee.

LCI has helped land trusts in two ways. First, it encouraged TNC to partner with land trusts on land protection projects. In the first two years of LCI, 4 land trusts participated in 9 of 16 LCI land deals in Rhode Island. Partnering helps land trusts build deal skills and in some cases it can introduce land trusts to the responsibilities of stewardship. Second, LCI has funded a person at TNC who provides ongoing guidance and re-grants to land trusts for organizational development, conservation planning, capital campaign planning, and, of course, land protection projects.

The impact of this work has been a stronger land trust in South Kingstown, a new land trust in Hopkinton started with a solid board and energizing first steps, and a revitalized land trust in Westerly. These organizations can do their own local projects, partner with TNC and other larger organizations, and hold and manage land.

At the same time, LCI experience in South County has shown the limitations of capacity building. Organizations with weak boards, as in Richmond, or in towns hampered by political infighting, as in Charlestown, and some public land trusts that are slow to act, are all difficult to help grow. And in fact, if there is one thing about capacity building reinforced by the experience in Rhode Island (and, for that matter, in New Jersey, too) it is that capacity cannot be foisted on an organization. The organization has to want it and be ready to handle it.

LCI Strategy

As it is an initiative, as opposed to an open grant program, LCI implies a coherent strategy aimed at a particular end. However, in terms of the most basic way its progress can be assessed, it appears unlikely that LCI, as a strategy, will yield much for conservation within the grant period at the current scale of the focus areas. This is due to the design of the initiative and is evident in what has been learned in the first two years about LCI's goals, the places it is targeting, the tactics it is supporting, and how it is building and transferring knowledge. It appears likely that strategic re-design of LCI could enhance the initiative's impact.

This is perhaps slightly more true for New Jersey than for Rhode Island. Rhode Island does provide an example of the basic outlines of the LCI strategy and targeted end result, such as they might be interpreted from grant and other Foundation statements. It is a highly imperfect example. Nevertheless, the notion of complementary and coincident tactics is evident in Rhode Island, and the vision of a network of ecologically valuable lands interwoven with, and even protected by, a pattern of compact development is not inconceivable. Still, time is short in Rhode Island. It is an end-game state—and the nation's second most densely populated state after New Jersey. And, while time is not as short as in New Jersey, it is short enough to merit a re-examination of goals and where and how we are working to ensure that tactics are sufficiently proactive and interlinked.

A. Goals

Finding LCI-1: The goals of LCI are broad. The language used to describe LCI in grant agreements, board memoranda, and by Foundation staff refers, among other things, to protecting ecologically significant places and combating sprawl. Neither is stressed as paramount, and, more problematically, neither is defined. This is reflected in the LCI-supported land protection projects, which so far have ranged in their orientation from anti-sprawl, to open-space, to biodiversity. (See Tables 2 and 5 on project impacts.) In many cases, the impression was conveyed that the “best” projects were the ones that met the most objectives. In addition to the goals for project type, the time frame for impact (and definition of what that impact should be) also remains unclear.

B. Target places

Finding LCI-2: The first two LCI states are “end-game” states, places that are densely populated, substantially developed, with full build-out on the horizon.

Finding LCI-2a: New Jersey is an end-game state. Because development pressures in New Jersey are high, and have been so for decades, the time to protect ecologically valuable places is relatively short. A better understanding of land use patterns and processes could help LCI to become more effective in the midst of a challenging environment. As a base to build on, the assessment found that while development has spread amoeba-like across New Jersey, short-term development forces are not uniform across the two New Jersey focus areas.

When viewed at the scale of decades, the growth of the metropolitan New York area appears inexorable. According to the Regional Plan Association, in 1961, the metro area spanned a 40-mile radius, covering 22 counties and 1,400 units of local government. By 1996, it reached out 100 miles, encompassing 31 counties and 2,000 units of local government. And while population grew by only 5 percent in that period, developed land increased 61 percent. The Rutgers Center for Remote Sensing and Spatial Analysis estimates that New Jersey is losing 9,600 acres of farmland, 4,200 acres of forests, and 2,600 acres of wetlands each year. If current rates of land consumption persist and New Jersey reaches the one million acre target for land protection set by former-Governor Christie Whitman, Rutgers says, “remaining available land will be developed within 40 years, making New Jersey the first state in the nation to reach build-out.” These facts suggest the depth of economic and behavioral forces driving land development.

Within this tide of change, however, there are eddies. While experience to date has been limited—only 16 LCI land protection projects have been completed—there appear to be two broad types of sub-areas, which may be referred to as “battle zones” and “emerging areas”, characterized by more or less development activity. To date, LCI has supported work in both types of places, raising questions about the clarity of LCI objectives and, in the case of battle zones, diluting the per-acre potency of a dollar invested in land protection.

Tables 8a and 8b show the relative difference between sub-areas of the New Jersey focus areas. A Battle Zone may be found in the Core Highlands, and to some extent in the Ridge and Valley, both sub-areas of the Highlands focus area. The Pinelands may be considered an Emerging Area (though its unique land use regime makes it somewhat a special case). In the Battle Zone, costs per acre are significantly higher and the average physical size of a deal is smaller. Core Highlands’ deals cost more than \$10,000 an acre, while Pinelands’ deals cost less than one-third as much. As well, the average parcel size for LCI deals in the Pinelands was 80 percent larger than in either the Core Highlands or the Ridge and Valley. In addition, seven of the ten most expensive projects on a cost per acre basis were in the Core Highlands or Ridge and Valley. The six least expensive were all in the Pinelands.

Finding LCI-2b: Rhode Island is also an end-game state and time there also is limited. The assessment found that, as in New Jersey, long-term land consumption and rural residential development trends in Rhode Island are discouraging, though short-term development pressures are not uniform.

Long-term land consumption and rural residential development trends in Rhode Island have resulted in significant conversion of the Rhode Island landscape. According to Grow Smart Rhode Island studies, between 1961 and 1995 Rhode Island’s population increased 16 percent, while the consumption of land for development grew by 147 percent, nine times faster. Rural property values increased 24 percent between 1988 and 1998, increasing pressures on rural land owners to preserve these values (i.e., no down-zoning) or to cash in. And, there are indications that land consumption rates are

Table 8a. Land Protection by Sub-area in New Jersey

<u>Sub-area (Counties)</u>	<u>Cost/Ac</u>	<u>Ac/Deal</u>
Core Highlands <i>(Bergen/Morris/Passaic)</i>	10,692	326
Ridge & Valley <i>(Warren/Sussex)</i>	7,356	318
Pinelands <i>(Ocean/Monmouth)</i>	3,077	583

Source: LCI Transaction Information Tracking; interviews; analysis

Table 8b. Cost Per Acre by Sub-area in New Jersey

<u>Deal</u>	<u>Sub-area</u>	<u>Cost/ac</u>	<u>Planned/ Permitted Units</u>
1 Brown	Core Highlands	23,729	108
2 Valley View Farms	Ridge & Valley	13,889	225
3 PMI	Ridge & Valley	11,111	201
4 Danza & North Haledon	Core Highlands	9,334	32+
5 Lighthouse Camp	Pinelands	8,901	
6 Jackson-Monmouth Phase I	Pinelands	7,515	
7 Camp Glen Gray	Core Highlands	6,538	
8 Johnson Woods	Core Highlands	6,390	13
9 Jackson-Monmouth Phase II	Pinelands	6,026	
10 Tranquility Farms	Ridge & Valley	4,461	
11 Bonsangue	Pinelands	3,209	
12 Elley/All State Search	Pinelands	2,039	
13 Larrabee	Pinelands	1,896	
14 Krischer	Pinelands	1,406	
15 Marks	Pinelands	957	
16 Leone	Pinelands	-	

Source: LCI Transaction Information Tracking; interviews; analysis

increasing. Each new rural residential unit consumes roughly one-third more land than it did 40 years ago (now 0.84 acres). Even under the “Compact Core” scenario in GSRI’s *Costs of Suburban Sprawl* report, 40 percent of all new units will be built in rural areas from 2000 to 2020.

