



[americanprogress.org](http://americanprogress.org)  
[ncelenviro.org](http://ncelenviro.org)

# State Policy Leadership To Conserve Nature

A Guide to Innovative Land Conservation Policy Tools Being Deployed  
by State and Territorial Governments Across the Country

By Drew McConville, Kate Burgess, and Mariel Lutz



# Contents

- 1 Introduction and summary
- 3 Background
- 4 State policy models
- 34 Other relevant policy tools
- 37 Conclusion
- 38 Acknowledgments
- 39 Endnotes

# Introduction and summary

In the face of accelerating climate and biodiversity crises, state and territorial<sup>1</sup> lawmakers, agencies, and governors across the country are stepping up action to conserve remaining natural areas and ensure that access to nature’s benefits can be shared by all. These conservation efforts vary, with policy approaches tailored to match the needs of different geographies and constituencies, but they also share a common throughline: They reflect a deeply shared interest in stewarding the rich woods, waters, deserts, grasslands, and local green spaces that have so much to offer current and future generations.

This report reviews the primary land conservation policy models that have been adopted at the state level—from the tried and true to the new innovations—offering recent examples of each. While this report cannot fully showcase the leadership playing out in all corners of the country, it is intended to serve as a resource for decision-makers and involved stakeholders, at all levels, who are exploring the tools available for state-level progress or looking for models that could be scaled up from the “test kitchens” of the states.

The following policy models are profiled in the report:

- **Targets and statewide conservation plans.** These include recent actions to establish statewide land conservation targets, as well as accompanying or complementary strategies and action plans.
- **Conservation funds.** These include funding for land conservation and related projects from dedicated revenue streams—such as real estate or sporting goods taxes—or from bonds and other one-time investments, as well as state action to authorize and encourage county and municipal funding measures.
- **Outdoor equity funds,** including programs targeting barriers to nature access for underserved families, such as transportation, representation, and inclusive programming, as well as park-land acquisition.
- **Tax incentives for conservation.** These include state income tax credits for conserved land donations and reduced property taxes for open space preservation.

- **Natural carbon sequestration.** Targeted programs include funds or incentives for conservation and restoration measures that result in enhanced carbon storage, such as in forests or marshes.
- **New state parks and conservation lands.** These include creation or expansion of state parks, forests, wildlife management areas, or state-managed conservation lands through acquisition or management change.
- **State trust lands management.** Management options for state lands held in trust for education and other public institutions—which are predominantly in Western states—include conservation leasing or ecosystem service leasing, transfer of ecologically valuable land, enhanced safeguards, and other sustainable management approaches.
- **Tribal land return and co-management.** This includes direct return of state lands or funding for the return of other lands to Tribal nations, co-managing lands with Tribes, and other methods of honoring sovereignty, Tribal rights and cultures, and a legacy of land stewardship stretching back millennia.
- **Wildlife corridors and habitat connectivity,** including protection and restoration of intact wildlife migration corridors, habitat connectivity planning, and investments in connectivity projects.
- **Avoiding and mitigating nature loss.** Policies include required development buffers, compensatory mitigation for habitat loss, protections for vulnerable wetlands and waters, and landscape-scale wildlife habitat mitigation and planning.
- **Other relevant policies and practices.** These include “Outstanding Natural Resource Waters” designations under the Clean Water Act, state endangered species and habitat requirements, land use regulations and planning, coastal access laws and programs, and regional conservation collaboration.

Moving forward, states and territories—in partnership with federal, Tribal, and local leaders—will need to scale up available solutions and continue to innovate. Despite many recent successes, more investment and rapid progress are needed to address the alarming levels of nature loss, wildlife population decline, and climate change. The diversity of solutions and experiences profiled in this report represents a strength for the country, and it also suggests an opportunity ahead to more effectively share lessons across state lines and build on what works.

