

F. M. KIRBY FOUNDATION SOLICITATION EVALUATION FORM

DATE: April 10, 2024
Program Area: Environment/Animals
Grant Type: Board Grant

REQUEST DATE: February 29, 2024

APPLICANT:
Trust for Public Land
60 Park Place, Suite 901
Newark, NJ 07102

CONTACT: Diane Regas, President & Chief Executive Officer

AMOUNT REQUESTED: \$110,000
BUDGETED AMOUNT: \$110,000

NATURE OF REQUEST: General Operating Support - TPL NJ

GRANT HISTORY

SUPPORT: 1991-2023

OF APPROVED GRANTS: 32

TOTAL DOLLARS: \$2,315,000

LAST GRANT DATE: 05/01/2023

LAST GRANT AMOUNT: \$140,000

FYE DATE: 06/30

AFS DATE: 12/20/2023

Year Approved	Approved Amount	Approval Date	Grant Purpose
2023	\$140,000	05/01/2023	New Jersey programs only
2022	\$140,000	05/02/2022	New Jersey programs only
2021	\$140,000	05/03/2021	New Jersey programs only
2020	\$115,000	04/29/2020	New Jersey programs only
2018	\$115,000	12/10/2018	New Jersey programs only

LAST SITE VISIT DATE: March 2020

ENDORSEE: N/A

FINANCIAL ANALYSIS COMMENTS: The budget is for the New Jersey operations and includes FY23 projections versus actuals. The actuals reveal that TPL broke even in FY23, but actual revenue and expenses came out to 80% less than projected. The \$2M difference in projected versus actual revenue resulted in a need for TPL to cut back on their line item for Construction and

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Site Improvements (\$212K versus the budgeted \$2.2M). Staffing comprised 56% of actual expenses for the year. The 2023 FMKF grant of \$140,000 comprised 5.45% of total revenue and total expenses.

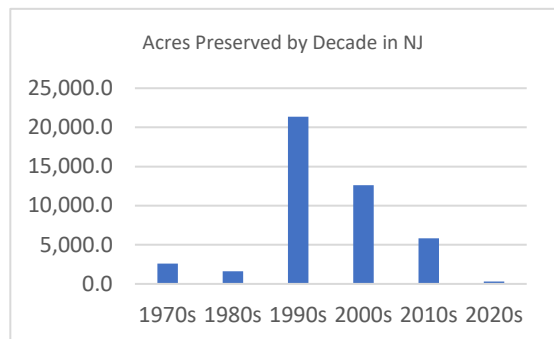
The audit is for the parent organization, a national nonprofit with a presence in all 50 states. It covers the period from July 1, 2022, to June 30, 2023 (fiscal year 2023). The auditors issued an unqualified opinion. The audit reveals that revenue increased by 71.3% (\$125M) over the previous fiscal year, due to an increase in land contributions (+4%), contributions and grants (+66%), and increases in investments (+115%). Expenses increased by 70.4% (\$120.98M) if you include contributions of land and easements, however, backing this expense out of the operating budget reveals a more reasonable increase of 10.7%. Program expenses comprised 88% of the total operating budget, but 69% if you back out land contributions and donations. Salaries and compensation comprised 14% of the total operating budget (36% of the budget without land contributions). The audit notes that the Trust for Public Land Action Fund, the 501(c)(4) affiliate, was dissolved during the 2023 fiscal year. TPL held \$91.3M in investments and a \$29.9M endowment at the time of audit. There were no red flags as a result of my review.

ORGANIZATION DESCRIPTION: Trust for Public Land (“TPL”) is a nationwide nonprofit that focuses on the creation and protection of public parks and conservation areas. They focus extensively on accessible green space creation and preservation in urban areas including parks, community gardens, “green” streets, and playgrounds. Their goal is for every person in the United States to be no further than a ten-minute walk from a high-quality park or open space.

LIZ CROWLEY COMMENTS: TPL’s report on the previous grant provides a high-level overview of their current projects throughout the state, some of which are not as relevant to our funding in terms of geography but, ultimately, we have allocated these funds to “general operating support” within the state with an eye towards the interconnected nature of conservation and environmental progress in our state. I will provide a few highlights that I think will be of interest to the Board, and then provide some broader context regarding the current funding situation that, I strongly suspect, is the cause of some existential challenges for TPL in New Jersey.

Land Acquisition and Conservation

The availability of undeveloped land in rural, suburban, and urban areas is rapidly dwindling in our State (and nationally). Following the general trend in NJ land conservation, TPL’s open space acquisition has slowed down in the past decade (as depicted in the inserted chart, acquisition peaked in the 1990s). Still, they have had some major “wins” in recent years: 2020 saw the acquisition of the 96-acre Bowling Green Mountain in Jefferson (Morris County) and, in 2021, TPL successfully conserved Blueberry Acres, a 200-acre property in Burlington County. Currently, they have focused their conservation efforts on the Jersey Shore, with the acquisition of a 70-acre parcel in Barnegat Bay currently in the negotiation phase. Since TPL’s first NJ acquisition in 1975, they have preserved 44,334 acres across the state.