However, as in New Jersey, there is variability within this trend. Short-term development pressures are not uniform across the focus area. South County, Rhode Island also may be broken down into a battle zone and an emerging area, though the distinctions are not as stark as in New Jersey. Table 9 shows some of the distinctions between the Coast/Suburb (battle zone) and the Rural (emerging area) sub-areas. The cost per acre of LCI-supported projects was 13 percent higher in the Coast/Suburb area, while average acres per deal was roughly 31 percent more in the Rural area. The financial structures of Coast/Suburb and Rural deals highlights other differences. Interestingly, an average Coast/Suburb deal was funded 56 percent by private dollars (no land owner contributions in this figure), while the average Rural deal rested on a 53 percent share of public money. These figures perhaps reflect greater ecological values in the Rural area, which often draw public funds, and higher costs and greater commitment on the part of wealthy individuals in the Coast/Suburb area.

Extreme fragmentation complicates the challenge of land conservation in Rhode Island. Over time, and increasingly, land in Rhode Island has been subdivided (recall Map 5, the parcel map of South Kingstown, Rhode Island). As a result, there are fewer and fewer large parcels to protect, and a greater number of smaller parcels. As Table 10 shows, for example, the average parcel protected through LCI in South County was more than one-third smaller than in the New Jersey Highlands and nearly two-thirds smaller than in the Pinelands. Even if large numbers of deals can be executed, fragmentation raises the question of whether ecologically substantive landscapes can be accumulated in the South County within the time left to do so.

Finding LCI-3: Effective land use policy and planning in New Jersey and Rhode Island is rare. Finding success, even within relatively calmer eddies, will be difficult.

Finding LCI-3a: While there are some local exceptions, in general, quality and effective land use policy and planning are rare in New Jersey. Though they have been delegated control, New Jersey towns are not strong, farsighted players in land use. Land use in New Jersey is controlled by a fragmented landscape of 566 municipalities, with little prospect for even regional cooperation. Despite numerous studies showing the net negative municipal services costs of residential development, towns still “chase” high-end residential, retirement residential, and “clean” commercial development in an effort to balance their budgets and keep tax rates down for voters. In New Jersey, there is little decent zoning outside the Pine Barrens. Fewer than 20 percent of towns have brought their local comprehensive plans into alignment with the State land use plan. As a result, nearly 25 percent of the development that occurred from 1986 to 1995 took place in areas designated as environmentally sensitive by the State Plan, according to Rutgers.

Table 9. Land Protection by Sub-area in Rhode Island

<u>Sub-Area (Town)</u>	<u>Cost/ac</u>	<u>Ac/Deal</u>	<u>Deal Structure</u>			
			<u>Pub</u>	<u>Prv-noLOC</u>	<u>LOC</u>	<u>DDCF</u>
Coast/suburb (Christwn, SK, Wstrly)	3,403	182	19%	56%	11%	14%
Rural (Hopk,Exeter, WG)	3,021	237	53%	18%	8%	21%

Source: LCI Transaction Information Tracking, analysis

Table 10. Comparison of Deal Size and Cost

<u>Sub-area (Counties)</u>	<u>Cost/Ac</u>	<u>Ac/Deal</u>
Core Highlands (Bergen/Morris/Passaic)	10,692	326
Ridge & Valley (Warren/Sussex)	7,356	318
Pinelands (Ocean/Monmouth)	3,077	583
South County, RI	3,261	199

Source: LCI Transaction Information Tracking, analysis

Part of the reason for this is the skewed power dynamics. Developers and their allies have resources and power, and growth management advocates do not. The local playing field is so uneven that even some enlightened towns are often afraid to do the right thing. Homebuilders Association or Farm Bureau lawsuits are costly and deter many towns from denying permits or down zoning. State legislators and legislative observers note that power in the state legislature is held by rural and conservative representatives, and that the builders routinely derail smart growth efforts. Some observers say that growth management advocates represent no clear constituency or bloc of voters and that there is no powerful coalition in support of smart growth. The suburbs have yet to take up the cause and critics say leadership in the League of Municipalities is headed in the wrong direction. These dynamics suggest the significant difficulty, though not impossibility, of assembling the political forces needed to alter development pressures and trends.

Finding LCI-3b: Strong land use policy and planning are also rare in Rhode Island. As in the rest of New England, the power over land use decisions in Rhode Island lies with the towns. However, the state of local comprehensive planning is not especially advanced. Only 10 towns have State-approved plans, and town planning expertise is difficult to retain. There are new town planners in six of nine South County towns. As South Kingstown's experience with building permit caps illustrates, towns have a very limited legal basis on which to manage growth, and no basis on which to stop it.

C. Tactics/Conservation Approach

As LCI's conservation approach is currently structured, the Foundation risks having little focus-area-wide impact to show for its efforts, especially in New Jersey. Selected ecologically important parcels of land will have been protected, but little will have been done to alter the overall development pattern, and truly large protected landscapes will not have been assembled (with the possible exception of LCI work in the Pine Barrens). The fundamental reasons for this are that LCI-supported tactics are so far insufficiently coincident (same geographical location), complementary (same agenda), and proactive (close to or at the source of near-term change). More specifically, the focus areas are too large (especially in the case of New Jersey), growth management has been insufficiently complementary to land conservation, and LCI has not supported proactive growth management tactics (and in the process has not leveraged growth management grantee strengths).

Finding LCI-4: Coincidence. Larger focus areas mean individual tactics do not reach critical mass and the various tactics do not occur in the same place. In addition, the tactics have not been targeted at the same locations, so potential combinatory effects cannot be observed.

Finding LCI-4a: The New Jersey focus areas are large, diluting the potential for impact, and supported tactics rarely overlap geographically. As Map 6 indicates, the Highlands focus area is about 1.2 million acres in size, encompassing 174 towns and five counties. The Pinelands focus area is nearly 1.5 million acres, and includes 144 towns

and 4 counties. The South County, Rhode Island focus area is shown for comparison purposes. South County covers 186,000 acres, 9 towns and a single county. Large size is not a bad thing in and of itself. However, LCI's resources are limited and the various activities it has supported in New Jersey are dispersed across focus areas, especially in the Highlands. Dispersion across so large an area has led to little complementary effect between land protection, growth management, and capacity building. Complementarity between tactics is a central, if implicit, part of the LCI strategy.

The diluting effect of size is evident in land protection. Land acquisition projects have been dispersed, especially in the Highlands, as shown in Map 1 (New Jersey focus areas and land protection projects). Further, large size means LCI can only affect a tiny portion of the focus area. Table 11 shows the size of each LCI focus area in acres, the amount of land not already protected by federal, state, or private entities, and the percentage of this existing unprotected land LCI helped to protect in the first two years. A far greater share of the relatively small focus area of South County, Rhode Island has been protected (2.37%) than either the New Jersey Pinelands (0.58%) or Highlands (0.26%). While this is a crude indicator, it is coarsely indicative of the focus-area-wide impact of LCI land protection. These percentages may be irrelevant as LCI could, of course, be protecting the most critical places within these large areas. However, this would invite a question: If indeed LCI is protecting critical places within a large area, why not just make several of those places the focus areas? In other words, what is the point of the size of the focus areas as they are now drawn?

The large focus areas make it difficult for LCI to identify with places. The Highlands focus area, for example, covers perhaps dozens of places that are distinct and also significant from a conservation standpoint. The absence of identifiable places hinders the ability of LCI to leverage the central motivation for conservation—protecting ground people know and care about—and it precludes a particularly potent method of communicating experiences to others—stories about experiences in special landscapes.

It might be expected that LCI would see added impacts by combining the effects of all three major tactics, land protection, growth management, and capacity building. To do this, these tactics would need to be in the same place, for the most part. To date, they have not been. As illustrated through the PRO case, capacity building is powerful because it taps into local networks. However, LCI-related capacity building has not yet been applied to areas where LCI is supporting land protection. Two areas of in-depth technical assistance have been Phillipsburg and West Milford. No LCI land deals have been done in these places. In addition, while NJF's smart-growth-related 44 Towns study looked at several towns where LCI land deals were occurring, little or no actual assistance with smart land use planning has been provided to these places.

Finding LCI-4b: The relative smallness of the SouthCounty focus area has concentrated land protection and has brought all three tactics into at least some degree of proximity.