# Background

Today, alarming levels of biodiversity loss, climate change impacts, and inequitable and inadequate outdoor access demand accelerated conservation progress. A 2019 CAP report found that the United States lost about a football field’s worth of natural area every 30 seconds from 2001 to 2017, with private lands accounting for more than three-quarters of those losses to development.<sup>2</sup> As a result of this large-scale habitat loss, the compounding impacts of climate change, and related threats, scientists estimated in 2023 that more than one-third of species were at risk of extinction in the United States.<sup>3</sup>

President Joe Biden has taken historic steps to conserve public lands and invest in Tribal and community-led conservation,<sup>4</sup> including by establishing the nation’s first conservation goal.<sup>5</sup> But national leadership alone will not stem the nature crisis. State-level leadership to conserve nature is critical to meeting today’s challenges, together with federal support for states and territories willing to act.

States have long traditions of land and wildlife conservation,<sup>6</sup> with creation of the earliest state parks occurring around the same time as the first U.S. national parks.<sup>7</sup> In fact, the state of California assumed management of the Yosemite Valley and Mariposa Grove for preservation purposes in 1864, eight years before the world’s first national park was established at Yellowstone.<sup>8</sup> States have been called “test kitchens,” where innovative measures can be piloted and adopted in other states, at the federal level, and even internationally.<sup>9</sup> Supported by their constituents, state and territorial leaders across the country have successfully launched a range of policies to conserve natural areas, but accelerated progress will be needed in the years ahead.

# State policy models

This section examines the major state-level policy tools being utilized to conserve lands to support biodiversity, outdoor recreation access, and other benefits of nature. In particular, it focuses on models that could be replicated in other states or territories and briefly explores some recent examples of policy leadership in action.

---

## 1. Targets and statewide conservation plans

### About this policy model

A number of state governments recently adopted statewide land conservation targets and are using those new goals to establish inventories, transparent progress reports, and comprehensive action plans. Establishing these targets and plans is just a launching point: To have an impact, action plans must be followed by the adoption of new measures, including new funding and other policies discussed below.

Most of the recently adopted targets have mirrored the U.S. and international targets of conserving 30 percent of lands and waters by 2030, with some states also adopting out-year goals beyond 2030. (see text box) Hawaii adopted more narrowly focused targets, with a terrestrial goal of protecting 30 percent of priority forest watersheds by 2030.<sup>10</sup> In Wisconsin, Gov. Tony Evers (D) set a goal in 2021 of conserving 125,000 acres of forestland by 2030, with accompanying targets for urban and rural tree planting.<sup>11</sup> And in North Carolina, Gov. Roy Cooper (D) issued an executive order in February 2024 that establishes new conservation goals aiming, by 2040, to: 1) conserve 1 million acres of the state's natural lands; 2) restore or reforest 1 million acres of forests and wetlands; and 3) plant 1 million trees in state urban regions.<sup>12</sup>

Rather than starting with numeric targets, Gov. Jared Polis (D-CO) launched a collaborative process in 2023 to develop “Colorado’s Outdoors Strategy,”<sup>13</sup> which aims to develop goals and metrics and establish an overarching vision and strategy for conservation, outdoor recreation, and bolstering climate resilience. This statewide effort is complemented by an Outdoor Regional Partnerships Initiative, launched in 2020, that funds regional coalitions—covering more than half the state, as of late 2023—to identify and elevate regional priorities and strategies for conservation and recreation.<sup>14</sup>

At least eight states have adopted 30 percent by 2030 land conservation targets through executive directive or legislation, including:

- California<sup>15</sup>
- Massachusetts<sup>16</sup>
- Maryland<sup>17</sup>
- Maine<sup>18</sup>
- New Mexico<sup>19</sup>
- Nevada<sup>20</sup>
- New York<sup>21</sup>
- Vermont<sup>22</sup>

Preceding state conservation goals by more than a decade, the Commonwealth of the Northern Mariana Islands and the territory of Guam first established marine and terrestrial conservation targets in 2006, as part of the Micronesia Challenge with the Federated States of Micronesia, the Republic of Palau, and the Republic of the Marshall Islands.<sup>23</sup>

Target setting and planning can be effective tools to advance conservation progress. As seen at the national level,<sup>24</sup> adoption of an ambitious conservation goal can focus political attention on nature and biodiversity loss and motivate action that accelerates the pace and scope of land protection. A formal target also typically requires transparent reporting and gives constituents a hook to hold officials accountable for progress. Most importantly, a statewide target can provide a vehicle to build an inclusive planning process for the full range of stakeholders who should play an active part in conservation work, including farmers and private landowners, scientists, outdoor recreation groups, conservation groups and land trusts, and historically marginalized and underrepresented groups, as well as decision-making authorities such as Tribal and local governments. On the flip side, broad targets can be vulnerable to skepticism and opportunistic attack,<sup>25</sup> which reinforces the importance of building an inclusive process that builds trust and buy-in from all stakeholders.

