Pitting Parks Against Open Space

by Anne Schwartz
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Photo by Gotham Lost and Found A view from Hudson River Park, one of several city parks that received money from the state Environmental Protection Fund.

Singling out the state parks and environment for symbolic belt-tightening, Gov. David Paterson last month pressured the state legislature into accepting steep and disproportionate cuts to conservation funding in exchange for reopening 55 shuttered parks and historic sites in time for the Memorial Day weekend.

With the budget two months late and negotiations stalled, the governor chose an area representing less than one quarter of a percent of the total budget to launch his strategy of forcing cuts through temporary budget extender bills needed to keep the state operating.

In a move that has troubling implications for the future of the city and state's environment, legislators were cornered into choosing between two programs that have broad public support -- the state parks and the l Environmental Protection Fund , the state's main source of capital

expenditures for open space and farmland preservation, parks and recreation, historic preservation, waterfront revitalization and recycling.

"There is no free lunch," Paterson said in a press release. "If legislators want to fully fund the parks, that money must come from a real source."

The closure of parks earlier in the spring for the first time in New York's history raised a huge outcry among constituents who are using state parks in greater numbers than ever (Memorial Day weekend visits were up 17 percent from last year) and from upstate towns that depend on park-related tourism revenue.

Funded by the Fund

The Environmental Protection Fund, which gets most of its revenue from the real estate transfer tax, also has tremendous constituent support, said Assemblymember Robert K. Sweeney of Suffolk County, who chairs the committee on environmental conservation.

New York City has received more than $200 million from the fund over the past decade and a half to help protect some of its last tracts of open space, build parks and trails such as Hudson River Park, the Brooklyn Waterfront Greenway, the Harlem River Greenway and the Bronx River greenway, and to restore Jamaica Bay's disappearing wetlands. The Environmental Protection Fund has preserved land upstate around the city's reservoirs as well as farms that supply locally grown produce.

Over the past several years, the state has raided the fund of $500 million of unspent money that was earmarked for pending projects. With this year's cut of 37 percent, the fund will have little money left for new efforts, including a proposed conservation easement on Pouch Camp in the heart of the Staten Island Greenbelt. The 143-acre Boy Scout camp may be sold for development unless the funds can be found to preserve it.

"Opening parks is great, but doing so at the expense of our other natural resources is a violation of the public's trust," said Marcia Bystryn, president of the New York League of Conservation Voters .

Out of Context

Determining these two parts of the budget in a vacuum has deprived the public and legislators of the opportunity to consider priorities in the context of the larger budget and to weigh spending on parks and the environment against the economic returns and savings. Parks and conservation are often considered a luxury -- a view Paterson apparently shares -- but, to the contrary, investing in the environment has been shown to bring significant economic benefits.

One recent analysis from New Jersey found that every dollar invested in a bond measure for conservation would return $10 in economic benefits such as farm and fish products, outdoor recreation and ecosystem services such as flood prevention.

Yet the state routinely allocates an amount almost equivalent to this year's entire Environmental Protection Fund appropriation to individual brick and mortar projects whose benefits flow primarily to a few large corporations or developers, such as $104 million for infrastructure for one private sports arena at Atlantic Yards and $63 million to subsidize parking garages for the benefit of the privately owned New York Yankees .

And, like so many decisions that led the state into the current budget mess, skimping on the environment trades savings now for much higher costs in the future. It is far less expensive to protect open space around watersheds, for example, than to build the costly infrastructure needed to treat water once it's contaminated.

By cutting appropriations for open space and farmland preservation, the state will also forfeit significant federal and local matching funds and miss out on the current buyer's market for land acquisition.

Hitting Conservation Hard

The final agreement on parks reached late in May sliced $78 million from last year's Environmental Protection Fund funding of $212 million. This leaves the fund with $134 million -- less than half of the $300 million per year it was supposed to reach by 2010 under the 2007 Environmental Protection Fund Enhancement Act.

Land conservation took the largest hit. Funds for open space were reduced from $58.9 million to $17.6 million, although legislators overturned the governor's moratorium on land acquisition and kept the program alive. The agreement cut farmland preservation from $22 million to $10.7 million.

One bright spot for parks was an increase, to $16 million from $5 million last year, for stewardship (such as restoring habitat, improving safety and rehabilitating infrastructure) and access to state parks and natural areas. This reflects Paterson's position that rather than acquiring new land the state should take care of what it already owns.

The legislation, however, pared funding for municipal parks by a third, largely by decreasing spending on inner city and underserved areas and reducing appropriations to the Hudson River Park from $6 million to $3 million. "The deal benefits state parks but is pretty injurious to the municipal parks program," said Robert Moore, executive director of Environmental Advocates , a private watchdog group.

Waterfront revitalization received half of the previous year's amount. Zoos, botanic gardens and aquariums, however, were spared, and remain at the same funding level as last year, $9 million.

Legislators claimed some victories, including preventing the use of actual Environmental Protection funds for parks operating expenses as well as for $5 million of Forest Preserve payments in lieu of taxes (PILOTs). Although it might seem logical to pay for these programs out of a fund for the environment, advocates say it would have set a dangerous precedent.

"I had a terrible vision that it would be $5 million this year, $10 million the next year, and pretty soon the entire EPF would be Forest Preserve PILOTs and agency management," said Assemblymember Sweeney.

The governor sweetened the deal for legislators who opposed cutting the fund by throwing in long-sought legislation mandating recycling of electronic equipment , with $4 million in new fees dedicated to the Environmental Protection Fund.

The Future of the EPF

The Environmental Protection Fund was created to provide a reliable source of funding, in good times and bad, to protect the state's environment and public health. Legislation establishing the fund noted that "the preservation, enhancement, restoration, improvement and stewardship of the state's environment are among the government's most fundamental obligations."

Although the Environmental Protection Fund is supposedly dedicated money for the environment, over the years the governor and legislature have treated it as a handy source of cash to plug budget holes, both through "sweeps" of unspent funds and reductions in annual appropriations.

"Money that was supposed to be waiting in the account was removed, so it creates a backlog. It's getting to the point where we are using current year appropriations for projects initiated in past years. We are starting to look backward instead of to the future," said Jessica Ottney, director of state government relations for The Nature Conservancy in New York .

"The ability of the Environmental Protection Fund to function properly requires a commitment on the part of both houses and the governor, and right now the governor part of the equation is missing," said Sweeney.

Even the fund's 2008 high-water mark of $250 million fell far short of what other, less populous states have dedicated to preserving open space and creating parks per capita. Last year, New Jersey voters approved a two-year $400 million conservation bond. In 2008, the citizens of Minnesota passed a three-eighths of a cent sales tax surcharge for land and water conservation, parks and the arts that is expected to raise $290 million this year.

The crushing budget deficit, the disarray of the state government, and this year's disproportionate cut to the Environmental Protection Fund do not bode well for New York state's parks, open space, farmland and water supplies.

Yet, as the enormous reaction to closing the parks demonstrated, the public cares deeply about parks, open space and protecting the environment. "All the polling that we've done in New York state shows that voters understand the benefits of these funds and are consistently willing to contribute through whatever funding mechanism the polls suggest toward public investment in open space and clean water protection," said Ottney. "We've seen those be consistent throughout this economic decline."

Anne Schwartz, in charge of the parks topic page since its inception in 1999, is a journalist who specializes in environmental issues.