Revisiting Map 6 (the comparison of the LCI focus areas) from a Rhode Island perspective, it is easy to see how much smaller South County is, both physically and politically. One consequence is that land protection in Rhode Island has about one-seventh the amount of territory to spend relatively the same amount of resources that have been granted by DDCF to each of the two New Jersey focus areas. As a result, as was just mentioned, a greater portion of the unprotected lands in the focus area has been conserved, 2.37 percent of South County, versus fractions of a percent in each of the New Jersey focus areas.

LCI land protection activity in Rhode Island is beginning to show signs of concentration. The map of LCI-supported land protection projects in Rhode Island (Map 4) shows potential concentrations in the Great Swamp-to-coast area (South Kingstown projects plus Chappell) and in the borderlands (Canonchet Brook, Hopkinton Associates, La Plume). The potential to build on these concentrations appears to be there.

Supporting capacity building and growth management tactics have occurred mainly in South County. For example, TNC has provided extensive technical assistance to South County land trusts. GSRI's SEP and GIS studies have focused on South County towns. And GSRI training, while it will be offered state wide, was developed for South County. With even smaller project-level areas, capacity building and growth management would, in some cases, need to become even more targeted.

Finding LCI5: Complementarity. At times the agenda of growth management has not been complementary with land conservation. This is particularly problematic in the case of New Jersey.

LCI sought to examine the role growth management can have in a conservation initiative. However, after two years it is apparent that there are two potential problems with fit. First, the broad smart growth agenda could take decades to be put in place and to effect change, long after most ecologically valuable land is built out. Second, theoretically, growth management goals can be realized without much being accomplished for land conservation—livable communities can be re-constructed long after un-livable ones have destroyed the landscape. It might be possible to consider reducing or dropping growth management's role in LCI, but for the fact that land use is critical to land conservation.

To date, LCI has supported more passive growth management techniques in New Jersey, such as research and web-based tools, that will likely take a long time to have an impact. Part of this is due to the lack of firm guidance from LCI, and part is due to the nature of the grantee in New Jersey, NJF, which has a strong policy and theoretical focus and a broad agenda, which ranges from education and transportation policy, to brown fields redevelopment, to property tax reform.

What is needed is focus on a short conservation agenda. As the land consumption trends suggest, there is little time to wait for 20- or even 10-year growth management approaches to play out. More proactive growth management tactics that are targeted at

**Table 11. Proportion of Unprotected Lands Within Focus Areas (FA)
Protected With Assistance from LCI**

<u>Focus Area</u>	<u>FA Size</u>	<u>Unprotected w/in FA</u>	<u>LCI Acres 00 & 01</u>	<u>% Unprtctd Prctcd by LCI</u>
Highlands	1,167,119	884,483	2,260	0.26%
Pinelands	1,466,096	910,711	5,246	0.58%
SoCounty	185,862	134,163	3,185	2.37%

Source: Grant agreements; LCI Transaction Information Tracking

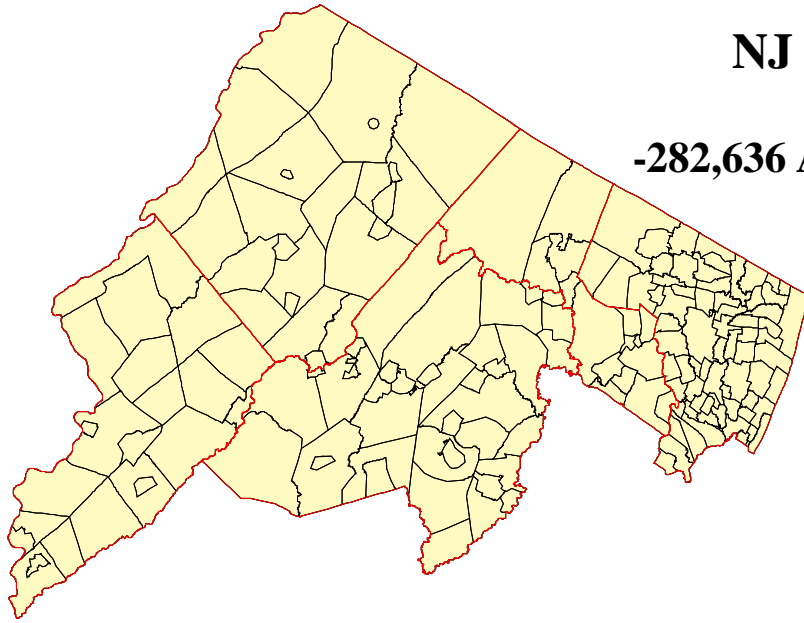
NJ Highlands Focus Area

-1,167,119 Acres

-282,636 Acres of existing protected land*

-174 Townships

-5 Counties

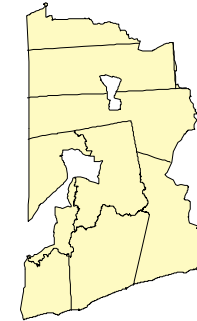


Rhode Island Focus Area

-185,862 Acres

-51,699 Acres of existing protected land*

-9 Townships



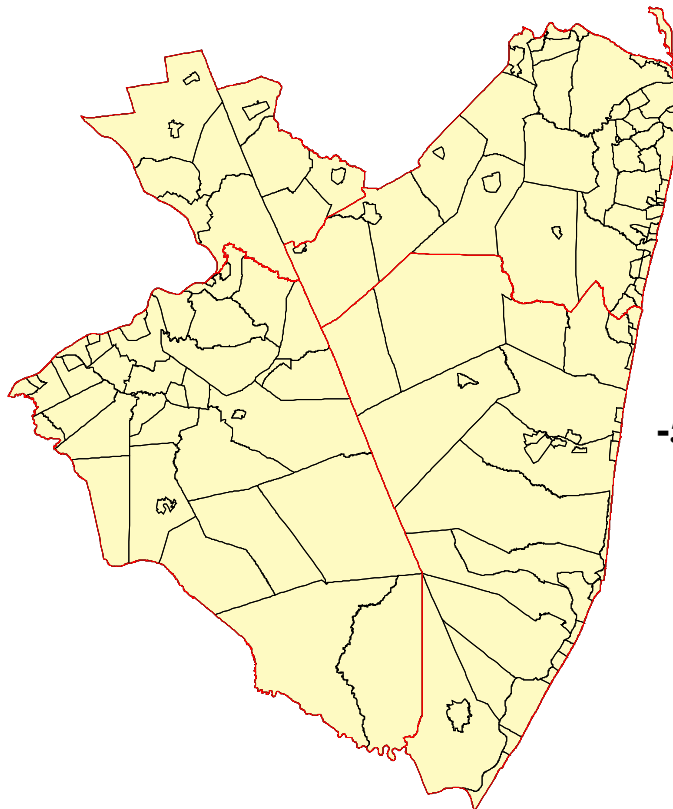
NJ Pinelands Focus Area

-1,466,096 Acres

-555,385 Acres of existing protected land*

-144 Townships

-4 Counties



0 5 10 20 Miles



Map 6

conservation at the state level (e.g., sewer regulations, wetlands buffer regulations, a Transfer of Development Rights program) and/or help level the local playing field (e.g., support for legal defense for towns attempting to bring plans and zoning into alignment with the State Plan, support for advocacy groups seeking to educate the community about incompatible development projects) merit consideration.

LCI-6: Proactivity. Tactics, especially growth management, need to be as proactive as possible, given the time pressures of being in end-game states. A starting point would be to better leverage growth management grantee strengths. A next step would be to incorporate more proactive growth management tactics.

LCI6a: In New Jersey, the growth management grantee's core strengths are not being leveraged. And, there is more that can be done in the area of growth management, especially at the local level.

LCI has yet to made much use of NJF's strengths in state policy and legislative and regulatory change. The Foundation may view these sorts of activities as advocacy, yet, this is only true for a small portion of policy work. There is a great deal of applied research and education that can have a significant impact without crossing the advocacy line. The case of the recent smart growth Executive Order issued by New Jersey Governor Jim McGreevey illustrates this point.