---

## Adoption of an ambitious conservation goal can focus political attention on nature and biodiversity loss and motivate action that accelerates the pace and scope of land protection.

While some states are adopting statewide plans for the first time to achieve newly established conservation targets, others have existing conservation plans that may guide investment of conservation funding. For example, Vermont’s newly passed conservation targets will dovetail with an existing framework that maps the highest-priority lands for ecological integrity.<sup>26</sup>

Relatedly, some states have focused on developing different or complementary conservation plans, such as statewide biodiversity plans,<sup>27</sup> outdoor equity strategies,<sup>28</sup> or wildlife corridor plans.<sup>29</sup> In addition, states and territories must revise their State Wildlife Action Plans by 2025 in order to qualify for U.S. Fish and Wildlife Service state and Tribal wildlife grants.<sup>30</sup> Those plan revisions could be an opportunity to incorporate or develop new habitat conservation strategies.

### Examples of recent leadership

#### *California’s 30 percent by 2030 goal*

Through a 2020 executive order that made California the first state to adopt a statewide land conservation target,<sup>31</sup> Gov. Gavin Newsom (D) set a goal of conserving at least 30 percent of California’s lands and coastal waters by 2030. He also directed the California Natural Resources Agency to collaborate with government agencies, Tribes, and stakeholders to develop a strategy to achieve this goal, kicking off an extensive public process that included nine regional workshops, five advisory panels, engagement with more than 70 Tribes, and many other meetings and public input opportunities.<sup>32</sup> That work culminated in a final strategy released on Earth Day 2022.<sup>33</sup> California also established a 30x30 Partnership in 2022 as a forum to engage external groups and leaders<sup>34</sup>—an official alliance that is complemented by less formal coalitions of Californians organized around the statewide goal.

Beyond creating a big tent for partnership and public involvement, California’s new conservation strategy outlined 10 “pathways” for achieving the state’s targets, with accompanying near-term actions.<sup>35</sup> Priority actions aim to simultaneously protect and restore biodiversity, expand access to nature, and mitigate and build resilience to climate change. The strategy also established definitions



for conservation areas to be counted toward the 30 percent targets, and the state built an evolving inventory of conserved areas that feeds into a public dashboard for transparency and accountability, called “CA Nature.” According to the dashboard, 24.4 percent of California’s lands and 16.2 percent of its marine waters had been durably conserved by the end of 2023.<sup>36</sup>

Shortly after the release of California’s strategic plan in 2022, the state legislature passed a budget<sup>37</sup> that included a historic \$1.1 billion nature-based solutions funding package, which helped kick-start implementation of the strategy.<sup>38</sup> Consultations with Tribes also led to the establishment of a \$100 million Tribal Nature-Based Solutions grant program in 2023.<sup>39</sup> Intersecting with its conservation strategy, California released a comprehensive “Outdoors for All” strategy in 2023,<sup>40</sup> which built on a \$1 billion commitment for local community grants and state investments to expand equitable access to nature.

Today, the state’s nature conservation goal continues to drive action at the highest levels of state government, and in its one-year progress report, California reported adding 631,000 acres to its conserved lands through a variety of actions.<sup>41</sup>

**See also:**

[“Why Conserving 30x30 Is More Than a Numbers Game”](#)

---

## 2. Conservation funds

### About this policy model

Taking different forms across the country, statewide conservation funds play a key role in enabling the voluntary conservation of private lands and supporting recreation, climate resilience, restoration, equitable nature access, and other projects. Statewide funds can help incentivize additional local investment and unlock federal funding sources that require grantees to provide a funding match. For example, the Land and Water Conservation Fund—the most significant federal conservation fund—provides state, local, and Tribal governments with grants to create and expand parks and recreation opportunities but requires nonfederal matching funds to cover at least 50 percent of project costs.<sup>42</sup>

