Department of Transportation Perspective and Business Case for Working with Land Trusts

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What are land trusts and what do they do?

**What are land trusts?**
Land trusts are local, regional, statewide or national organizations that are established to protect land and its resources. They may also be referred to as conservancies, foundations, or associations. Their main purpose is to protect land that has natural, recreational, scenic, historic, or productive value. They are the fastest growing arm of the conservation movement today, with approximately 1,200 established, and 50 new ones being formed every year in the United States.

**How are land trusts different from other conservation or preservation organizations?**
Their primary difference is their direct involvement in land transactions. They initiate, implement, and monitor land protection devices for individual pieces of property or for larger land areas, depending on the trust's specific goals. Sometimes their land protection efforts are combined with other conservation organizations, but their major objective is the preservation of the land itself so that it may continue to be a resource for future generations. Land trusts often are formed to protect particular land related resources: forests, farmland, open space, wetlands, or historic districts.

-Peggy Schear, Thomas Blaine, Ohio State University
Are there challenges with project-level mitigation?

The problem is that current mitigation practices don’t work for all the parties involved.

Developers
- Current practices are costly and time consuming for developers e.g., site-by site search, submittals
- Most developers aren’t good at building and maintaining mitigation sites
- Confronted with multiple planning and permitting agencies with differing interests

Resource Agencies
- Many studies indicate sub par success rates
- Some mitigation projects are never done at all
- Agencies are overwhelmed with individual submittals many in the tenths of an acre

Environment
- Replacing or rebuilding a resource on the same site – is not always the best solution to replacing the function and value of a resource
- Lacks an overall plan and strategy for sustainability

The bottom line: Our traditional project level mitigation approach isn’t working.

Fact:
The Washington State Department of Ecology reports that only 46 percent of mitigation sites are ultimately successful.
Development places a greater strain on environmental resources and thus the sustainability of the environmental infrastructure.

Growing Urban Footprint in the Central Puget Sound

What Drives Growth in the Region?
Population change is a function of natural increase (births and deaths) in the resident area population and net migration (people moving to and from the region.) Change in the region’s population due to natural increase remains relatively stable over time. Net migration, rather than natural increase, is the main driver of population change in the central Puget Sound. The primary determinant of migration to and from the region is the robustness of the local economy and labor market relative to that of the larger national economy and other regional economies. Due to its location in the U.S. Western region, trends in the California state economy exert a particularly strong influence over migration patterns to and from Washington state and the central Puget Sound.

-Puget Sound Regional Council
To reach sustainability we need to consider where we are now (project-level views), where we desire to be (landscape perspective), and how we can achieve our ultimate goals.
A perspective—What are the challenges to fulfilling the social, economic and other requirements?

- More and more difficult to condemn land for the public needs
- Many types of lands are protected in state and local ordinance (e.g., agricultural lands)
- The search for land to mitigate on is expensive and often leads to a dead end and thus more cost (time and resources)
- Isolated mitigation efforts seldom address the needs of the environmental infrastructure

Where does the time go in developing project mitigation?

<table>
<thead>
<tr>
<th>Activity</th>
<th>Time Range</th>
</tr>
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<tbody>
<tr>
<td>Search for suitable land</td>
<td>6 months to 1 year</td>
</tr>
<tr>
<td>Development of plans/application</td>
<td>4 to 6 months</td>
</tr>
<tr>
<td>Appraisals and Negotiations</td>
<td>18 months</td>
</tr>
</tbody>
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Existing Conditions
Existing interchange at I-5 - 172nd Street NE (SR 531 Smokey Point) Large developments are essential for the overall public well being and are well planned and programmed. The environmental infrastructure, like the transportation infrastructure should be well planned and programmed.
So what’s the “wish list” for developers?

- Having land already set aside for future mitigation where developers can contribute (e.g., fee in lieu) following appropriate avoidance and minimization.
- Having already identified areas within a watershed that are critical to overall health allows land-use planners to prioritize areas that are best enhanced, preserved, or restored.
- More certainty and predictability regarding the location of, and cost for mitigation.
- Ability to dedicate established mitigation lands to conservation or other similar groups.
- Have a recognized, established program to work with that has sustainable solutions for both economic development and the natural environment.
Mitigation costs ranged from 4 to 34 percent of the total project costs. Wetland mitigation cost as much as $2.3 million per acre. Average costs were 15 percent and $861,713 per acre respectively.

**Financially, mitigation banking results in a 30% to 80% cost savings compared to traditional mitigation.** Savings result from (1) economies-of-scale savings of working on one large site compared to several smaller sites, and (2) increased time to look for cost-saving measures (e.g., partnering opportunities, free woody debris), and proportionately smaller setbacks/buffers compared to small mitigation sites.
The business case for land trusts...

- acquires land and builds sustainable programs that demonstrate balanced conservation solutions that emphasize the integration of economic and environmental goals.

- partners with government agencies and nonprofit organizations to acquire and conserve land across the country—forever protecting wildlife habitat, working landscapes, recreation areas, community green space and historic sites.

- works with the public and private sectors to demonstrate sustainable solutions to complex natural resource issues through land-use planning, natural resource-based economic development and the application of innovative scientific research and technology.

- delivers real estate, strategic conservation, mitigation and land advisory services to corporations, private landowners and communities nationwide.