In early 2001, New Jersey Future issued its report on the "20 Ways" to a livable future in New Jersey. In addition, it made the decision to focus on educating the candidates in the upcoming gubernatorial election on the benefits of growth management as outlined in the 20 Ways report. Throughout the primaries, the summer, and the fall, NJF communicated its agenda to the various gubernatorial campaigns and the media. As a result, the issue gained the highest profile it has ever had in a statewide election in New Jersey.

The most promising contacts were made with the policy staff of Mayor James McGreevey. As a result of this dialogue, McGreevey asked NJF staff to draft a sample executive order on smart growth. NJF produced a draft in the early fall. After the election, Governor McGreevey appointed a smart growth transition team, the first of its kind in New Jersey. In January, amidst a budget crisis, the new Governor laid off the entire staff of the Office of State Planning. An uproar and partial backtracking followed, and the Governor also issued an executive order on smart growth. The order established New Jersey's first Smart Growth Policy Council, comprised of key commissioners and others, and chaired by the Governor's staff. The language of the order was largely NJF's and incorporated several ideas proposed in 20 Ways.

The order has built the confidence of smart growth advocates and given them something to which to hold the Governor accountable during his term. This is one of the few such orders that have been issued anywhere in the country, and New Jersey is now poised to join Maryland and Oregon as a national smart growth leader. Of course, while

this is a major victory, what long-term impact the Smart Growth Policy Council achieves remains to be seen.

The case demonstrates NJF's strength in working the nexus between growth management ideas and policy at the state level. This strength seems to exceed NJF's ability to do analysis (which in itself has proven to be quite strong), and it far exceeds the organization's capability and desire to work directly with municipalities (as it turns out, New Jersey Conservation Foundation is better equipped and oriented to engage directly in local land use issues). The case also shows the kind of opportunity that is there for LCI. The Foundation participated only marginally in the Smart Growth Policy Council victory, having provided a relatively small portion of the resources needed to produce the 20 Ways report. To realize and to further this kind of impact, the Foundation may need to consider supporting somewhat more proactive activities. There is a great deal of work to do to get the Smart Growth Policy Council to impact policy. For example, the executive order promised a "growth shield" by which the State would support municipalities facing challenges from developers as they try to bring their planning and zoning into alignment with the state plan. NJF and others could research high-potential test cases for the growth shield and communicate this to the Council. With LCI's influence, perhaps these tests could take place in towns that are the focus for LCI land protection.

Finding LCI-6b: LCI has not fully tapped Grow Smart Rhode Island's stylistic and substantive strengths to further growth management proactively. The case of the State's proposed Ladd Center development offers a more concrete example of GSRI's strengths, as well as some of the more proactive activities LCI should consider funding.

In 2000, the Rhode Island Economic Development Commission (EDC) proposed a technology development park and Job Corps center for the Ladd Center, a former State mental retardation facility in the South County town of Exeter. In addition to housing 200 existing Job Corps trainees, EDC projected that the Ladd development would create some 3,000 jobs. Initially reluctant to get involved, GSRI determined that the Ladd Center was a proposal of statewide significance and formed a board-level task force to study the smart-growth merits of the proposal. When it completed its review, GSRI consulted extensively with EDC, staff in the Governor's office, and legislators on its findings. Among other things, GSRI found that Ladd had poor access to labor and highways, would have to rely on septic (posing a risk to the local aquifer), and threatened to degrade adjacent TNC and Audubon preserves. It found that there were suitable alternative sites for the tech park in several of Rhode Island's older cities, and it proposed alternative uses for the Ladd Center site. GSRI opposed the development of the technology park, but supported the Job Corps center.

When EDC refused GSRI's behind-the-scenes entreaties to reconsider its plans, GSRI made the decision to release its report. Six newspaper articles and an editorial appeared immediately following the release of the report. Two weeks later, EDC announced it would withdraw the proposal, though still supporting site remediation and the transfer of the Job Corps program.

GSRI's work had the immediate impact of derailing the development of the tech park. Secondly, it helped GSRI build important relationships. GSRI included TNC on its Ladd Center Task Force, improving communication between the two groups. Surprisingly, it resulted in an improved relationship with EDC, testimony to the constructive manner in which GSRI went about its efforts. GSRI is now working with EDC on the development of a legislative proposal for a brown fields program. An added benefit of GSRI's Ladd Center work was that it illustrated, for the public and the press, an example of what a "bad" development means by smart growth standards.

Through its study and opposition to the project, GSRI demonstrated a constructive style and substantive expertise in working state policymaking machinery. It won an important victory for smart growth, a victory with tangible conservation benefits. The TNC and Audubon preserves are unlikely to have incompatible adjacent land use for some time. But none of this work, not the research on the merits of the proposal, not the education of government officials, not the public relations, was funded through LCI.

And yet, it is just this sort of development that is the threat with which LCI seems to be concerned—sprawl-inducing development with immediate consequences for conservation. Given the time pressures for conserving ecologically valuable sites, more support for this type of activity, as well as other ways to leverage GSRI strengths for conservation at the state level, should be considered. GSRI has been somewhat hesitant to engage directly in local land use activity. However, with its particular style, GSRI could be a potent re-granter of funds to others attempting to make local change.

These findings about the pace of development, the nature of land use control, and the LCI approach, suggest two important questions: Would smaller focus areas bring the development pressures and the weakness of land use planning capacity down to a more manageable level? Would more proactive tactics energize the pace of impact?

D. Knowledge development

Finding LCI7: LCI has not formalized how it intends to produce knowledge that can be used to inform land conservation in other places within LCI (e.g., the Gulf Coastal Plan and Greater Yellowstone) or outside it (other battle zone or emerging areas, or even pristine places). To be fair, a land deal tracking mechanism is in place to capture basic data associated with the land protection projects LCI helps fund. As well, DDCF intended that this assessment would help capture what is being learned so far. The recent grantee convening in Apalachicola, Florida proved a valued knowledge sharing exercise. For example, grantees from the Gulf Coastal Plain presented the results of consulting studies of the impacts of different types of protected land on adjacent property values and the cost of services of development in the Tallahassee to Thomasville corridor. The Nature Conservancy briefed attendees on its new Conservation Buyer Program, a tool with potential use in many geographic areas. Grantees engaged deeply in these discussions and appeared to take away valuable lessons and reference points for future work. Ultimately, however, successful knowledge development and communication will require a more institutionalized approach.

Recommendations

The assessment has yielded findings that suggest that LCI is unlikely to produce deep, focus-area-wide impacts for conservation in the grant period (though some hope is still held out for Rhode Island). This is because the LCI strategy is not based on clear goals, has yet to fully recognize and incorporate a response to where it is working (i.e., end-game states), and has not fine tuned a potent mix of focus area dimensions, tactical mix and proactivity, and grantee strengths. Beyond these problems with achieving conservation impact within the focus areas, LCI has not been structured to produce and transfer knowledge that can be used to conserve land in other places within LCI (e.g., the Gulf Coastal Plan and Greater Yellowstone) or outside it (other Battle Zone or Emerging Areas). Based on these mid-term findings about LCI, the Foundation might want to consider four major recommendations for improving the initiative.

Recommendation 1: Bring greater clarity to LCI goals. The basic language used to describe LCI in grant agreements and board memoranda and by Foundation staff refers to protecting ecologically significant places and combating sprawl. Neither is stressed as paramount, and, more problematically, neither is specified. The primacy of ecological or anti-sprawl objectives needs to be established and communicated to grantees, and definitions of the roles of these two areas need to be formalized.

The implication of initial communications was that ecology and sprawl were co-equal goals in LCI. Yet it is difficult to implement effectively a program with two stated goals, and while some projects have met the spirit of this language (e.g., PMI, VVF and Krischer), others have had more difficulty in doing so. Either protecting ecological value or heading off sprawl should be designated the primary objective of the initiative. If LCI is primarily about sprawl, land protection, growth management, and capacity building should focus first and foremost on anti-sprawl work. If LCI is primarily about ecology, land protection and supporting tactics should serve the conservation of flora and fauna.

Given the general focus of the Foundation's Environment Program on flora and fauna, it makes sense that ecology would be the main focus of the program. But because sprawl is a major threat to conservation targets in end-game states like New Jersey and Rhode Island, it will play an important secondary role in LCI. This assignment of roles ought to be made explicit.

