

# LAND PROTECTION



The Peconic Estuary System stretches across Suffolk County, New York's five eastern towns: Riverhead, Southampton, East Hampton, Southold, and Shelter Island, collectively called the "East End." A small portion of the Peconic Estuary System watershed area, about 10 percent, lies in the Town of Brookhaven.

A big concern on the East End is the increasing population and development seen in the past two decades. Between 2000 and 2035 population growth is expected to increase slowly by an estimated 18 percent countywide; in the five eastern towns alone, population has been growing at a rate twice that of other regions of the county, especially within the last five years as people continue to flock to the coast. Development and sprawl in the Peconic Bay region threatens the character of the community and result in the degradation, fragmentation, and loss of valuable habitats. Unsustainable development adversely affects surface and groundwater quality and living resources, including many commercially and recreationally important finfish and shellfish species.

## THE NATIONAL ESTUARY PROGRAM IN ACTION

## Peconic Estuary Program

To help meet its goals to protect habitat and water quality in the Peconic Estuary System and the rest of the East End, partners sought the New York State Legislature to create and pass a "Community Preservation Act" (Act), based on a successful land preservation model in Nantucket, Massachusetts.

Through the enabling state legislation, towns could establish, through local referenda, a Community Preservation Fund (CPF), authorizing the collection of a two percent transfer tax (paid by

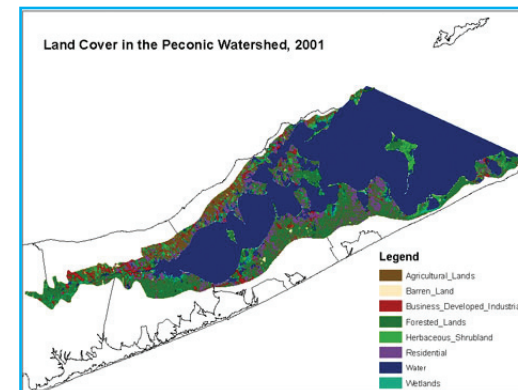
the buyer) on all real estate transactions in towns that authorize the tax. The proceeds, held in a dedicated fund, would be used solely for preserving natural areas, water resources, and community character, including purchase of open space, farmland development rights, and historic properties. Exemptions exist to promote affordable housing and agriculture. In addition, the towns would find that they would be able to borrow against future CPF revenues and they have successfully secured low-interest loans through State

Revolving Funds available under the Federal Clean Water Act to buy increasingly dwindling open space at today's presumably lower prices.

The Peconic Estuary Program (PEP) provided data that helped the towns create Community Preservation Plans identifying and prioritizing potential land acquisitions. This information was ultimately compiled in the PEP Critical Lands Protection Plan (CLPP), a comprehensive effort to identify high-priority conservation sites.

The PEP CLPP identified and prioritized remaining open spaces based on location, size and environmental attributes. Factors included proximity to coastlines, wetlands, and already preserved lands (or other land parcels that could be preserved), sites con-

taining unique habitats, plants and animals or communities, and lands in subwatersheds that were already stressed, as documented by nitrogen pollution. The PEP also funded case studies in the Towns of Southold and Riverhead to determine the ex-



tent to which properties adjacent to or near protected open space increased in value, in addition to the environmental amenities they afforded homeowners and residents.

Each of the five East End towns in the Peconic Estuary Watershed overwhelmingly approved referenda to establish CPF programs. These towns have since collected more than \$526 million in funding for land preservation in the past decade. Approximately half of the CPF funds collected are spent preserving lands within the watershed, including nearly 4,000 acres. While the amount raised and invested in open space acquisitions so far is staggering, it is estimated to only be enough to preserve only a small portion of the remaining open space. The towns manage most of the properties, which they use in accordance with the

recommendations in their Community Preservation Plans.

Developing large coalitions of diverse partners, including farmers, bankers, real estate, building and contracting professionals, and civic and environmental leaders, was imperative to demonstrating broad support to the public. Equally important was the preparation of a comprehensive case statement to illustrate need, and identify the number of acres to be protected, and the amount of funding needed to achieve conservation goals. Although originally scheduled to sunset in December 2010, in 2006 voters in the five East End towns overwhelmingly approved a referendum to extend the tax from 2010 to 2030. Other municipalities across the state are actively seeking to duplicate the East End's CPF success story.

Visit [www.peconicestuary.org](http://www.peconicestuary.org) to learn more about this and other PEP efforts.

*EPA's National Estuary Program (NEP) is a unique and successful coastal watershed-based program established in 1987 under the Clean Water Act Amendments. The NEP involves the public and collaborates with partners to protect, restore, and maintain the water quality and ecological integrity of 28 estuaries of national significance located in 18 coastal states and Puerto Rico.*

*For more information about the NEP go to [www.epa.gov/owow/estuaries](http://www.epa.gov/owow/estuaries).*