Conservation funding remains popular at the ballot box too, with nearly \$8.7 billion directly approved by voters in 2022 alone.<sup>43</sup> Yet despite this widespread popularity, funding levels vary dramatically across states, consistent and reliable funding remains elusive in many places, and the need for funding continues to outpace available resources.<sup>44</sup>

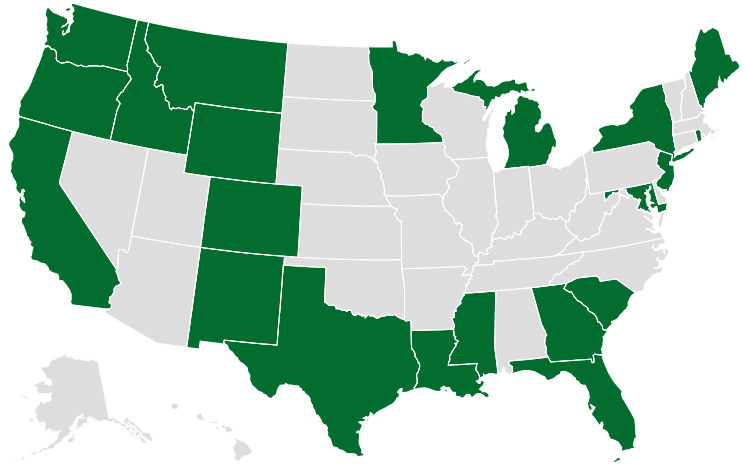


FIGURE 1

## At least 21 states recently saw major land conservation funding wins

States with newly established funds, statewide bonds, multiyear funding, and other major conservation investments since 2018

State	Program name	Description
California	Nature access and nature-based solutions funding	New funding packages (passed in 2021, 2022, and 2023, respectively), including \$1 billion for local community grants and state investments to expand equitable access to nature, a \$1.1 billion nature-based solutions package, and a \$100 million Tribal Nature-Based Solutions grant program (\$2.2 billion total)
Colorado	Keep Colorado Wild Pass	New funding stream for state parks and related recreation and wildlife programs (established in 2023) via state parks pass purchases, included by default with vehicle registration (\$41 million in its first year)
Florida	Florida Wildlife Corridor funding	Funding to complete the Florida Wildlife Corridor, including one-time appropriations (\$300 million passed in 2021, \$850 million for fiscal year 2023) and \$100 million annually (passed in 2023), building on passage of the landmark Florida Wildlife Corridor Act in 2021
Georgia	Outdoor Stewardship Program	Dedicated fund established in 2018 to direct revenue (\$28 million in 2022) from sporting goods sales tax to support state and local parks, trails, stewardship, and new property acquisitions
Idaho	Historic funding for state parks	Record funding in 2023 to manage and expand outdoor recreation access at 30 Idaho state parks (including \$95 million one-year appropriation)
Louisiana	Louisiana Outdoors Forever	New fund for voluntary conservation projects that protect drinking water supplies, conserve wildlife habitat, provide recreational opportunities, sustain working farms and forests, and more, created in 2022 with \$10 million in first-year funding
Maine	Land for Maine's Future	Four-year funding (\$40 million) passed in 2022 to replenish Land for Maine's Future, a statewide fund for conservation land acquisition
Maryland	Greenspace Equity Program	Fund established in 2023 to enable land trusts, local governments, and other community partners to create, expand, and maintain green spaces in underserved and overburdened communities (up to \$5 million in FY 2025, up to \$7 million in FY 2026, and up to \$10 million in FY 2027 and all following years)
Michigan	Michigan Natural Resources Trust Fund cap	Constitutional amendment overwhelmingly approved by Michigan voters in 2020 to lift a previous cap for this trust fund to direct more revenue to land acquisition and state park needs
Minnesota	Climate and natural resources omnibus funding bill	A \$2 billion omnibus funding package for climate, energy, and natural resources, passed in 2023, making historic investments in conservation, including tens of millions of dollars for habitat protection, enhancement, and acquisition and outdoor recreation
Mississippi	Mississippi Outdoor Stewardship Trust Fund	Fund established in 2022, with \$25 million appropriated for two years, to fund acquisition, improvements, and restoration of parks, trails, and other natural resources