After this basic assignment of roles, a stronger definition is needed of each of these elements. What is LCI's ecological target(s)? Systems such as wetlands or forests? Or, species like turtles or salamanders? At what ecological scale does LCI want to be working: landscape, watershed, or natural community-scale?

With respect to sprawl, what about this amorphous subject is relevant for conserving the places targeted by LCI? What is the nature of the threat? Is any development sprawl? And, is any land deal that stops a housing development worthy of LCI support? At what level should sprawl be engaged—the local, county, or state level? How should it be engaged? Broader efforts to improve land use planning and regulation?

Or, narrower efforts at sites to diffuse immediate problems and to improve planning and land use regulation? Should the effects of sprawl affect where LCI works? For example, should LCI target battle zones or emerging areas? Most fundamentally, what is an actionable conservation-relevant definition of sprawl?

Clarifying the goals of LCI will enable grantees to align their strengths with LCI objectives and it will provide a more straight-forward basis for measuring progress and success.

Recommendation 2: Focus on places and support tactics that accelerate conservation impact at these places.

Focus on places. A logical response to the dispersion of efforts across a large focus area is to concentrate efforts in a smaller area (smaller geographically and/or politically). More manageable LCI project areas should be drawn, with ecologically based boundaries and possessing some distinct character.

Along with significant ecological value, a desirable place would have significant potential for the preservation or restoration of this ecological value within 10 years through land protection, partnership, and growth management. The potential for land protection impacts can be assessed by looking at a number of factors, including the :

- Cost per acre of land
- Base of existing preserved land to build upon
- Institutional capacity to do acquisition
- Existing pool of projects or, with some added landowner contact capacity, the potential to create a pipeline of projects in two to four years
- Presence of large parcels
- Potential to connect or expand preserved land
- Nature of development as threat (e.g., the contextual patterns of land use, adjacent/crucial land ownership, the local/state land use policy context).

Partnership potential can be assessed by looking at the size and activity of local or county open space funds, the quality of comprehensive plans and zoning, and the level of desire on the part of the public or community organizations to maintain or improve plans and zoning. The potential to realize a short statewide growth management conservation agenda that directly benefits the project area(s) also should be considered.

In addition to analysis, the process of finding places to work involves the application of values as well as criteria. Put simply, what place or what sorts of flora and fauna does DDCF care about? Interestingly, values appear to have driven the initial selection of New Jersey and Rhode Island, places to which Doris Duke was connected. The experience in selecting New Jersey and Rhode Island should not suggest that the Foundation only work in places where Doris Duke had some presence or connection. Far from it. Rather, it should highlight the need for some conscious connection to or passion

about the project areas on which LCI focuses. Again, what does DDCF care about? Where does it want to be?

Support tactics that accelerate conservation impact at these places. Time is short, in the scheme of things, for protecting ecologically valuable places in end-game states, so impacts need to be accelerated. While tactics should emerge in response to the needs of the place, two principles might be considered in their selection.

First, desirable tactics would *expand the rate of land protection*. This might be achieved by growing the size and skill of the land protection community (i.e., as NJCF efforts have done for PRO), enacting policy and regulatory measures with direct conservation benefit within five years (e.g., wetlands regs, sewer regs, TDR program), or increasing the resources for land protection within a short, say three-year timeframe, (e.g., open space funding at the town, county or state level).

Second, desirable tactics would *slow the local pace of land consumption* in the relative near term. This might be accomplished through changes in town land use planning and zoning (e.g., comprehensive plan revision, down-zoning), a building permit cap (as in South Kingstown, Rhode Island), or leveling the local land use playing field (e.g., legal support in crafting ordinances, legal defense for sensible, precedent-setting comprehensive plan revisions or zoning changes)

In addition to these criteria, however, the Foundation will again need to apply its values. What kinds of actions are inconsistent with DDCF values and cannot be supported? This is a critical question. In considering tactics, I would encourage the Foundation to think about the needs of the project area(s). In some places, LCI may succeed only if the Foundation is willing to support more proactive tactics than it has supported in the past.

For reference, the following is a list of tactics that might be considered for LCI, depending on the needs of the project areas:

- Land protection. Pursue the acquisition of land or easements. While typically relatively costly, land protection is the most effective route to land conservation. In addition, it gives conservation organizations a stake and standing in the community.
- Leveling of the local playing field. Explore efforts that might include a targeted fund to research and head off major sprawl projects, legal advice and defense for towns attempting to “smarten” their land use regulation and policy, and/or assistance to community groups working for smart growth.
- Engagement of builders. Set up a program—something on the model of the Sierra Business Council—that identifies and engages progressive builders in efforts to manage growth and conserve ecologically valuable parts of the project area.

- Public funding. Start or grow public open space funds in key towns and counties and at the state level.
- Visioning. Sponsor and conduct local visioning exercises. While less immediately beneficial, visioning exercises can lay the groundwork for more proactive work in key towns.
- Research. Develop a research agenda that will support tactics or clarify strategy (e.g., the nature of sprawl outbreaks).

Most tactics will be carried out in the place to be protected. However, some might not. For example, one could imagine a short, state-wide growth management agenda that would include items such as regulations that prevent sewer construction in ecologically sensitive areas designated in the State Plan. This would require work in state capitols to get results for the project area.

What might be the benefits of focusing on places and supporting tactics that accelerate conservation impacts in these places? I can see two. First, at present, LCI is an uncontrolled experiment. There is a hypothesis that land protection, growth management, and capacity building can work in complementary fashion for greater effect. While this is a hypothesis that is certainly worth testing, today there is not enough geographic or substantive proximity to tell whether any complementary effects are being realized. Restructuring the initiative to focus on smaller areas and to bring tactics into coincidence within those areas would afford a better opportunity to test the hypothesis. Second, there is reasonable basis in logic to conclude that, given a similar level of resources, the time horizon to significant conservation benefit will be shorter in a smaller area. In the end, LCI should have more to show from its work in a smaller place.

Figure 3 illustrates the schematic difference between continuing on the same course and adjusting LCI strategy. With adjustment, tactics become concentrated and the impact in specific places becomes more and more apparent.

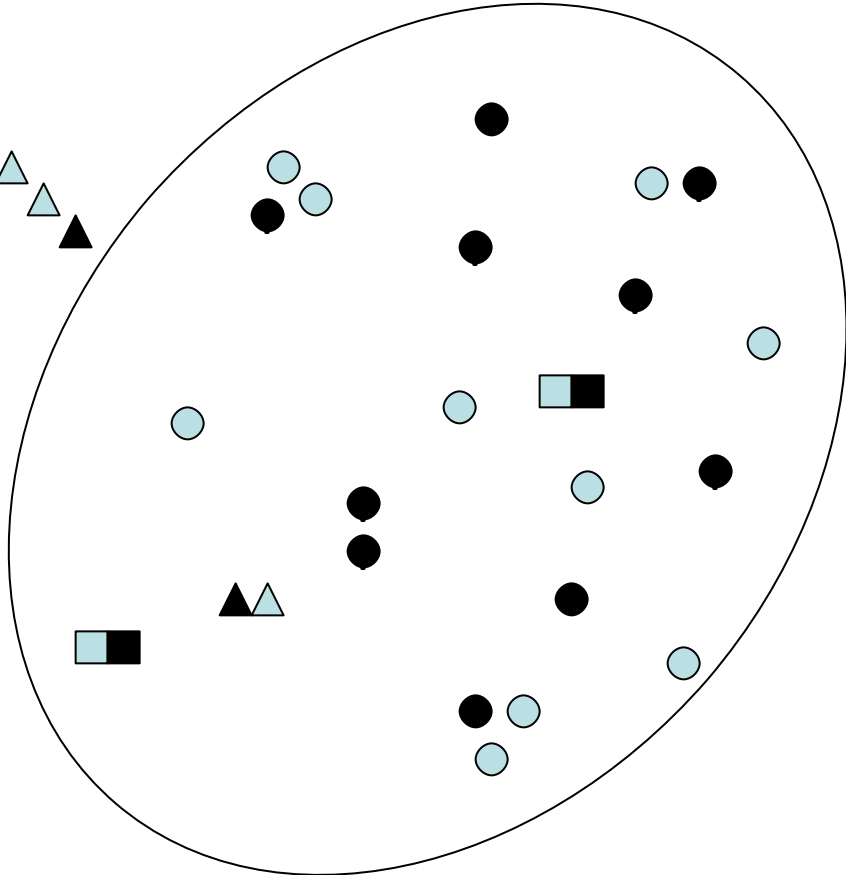
Recommendation 3: Build and transfer knowledge to help advance conservation in other places. Derive LCI management tracking from the effort to build and transfer knowledge that results in impact.