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Historically, TPL has been an important partner for Morris County and has assisted in several key land acquisitions including some that are meaningful to the F. M. Kirby Foundation: the Great Swamp (1992), Jockey Hollow (2000, 2003), Shale Valley (2012, conveyed to Schiff Natural Lands Trust), and Primrose Farm Estates (2012, conveyed to Harding Land Trust). In 2009, TPL assisted the town of Morristown in taking ownership of the beloved community garden on Early Street that was slated for high-rise development (now run by FMKF grantee Morristown Grow-it-Green). In total, TPL has conserved or helped conserve 4,496 acres (41 separate projects) in Morris County since 1975 with 90% of acquisitions occurring since 2000.

While TPL has not completed an acquisition in Morris County since Bowling Green Mountain in 2020, they are making progress towards the acquisition of McDon Fen, a 17-acre high conservation plot that is adjacent to the Great Swamp National Wildlife Refuge (for out-of-staters, this is in Chatham Township, slightly southeast of Morristown). TPL re-opened conversations with the reticent private owner of the property in 2023 after SDK reached out to him personally. As of the submission of the application, TPL expressed hope that they would assist Chatham Township in facilitating the final steps of acquisition of this property as early as this upcoming summer. It would be lovely to be able to tour this site when (and if) the acquisition is complete, considering SDK's involvement and the proximity to areas that the Foundation has been involved in preserving.

Park and Urban Green Space Development

The development of Dundee Park in Passaic (along the Passaic River), mentioned in previous years, is still ongoing. Dundee Park's "Phase II" is divided into three stages in which the currently active portion of the park will be connected to a portion across the river via a pedestrian walkway. I continue to be impressed by how this project works "double time" as both a recreational facility and green infrastructure, mitigating the effects of flooding in the area.

TPL's work in Newark has, thus far, resulted in the completion of seven "green" schoolyards and seven parks since 1999. As you can deduce from the date of onset of the schoolyard/park developments in Newark and the drop in open land acquisition at the same time, the early 2000s marked a shift in projects for TPL in New Jersey. They are currently working towards the completion of two more "green" schoolyards (one of which is slated for completion in May 2024). The schoolyards are an interesting niche for TPL: they simultaneously create more permeable surfaces to reduce flooding while improving the recreational capacity of the grey asphalt lots that schools have been unable to modify. That being said, some criticisms about the schoolyard projects have come from the community, namely in terms of accessibility to the broader community members. I will attend the ribbon-cutting ceremony for a new schoolyard project in late May, and I am excited to see the results in person, but I think that an evaluation of the schoolyards system would need to include a community perception report along with hard data about flooding mitigation in the associated neighborhoods (we see similar projects coming from Land Conservancy of North Carolina, but with better data).

Organizational Context and Concluding Thoughts

TPL was originally founded in 1972 by the former western regional director of the Nature Conservancy, specifically with the intention of utilizing new techniques in real estate financing and acquisition to preserve open space for public use and to bring the environmentalist movement into urban areas. In terms of conservation and acquisition efforts, this focus on public benefit and urban

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communities has historically distinguished TPL from “competing” land conservation organizations in New Jersey. However, at a time when many environmental organizations that have historically focused on open spaces in rural areas are reconsidering their programming to reflect dwindling land acquisition opportunities and growing concerns about equitable access to green spaces and a warming climate that tends to exponentially affect cities, the line between the work and expertise of TPL versus other organizations has become more blurred. Other large conservation nonprofits in the state have started to edge into the work that was previously TPL’s “bread and butter”: acquisition of land for public use and urban green space development. The cultural transition to funding urban efforts has created a struggle to compete for limited dollars (public and private) designated to NJ’s urban areas and has created tensions among some of our more prominent statewide conservation partners. In particular, there is heightened competition for partnerships in Newark, because the city has access to a wide variety of funds from the public and private sectors. TPL seems to have struggled to get a foothold in Northern NJ urban areas when, in recent months, we have seen The Nature Conservancy in New Jersey win a large federal grant for their Greening Our Cities program in Newark (in collaboration with community nonprofits and city government) **(JJK: Perhaps TPL is a part of this; they mention on page 3 being part of the coalitions in Newark and Camden planting trees)** and in previous years we have seen Open Space Institute collaborate with stakeholders to create the monumental (still ongoing) [Essex Hudson Greenway](#) **(JJK: My own two cents is that they still have a foothold, if you will, but there are now more feet cramped on that same small space).**

TPL is inherently a conservation organization that speaks to the ideals of Diversity, Equity, and Inclusion via the creation of accessible public spaces in populated areas. Their recent “Common Ground” green paper makes an interesting and relevant case for the need for green space development processes that engage community stakeholders from the initial planning phase. The community engagement process is a key part of TPL’s work and mission, but (speaking from experience) it is one of the more challenging aspects of this type of work. People feel strongly about their communities and their communal spaces and a project that can appear to be an obvious “net benefit” to an outside observer will often create unrest and controversy amongst local stakeholders. TPL and other large environmental groups attempting to work in cities have learned that engaging with local community groups and grassroots organizations is the best strategy for developing an inclusive plan and soliciting local stakeholder engagement, but the result is that, in addition to the general competition for funds, there is also competition amongst the larger groups to partner with the more local groups. On a positive note, TPL seems to have gained a foothold in Camden and is the leading voice in the effort to improve Camden’s “greenprint”. As a program officer in Northern New Jersey with limited knowledge of Camden, it is challenging for me to truly gauge the effectiveness of their work in this city. Still, I will continue to monitor their efforts.