*continues*

State	Program name	Description
Montana	Cannabis tax revenue	First-of-its-kind dedication of recreational and medical marijuana taxes for habitat conservation, state parks, trails and recreation, and other wildlife projects, passed in 2021 with \$90 million raised over 22 months*
New Jersey	Natural Climate Solutions Grant program	Fund established to support natural carbon sequestration projects, including terrestrial, aquatic, and urban nature projects, tapping into revenue New Jersey receives through the Regional Greenhouse Gas Initiative (first round of grants awarded in 2023 totaling \$24.3 million)
New Mexico	Land of Enchantment Legacy Fund	Two-part fund established in 2023 for land and water conservation, with near-term project funding available and a principal investment made in a permanent trust fund (\$100 million appropriated in total by the Legislature in 2023 and \$300 million in 2024)
New York	Clean Water, Clean Air and Green Jobs Environmental Bond Act	A \$4.2 billion bond measure passed in 2022 to support climate change and renewable energy projects; river restoration and flood risk reduction; drinking water infrastructure; and open space land conservation and recreation, including \$650 million for protecting nature and improving nature access
Oregon	Natural and Working Lands Fund	A fund with \$10 million in initial appropriations passed through the Climate Resilience Package in 2023 for natural climate solutions incentives and research, including to support projects that improve or protect land that stores carbon
Rhode Island	Green bonds funding	\$74 million Beach, Clean Water and Green Bond in 2021 and \$50 million Green Bond in 2022 (\$124 million total) for open space, outdoor recreation, habitat conservation, and other priorities
South Carolina	Legislation enabling county-level green space sales tax	Legislation passed in 2022 to allow county-level sales taxes to support conservation, with Beaufort County becoming the first county in the state to adopt a green space sales tax
Texas	Centennial Parks Conservation Fund	\$1 billion bond funding, overwhelmingly approved by ballot measure in 2023, to help support and create new state parks, with more than an additional \$800 million approved through local and county bonds to fund local parks and recreation
Washington	Carbon market funding for natural climate solutions	Carbon market auction revenue, beginning in 2023, to support projects including forest conservation and management and other natural climate solutions (\$83 million allocated in 2023)
Wyoming	Wildlife and Natural Resource Trust Fund	Project funding for wildlife corridors and crossings newly authorized in 2021, as well as overall boost for Wyoming Wildlife and Natural Resource Trust Fund, with \$75 million appropriated in 2022

\* An ongoing political and legal debate over future allocation of this revenue remained unresolved after the close of the 2023 legislative session.

Sources: For a full list of sources, see <https://www.americanprogress.org/wp-content/uploads/sites/2/2024/04/State-policy-models-table-sources.pdf>.

Some states rely on their legislatures to replenish state conservation funds through a process known as appropriations. A string of recent statehouse successes includes passage of four-year (\$10 million per year) funding for the Land for Maine’s Future program in 2021,<sup>45</sup> establishment of a new Louisiana Outdoors Forever program in 2022 with a one-year appropriation of \$10 million,<sup>46</sup> and Idaho’s appropriation of \$95 million for parks in 2023.<sup>47</sup> Voter-approved bond measures have also been used effectively to provide a surge of money for land acquisition and other capital investments and to give voters a direct opportunity to demonstrate support for conservation spending—for example, the New York and Texas bond measures profiled below, as well as Rhode Island’s 2016, 2018, 2021, and 2022 green bond programs.<sup>48</sup>

However, reliance on state legislative action or short-term bond measures for funding requires substantial resources devoted regularly to public education and limits the effectiveness of state conservation programs. Previously surveyed state agency officials reported that uncertainty over future funding levels limits a state's ability to plan and make reliable commitments to nonprofit partners and landowners, resulting in priority areas being lost to development, fewer large-scale conservation initiatives, and difficulty retaining qualified staff to run state programs.<sup>49</sup>

Dedicated revenue streams—particularly those protected from diversion—provide a more dependable source of conservation funding. According to the Trust for Public Land, most U.S. states have some source of dedicated funding for land conservation, although funding levels vary considerably.<sup>50</sup> Ten states—Alabama, Colorado, Florida, Georgia, Michigan, Minnesota, Missouri, Nebraska, New Jersey, and Oregon<sup>51</sup>—have conservation funding dedicated by state constitutions, which should provide the most durable source of funding.