DDCF should consider testing the proposition that other places (both within and outside of LCI) can improve their conservation efforts by learning from the LCI's experience in New Jersey and Rhode Island. This is a significant opportunity for leverage. It might be accomplished by setting LCI up as an experiment and paying careful attention to the distillation and dissemination of results.

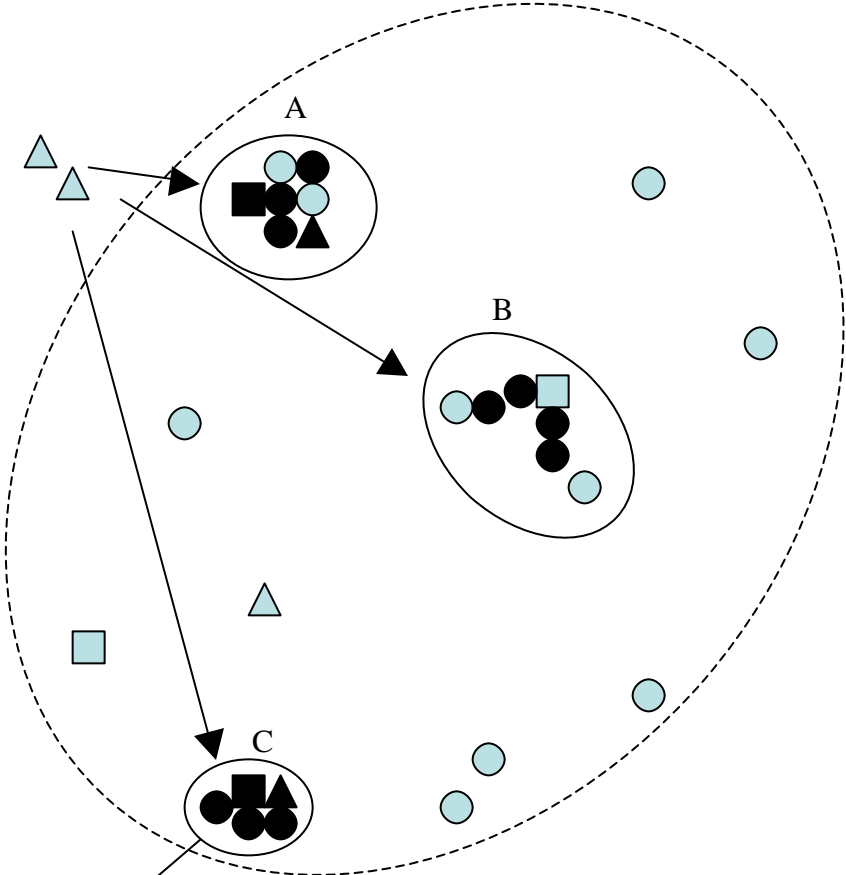
Setting up LCI as an experiment implies rigorously structuring LCI to be both explainable and applicable to others. Project areas ought to be a definable type of place, a type that people in different parts of the country might also be working in or worrying about. Tactics ought to be replicable. And, a set of simple research questions should be

Figure 3. Schematic Change in LCI Approach

NO ADJUSTMENT



ADJUSTMENT



- = LP project
- △ = GM direct or indirect
- = Cap bldg
- Gray = To today
- Black = Future

outlined. For example, LCI might try to better understand the different types of conservation situations in end-game states. Can general definitions of battle-zone, emerging area, and pristine be attained? How might people working in other places go about categorizing their project area along this continuum? Where does each LCI location in New Jersey and Rhode Island fall along the continuum of pristine, emerging, and battle zone? By what process do places change from pristine to emerging to battle zone? Is there any pattern to the practices that are applied successfully in each type of place? LCI also might try to understand the impacts of different sets of tactics in different types of places. Is one set more effective than another? Controlled testing of each tactic is not practicable. Nevertheless, LCI could, at the least, ask the broad question of whether capacity building and growth management add to land protection or have little or no incremental or amplifying effect.

Distilling and disseminating results involves first monitoring the status of the project areas, as the Foundation is doing now, but more systematically, capturing information that pertains to research questions. For example, Tables 12a and 12b suggest general factors that might be monitored to explore questions about how the project areas might be characterized and what tactics/suite of tactics is more effective. These are highly simplified lists and would need to be deepened and expanded upon.

Monitoring should produce information that, with some limited follow up, can serve as the basis for written case studies. These stories about what worked and what did not should be shared with others (e.g., at LCI grantee convenings, the Land Trust Rally, the Growth Management Association). This transfer of knowledge should be monitored by DDCF. Who was exposed to LCI cases? Where did LCI cases serve as reference points for others (e.g., the finger prints of LCI cases are visible)? Where did actual change take place because of this?

The ongoing process of attempting to capture knowledge can serve as the vehicle for LCI grant tracking and management. The essential management questions for assessing LCI are, primarily, whether the tactics are having an impact in project areas (conservation status), and secondarily, whether what was learned from LCI was useful in other places. Financial leverage and acres protected, while important to continue to track, can become distractions from these ultimate measures of success.

Recommendation 4: Make adjustments in New Jersey and Rhode Island that make LCI as integrated and proactive as it can be under current grant agreements. Most of the adjustments should be made in the growth management area, however, other steps are recommended as well, including beginning to think about possible project areas.

In New Jersey, allow NJF to shift grant funds from one-on-one local assistance to state-level policy work, including, for example, efforts to test and strengthen the Governor's Smart Growth Council, to develop and pursue a short list of achievable policy/regulatory changes that have a direct benefit for conservation in the focus areas (e.g., sewer regulations, TDR), and to conduct applied research (e.g., case studies of how areas transition from rural to built out). The Foundation should consider allowing the

Table 12a. Factors to Characterize Place

Quantity of protected land by owner
Avg. parcel size
Capacity rating (LTs, advocacy)
Policy/reg environment rating
Key stakeholders (summarize)
Rate of land consumption
Status of conservation targets (rating)

Table 12b. Factors to Describe Tactic Impacts

Where used (& place type)
Tactics (list and answer following for each tactic)
How used (state timeframe)
Resources required (DDCF+other)
Primary impacts
Secondary impacts

New Jersey Conservation Foundation the flexibility to move some of its unexpended funds to re-grants or other areas.

In Rhode Island, allow GSRI the flexibility to pursue growth management educational efforts during this year's gubernatorial campaign. This work was pretty productive last year in New Jersey (though LCI did not fund it there). In addition, the Foundation should facilitate a meeting with TNC and GSRI (and perhaps others, such as the Champlin Foundation or the Rhode Island Foundation) to discuss how to further South County efforts. Several items should be discussed, including how to tie the Sustainable Economy Project and the Greenspace Protection Plan together, how to best use regrants to reinforce the goals of these plans and GSRI training, and what should be the content of a State-level growth management agenda that is relevant for South County land conservation. In concert with TNC, the Foundation should consider supporting shared staffing for South County land trusts as a means to jump start some efforts and rev-up others.

Overall, the Foundation should consider initiating a process of defining more targeted project areas in all three focus areas. All grantees should be involved in these discussions, and while project areas may build on LCI land protection accomplished in the first two years, expediency should not displace wiser choices, if they exist. As well, the Foundation should consider convening a group to design an approach to knowledge capture and transfer.

A concluding observation

In an appropriate amount of time (four to six more years?), after restructuring the initiative and giving those changes time to play out, the Foundation might want to conduct a review of whether the Foundation ought to pull out of at least one of the New Jersey and Rhode Island focus areas.