I certainly don’t mean to present the aforementioned challenges as evidence that TPL is faltering; I remain enthusiastic about TPL’s strategy of improving livability in cities via parks and green spaces as a way to mitigate the effects of climate change in our state and I feel that our partnership with TPL continues to represent a worthwhile investment, even as they may struggle to adjust to changes in funding availability and conservation opportunities. However, I do sense that they are struggling with relevancy and competition in the current conservation funding “climate”, and that this is representative of a broader shift in how conservation is funded and supported in the state. For the purposes of our own funding strategy, I think it is worthwhile to take a more in-depth look

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at the results of our three main conservation organizations in NJ (TPL, TNC-NJ, and the New Jersey Conservation Foundation) in urban areas.

On a national level, TPL announced that their Executive Director, Diane Regas (who visited Sansay House in early 2023) is retiring. Diane served as the ED for only six years and TPL is an organization with separate state chapters, so her retirement is not as significant as the retirement of Michelle Byers of the New Jersey Conservation Foundation (for example). I ran into Scott Dvorak at the Morris County nonprofit convening, and he confided that her retirement has little effect on the regional work. Diane has offered to stay in her role as TPL searches for a replacement. The new ED will be charged with creating and implementing a new strategic plan as the current plan reaches its denouement in 2025.

While it feels monumental to cut this grant from \$140,000 to \$110,000 this year due to budget constraints in the Environmental docket, it is helpful to consider that our grant to the New Jersey branch of TPL was at \$115,000 as recently as 2021, and has grown from a \$20,000 grant in 1991. I recommend the budgeted \$110,000 for support of New Jersey programs in 2024.

RECOMMENDATION: I recommend a grant of \$110,000 payable over 1 year designated in support of New Jersey programs.

JUSTIN J. KICZEK COMMENTS: Great to hear that McDon Fen project is still in contention with TPL and other players. Considering its proximity to the “Drew Forest” and other FMKF- or TPL-supported conservation projects (like Giralda Farms and Primrose Farm, etc.), this would be another “bead” in the necklace of the general Loantaka and Great Swamp recreational areas.

I really enjoyed skimming through the Common Ground framework, and the way in which it positions urban parks as “critical social infrastructure,” spaces not just for respite but places for social engagement and for a community to increase its own social capital and power. The aforementioned Bowling Green Mountain that TPL helped conserve is not exactly a site of social engagement. Instead, it is a wonderful space for quiet, solitude, animal migration, and land protection. On the other hand, I think of the city parks in which I spent a lot of time when we lived in Jersey City, the same kind of parks that TPL wants to put within a 10-minute walk for all people. These parks – some feeling no bigger than a postage stamp compared to what we have in more open areas in Morris County and beyond – were nonetheless places rich in social connections, community identity, and civic possibility. It was where we and our children met lifelong friends; it was where neighborhood kids would shoot hoops under the lights; and it was where families would gather for birthday parties and celebrations. But our park was even more than that; it was where the community would organize itself, the Farmer’s Market and other events, being places for voter registration, neighborhood association membership drives, city clean-ups, and artistic expression. As the Common Ground framework puts it: “We regard parks not as ends in themselves and not merely as settings for bringing people together; rather, we view them as catalysts for propelling a broad agenda of social initiatives and achieving a wide range of community goals.” I sincerely hope that TPL’s recent urban parks, like Dundee Island, will offer this to families in Passaic and elsewhere.

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The Common Ground framework and TPL's ongoing work in Camden, Passaic, Newark, and other cities leads me to conclude that, when it comes to urban "public land" conservation, TPL continues to have a major advantage in experience and community engagement (though hard work, as LDC notes) over other NJ conservation groups.

I also want to be sure to make note here of the Conservation Fellow who will be studying the Passaic River in 2024 and 2025, partly due to funding to TPL through the Urban Waters Partnership. According to the request, the Fellow will use Geographic Information System mapping of the Passaic River watershed to "visualize down to the parcel level and identify high priority opportunities for land conservation, park creation, greenway and blueway development, and other projects."

All this said, I concur with the lower amount for this year, given other projects in the environmental docket.

RECOMMENDATION: I recommend a grant of \$110,000 payable over 1 year designated in support of New Jersey programs.

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DISPOSITION:

- Declination
- Hold for review on/about:
- Approval for: **\$110,000**
- Recommended Grant Payment(s):
2024:
2025:
2026:
- Hold for Board Review: **April 26, 2024**
- Payee Other Than Addressee:
- Insert Information: **Support of New Jersey programs**
- Other: **Include Support of New Jersey programs on check memo.**

Initials: ggk

Date: 04/12/2024

Check #

Date: