

**WETLANDS ADVISORY  
COMMITTEE  
June 11, 2014**

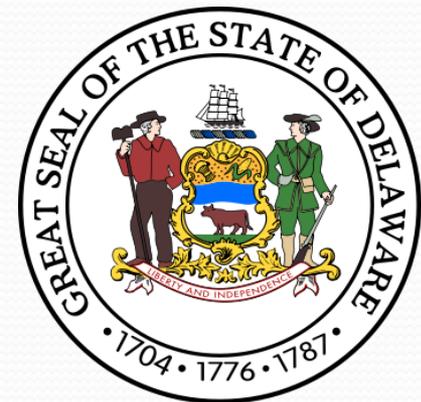
**LAND CONSERVATION**  
A State Perspective

# HISTORY

- 1682 – WARNER GRANT
- 1927 – FORESTRY COMMISSION
- 1932 – BOARD OF GAME & FISH
- 1951 – STATE PARKS COMMISSION
- 1965 – FEDERAL LAND & WATER CONS. FUND
- 1986 – STATE LAND & WATER CONS. TRUST FUND
- 1987 – GOVERNOR’S LAND ACQUISITION PROGRAM

# 1990

- LAND PROTECTION ACT  
(7 Del. Code, Chapter 75)
  - Establishes Open Space Program
- REALTY TRANSFER TAX ACT  
(30 Del. Code, Chapter 54)
  - Creates funding mechanism



# Land Protection Act

- Protect and conserve:
  - All forms of natural and cultural resources
  - Biological diversity of plants and animals and their habitat
- Protect existing or planned parks, forests, wildlife areas, nature preserves, or other recreation, conservation or cultural sites by controlling the use of contiguous or nearby lands
- Preserve sites of special natural, cultural or geological interest
- Connect existing open spaces into a cohesive system of greenways and resource areas
- Provide for public outdoor recreation
- Allow for water resource conservation

# Open Space Program Process

- Eligible State Divisions:
  - Parks & Recreation
  - Fish & Wildlife
  - Forest Service
  - Historical & Cultural Affairs



- Typical properties:
  - Inholding
  - Adjacent
  - Connector
  - Special resource



- Voluntary Process – no right of eminent domain

# Open Space Council

- Members:
  - 7 appointed by Governor
  - 1 appointed by President Pro Tempore of the Senate
  - 1 appointed by Speaker of the House
  - 4 Ex-Officios (non-voting)
- Quarterly Meetings
  - March, June, September, December
- Advise and recommend to DNREC Secretary

# Open Space Property Ranking

- Ecological Value
- Land Use
- Cultural/Historical Resources
- Water Features
- Recreation
- Descriptive Evaluation
- Project-Specific Questions

**Supported by science, management priorities and public needs**

# Realty Transfer Tax Act

- Subchapter II. Conservation Trust Fund
  - Endowment Account: ~ \$50 million
    - Principle account that generates interest
  - Earnings Account: local acquisition/development projects and greenways
  - Stewardship Account: management and preservation of biological and cultural resources
  - Project Account: acquisition of land for public outdoor recreation and conservation use in perpetuity (Open Space Program)

# Open Space Program Funding History

- Conservation Bonds: 2 initial sales
  - 1991 and 1993
- Legislative Appropriations
  - Mid-late 90s
  - Early 2000s
- 21<sup>st</sup> Century Fund
  - Late 90s
- Realty Transfer Taxes: \$9 million annually
  - 2000s - current

# Open Space Program Summary

7/1/1990 – 6/30/2014

- 369 Projects
- 55,532.3697 acres protected through donation, conservation easement and fee simple purchase

Open Space Funds	\$255,018,163.01
Other Funds	\$74,526,590.29
<b>Total</b>	<b>\$329,544,753.30</b>

# Potential Funding Sources

- US Fish & Wildlife Service
- National Park Service
- US Forest Service
- National Oceanographic & Atmospheric Adm.
- Department of Transportation
- US Department of Agriculture
- National Fish & Wildlife Foundation

# Critical Conservation Partners

- Brandywine Conservancy
- Center for the Inland Bays
- Chesapeake Conservancy
- Delaware Nature Society
- Delaware Wild Lands
- Kent County Conservancy
- Nanticoke River Watershed Conservancy
- The Conservation Fund
- The Nature Conservancy
- Local Foundations

# QUESTIONS?

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