The arguments for a pull out, even for leaving these places altogether, is compelling. The long term trends in land consumption and the weakness of the land use policy and regulatory framework at the state and local levels (with the exception of the Pine Barrens) seem at times to be overwhelming barriers to success. The cost of land, especially in battle zones, is another discouraging factor. Why not get out of these end-game places and focus on high biodiversity pristine or emerging areas across the country, such as the other LCI sites in the Gulf Coast and Greater Yellowstone, the Foundation's Forestry sites, or other similar places where large-scale land conservation might still be realized?

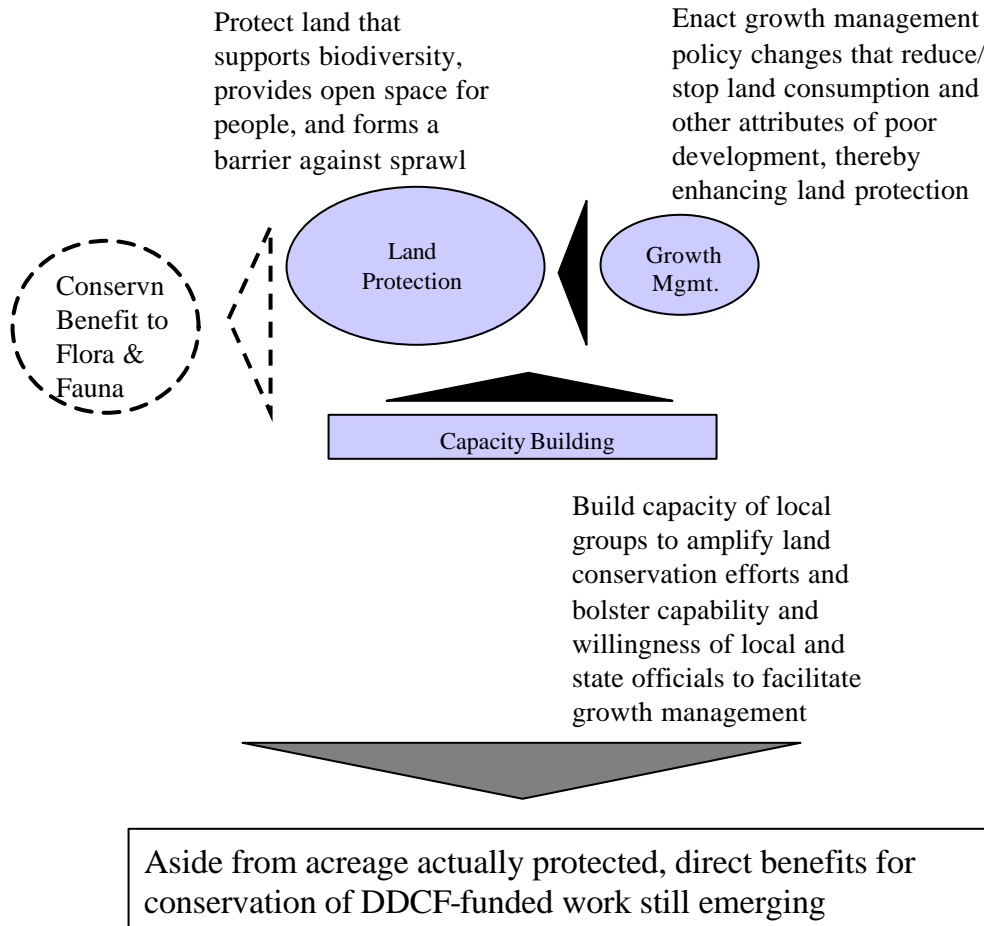
Why not leave? Because, in the end, the argument for staying, at least for now, is even more compelling. The idea behind LCI in New Jersey and Rhode Island is basically sound: to test whether some combination(s) of land protection, growth management, and capacity building can help conserve ecologically valuable landscapes in the midst of intense development pressure. The idea has not yet been disproved. LCI is, after all,

only two-years old and thus has not had enough time to prove whether the approach in the first two states has succeeded or failed.

In my view, there is value to seeing whether successful multi-tiered strategies for conservation in end-game states can be developed. For it may be this sort of knowledge, knowledge from places in the late stages of build out, that pays off enormously, not only where it is developed, but also in the sorts of places where, now or later, land will begin to be divided and developed, and the transforming process of sprawl will begin.

In New Jersey, Tests Of Ingoing Hypotheses Mostly Inconclusive At This Point, Benefits For Conservation (Aside From Acres) Still Emerging

LCI Program Elements And Goals



Key Beliefs/Hypotheses

Public and private resources can be drawn to projects that otherwise would not have been done, and directed to high priority areas

Land protection and growth management can complement one another, enhancing impact of both

National and regional LTs can collaborate and increase effectiveness of land protection

Initial experience suggests mixed results should be expected in proving out hypotheses in New Jersey within the grant period

Difficult Deals Are Getting Done, But Too Early To Tell Of Magnet Effect

Hypothesis 1A: Public and private resources can be drawn to projects that otherwise would not have been done

Preliminary finding: YES

A number of DDCF supported projects would not have been done without grantee action (though perhaps without DDCF funds):

<u>Reason no State lead</u>	<u>Deal</u>
Too costly	VVF, PMI, Brown
Too controversial/complex	Tranquility Farms, Danza, Krischer
Seller averse to working with State	Leone

Hypothesis 1B: Public and private resources can be directed to high priority areas

Preliminary finding: UNCLEAR

The money in DDCF deals is being spent in high priority areas: All TNC projects are ecoregional priorities; all Ocean County TPL projects are Century Plan sites

But it is too early (only 16 deals, two years) to see disproportionate drawing of leverage to these areas. Selected indicators:

- No clear up or down trend in share of State Acquisition \$\$ or acres by DDCF focus-area counties 1997-2001
- \$60M in State Acq appropriated 2000&2001. \$8.4M drawn to DDCF supported projects (half to Jackson)
- GA approved \$26M in Nonprofit program grants 2000&2001. \$1M in DDCF-supported projects
- SADC Farmland Preservation funds protected 208 farms and 25,000 acres in 2000&2001. DDCF-supported projects protected 3 farms and about 1,000 acres
- Three-quarters of private money in DDCF-supported deals was landowner contributions, which is intrinsic to a deal, not drawn to it

There Are Early Concerns About The Complementary Effect Of Growth Management And Land Protection

Hypothesis 2: Land protection (LP) and growth management (GM) can complement one another, enhancing impact of both

Preliminary finding: UNCLEAR TO SLIGHTLY NEGATIVE

Observations on activities to date

Communication/strategy coordination between LP and GM grantees; there is less geographic overlap of grantee activities than in RI

Effects of DDCF-supported land deals on sprawl isolated, though tangible. Some complementary work at town level (e.g., Krischer/Whiting, Jackson/Freehold, PMI&VVF/Fredon, Tranq Farms/Allamuchy)

DDCF-supported GM work has brought credibility to grantee, but effects on state policy not visible, effects on the public debate only slightly more apparent

Non-DDCF-supported GM work has involved successful relationship building with McGreevey policy staff and facilitated GM e.o. Effects on conservation TBD

A basic (bridgeable?) conflict seems to exist between LP grantees local/project-level focus and GM grantee state-level focus

Larger issues

Though in the broadest sense LP is GM and GM is LP, the two fields seem to have very different cultures and perspectives:

- Success in GM is dependent on practical, broadly supported ideas, and an executive willing to lead. It takes place within the political realm. Success in LP is dependent on money and willing sellers. It takes place in the marketplace
- GM looks from smart development out at open space; LP looks from conserved space out at development

It appears to be easier to raise money from the public to buy open space than to make the legal/policy/regulatory changes needed to protect it. Put another way, voters seem more willing to buy their way out of sprawl than to plan their way out of it. ±90 towns w/State Plan plans; 19 counties and 179 towns have open space protection funds

No better way exists to protect land than to buy it. But there may not be enough money to buy all the land that needs protecting

The GM agenda spans transportation, water/sewer, school construction, property tax reform, affordable housing, redevelopment, farmland protection, open space protection, etc. Is this all doable? Within a relevant timeframe? What are highest priorities for conservation?

Some Early Promise In The Area Of Capacity Building

Hypothesis 3: National and regional LTs can collaborate and increase effectiveness of land protection

Addendum: Enhanced local conservation capacity, public or private, is also desirable

Preliminary finding: QUALIFIED YES

Observations on activities to date

National LTs view LT-collaboration as drag on efforts; only 2 LT's have participated in DDCF-supported deals, though both have gained from it (R&V Conservancy/Tranq Farms, MLC/Brown)

Some operational and funding capacity built in local and county government, by TPL and NJCF

Local TA and re-granting by NJCF positive (See PRO case), but as it is a supporting activity, needs better coordination with conservation focus of others

SADC linked to biodiversity conservation through TNC (VVF first SADC nonprofit deal)

County/local gov't examples

(R)eplenished or (E)nacted
o.s. fund:

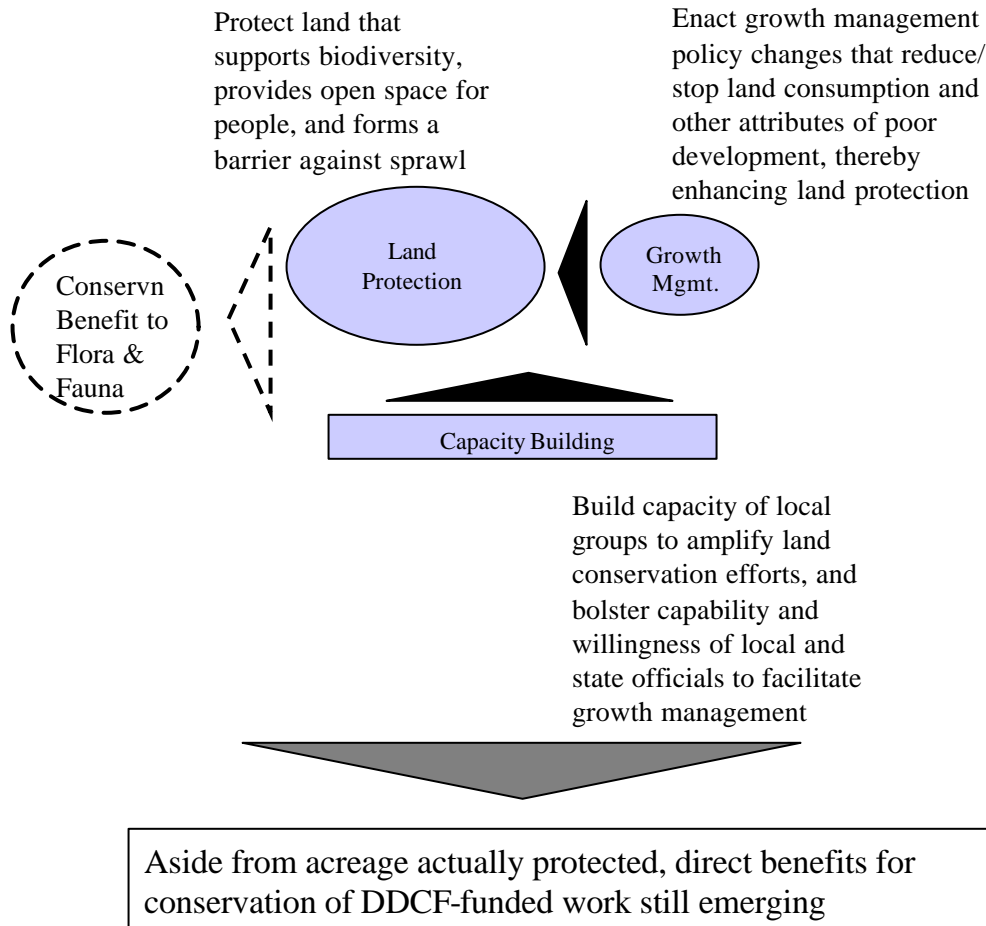
- (R) -- Rockaway
- (E) -- Allamuchy, Fredon, Harmony (+ SADC PIG), Sussex Co.

Built capacity:

- Lopatcong Twp - o.s. plan
- Berkeley Twp - o.s. review
- Ocean Co. - 3 deals w/Co.
- Warren Co. - Smart growth cttee staff for so. towns

In Rhode Island, Tests Of Ingoing Hypotheses Promising At This Point, Benefits For Conservation (Aside From Acres) Still Emerging

LCI Program Elements And Goals



Key LCI Beliefs/Hypotheses

Public and private resources can be drawn to projects that otherwise would not have been done, and directed to high priority areas

Land protection and growth management can complement one another, enhancing impact of both

National and regional LTs can collaborate and increase effectiveness of land protection

Initial experience suggests potential for proving out hypotheses in Rhode Island within the grant period

Too Early To Tell Of Magnet Effect

Hypothesis 1A: Public and private resources can be drawn to projects that otherwise would not have been done

Preliminary finding: UNCLEAR

Are there DDCF-supported projects that would not have been done without grantee action?

Hypothesis 1B: Public and private resources can be directed to high priority areas

Preliminary finding: UNCLEAR TO LIMITED YES

South County already gets large share of State and private resources [Data on share of DEM funds to South County?]

DDCF funds increased Champlin by increasing the flow of deals. 1985-1999 Champlin \$\$ to TNC ranged from \$500K to \$2.4M. 2000=\$4M. 2001 back to \$2M due to stock market

Early Signs Of Promise On The Complementary Effect Of Growth Management And Land Protection

Hypothesis 2: Land protection (LP) and growth management (GM) can complement one another, enhancing impact of both

Preliminary finding: YES

Observations on activities to date

Communication/strategy coordination between LP and GM grantees in evidence, perhaps driven by personalities and relatively small size of DDCF focus area

Effects of DDCF-supported land deals on sprawl unclear

DDCF-supported GM work helping enhance town capacity and vision for So Co, though local-level work not a natural for GSRI

Non-DDCF-supported GSRI work involved successfully fending off major development proposal in Exeter, with behind-the-scenes assistance from TNC

Larger issues

South County is in an end-game, like NJ Highlands. What is basis for LP-GM partnership in this environment? “It comes down to how you spend your time. Going after the last large parcels or organizing a zoning initiative.” (Interviewee)

Though in the broadest sense LP is GM and GM is LP, the two fields seem to have very different cultures and perspectives. RI has been more successful at bridging cultural divides than NJ. And future looks good

It appears to be easier to raise money from the public to buy open space than to make the legal/policy/regulatory changes needed to protect it. Put another way, voters seem more willing to buy their way out of sprawl than to plan their way out of it. ±15 towns w/State Plan plans; XX towns have open space protection funds

No better way exists to protect land than to buy it. But there may not be enough money to buy all the land that needs protecting. At the same time, can relevant elements of the broad GM agenda be put in place in near term?

Early Promise In The Area Of Capacity Building

Hypothesis 3: National and regional LTs can collaborate and increase effectiveness of land protection

Addendum: Enhanced local conservation capacity, public or private, is also desirable

Preliminary finding: YES

Observations on activities to date

TNC has long-term commitment to building LT capacity. Limits seem to be local desire and resources

Early reports on GSRI training positive. Not clear this is/should be a long-term program area for GSRI? Who can provide this as a “franchise”, maintaining quality?

Training generates calls for assistance with local land use issues, another area that may not make long-term sense for GSRI? Who can do?

Solid GIS capacity review, but unclear how it will get to next step, if at all



So. County land trusts (age of org)	Recent TNC capacity bldg work/org status
Public	
Hopkinton (2 yrs)	Org dev., cons planning, 1 deal
Richmond (3 yrs)	May fold
W. Greenwich (4 yrs)	Slow; TNC considering starting “friends of” org
Westerly (re-start soon)	Helping revive the LT
Private	
SKLT (18 yrs)	6 deals, cap campaign planning, ongoing TA
South County Conservancy (3 yrs)	Infighting, local politics
Exeter (none)	
All	
	Funding RILTC strategic plan; WCLTC as vehicle for doing deals?

Key learnings

- Best way to assess LT is to do a deal w/it
- Prospect of project re-grant funds draws LT to capacity building requirement--having both in same org is powerful
- Weak board and lack of structure/procedure/mission can prevent progress long term for LT
- Municipal LTs more difficult to work with