## **Conservation action remains deeply popular with voters**

As demonstrated at the ballot box and in polling, conserving land and wildlife habitat has been, and continues to be, very popular. According to the Trust for Public Land, state and local conservation ballot measures have had a success rate of greater than 75 percent since 1988.<sup>52</sup> In total, more than 2,280 voter-approved measures have been responsible for directing more than \$87.5 billion to conservation.<sup>53</sup>

Those results align with polling showing deep and bipartisan support for conservation action. In its 2024 polling of voters in eight western states, Colorado College found strong support for a variety of conservation actions, as well as 80 percent support for a national goal of conserving 30 percent of lands and waters by 2030.<sup>54</sup> This support for a national conservation goal included more than two-thirds of Republicans and closely mirrored nationwide polling that found 80 percent support for the national 30 percent conservation goal.<sup>55</sup>

The following are examples of revenue streams tapped by states for conservation funding:

- **Real estate transfer taxes or fees.** At least 15 states utilize real estate transfer taxes (Arkansas, Delaware, Florida, Illinois, Hawaii, Maryland, New York, Pennsylvania, South Carolina, Tennessee, and Vermont) or deed recording fees (Connecticut, Massachusetts, New Hampshire, and West Virginia) to support conservation funds.<sup>56</sup> For example, Florida imposes a documentary stamp tax on real estate deeds—essentially, a 0.7 percent tax for real estate transfers, one-third of which is dedicated to the Florida Forever conservation program by constitutional amendment, adopted in 2014. In what was then considered the largest-ever conservation funding measure approved by U.S. voters,<sup>57</sup> 75 percent of Florida voters supported this dedicated funding stream, which is projected to generate \$22 billion over 20 years.<sup>58</sup>
- **Lottery.** As one notable example, Colorado’s state lottery has netted more than \$3.7 billion for conservation and recreation since 1983,<sup>59</sup> with the bulk of profits now split between Great Outdoors Colorado (50 percent), which is an independent grantmaking organization; the state’s Conservation Trust Fund (40 percent), which provides formula-based funding for local parks and recreation projects; and the Colorado Parks and Wildlife agency (10 percent). Arizona, Minnesota, Nebraska, and Oregon also tap into state lottery revenue to support conservation.<sup>60</sup>
- **Sporting goods sales taxes.** As described below, Georgia recently earmarked a substantial portion of sales taxes collected by sporting goods stores for a dedicated conservation fund. This concept of recreational users financially supporting conservation projects builds on a long-standing tradition of hunters and anglers funding state wildlife conservation through excise taxes on equipment, hunting and fishing license fees, and habitat stamps.<sup>61</sup>
- **Marijuana taxes.** After recreational cannabis sales became legal in Montana in January 2021, the state raised more than \$90 million in 22 months through a 20 percent tax on adult-use sales and a 4 percent tax on medical-use sales.<sup>62</sup> Currently, 20 percent of this tax revenue is directed to wildlife habitat conservation, 4 percent is directed to state parks, 4 percent is directed to trails and recreational facilities, and 4 percent is directed to nongame wildlife programs.<sup>63</sup> However, an ongoing political and legal debate over future allocation of this revenue remained unresolved after the close of the 2023 legislative session.<sup>64</sup>

- **General sales tax.** Other states have dedicated portions of existing state sales tax (New Jersey) or increased their sales tax (Arkansas, Minnesota, and Missouri) to fund conservation.<sup>65</sup> Some states also allow county-level sales taxes to support conservation. For instance, South Carolina passed enabling legislation in 2022, with Beaufort County becoming the first county in the state to adopt a green space sales tax soon after.<sup>66</sup>
- **Carbon markets.** Washington’s economywide greenhouse gas emissions “cap and invest” program, which brought in more than \$900 million in state revenue through its first three auctions in 2023,<sup>67</sup> directs auction revenue to a variety of accounts subject to appropriation by the legislature. A natural climate solutions account supports habitat protection, forest conservation, and climate resilience projects. In 2023, the state legislature appropriated \$83 million from this account to support forest conservation and management, including permanent protection of 2,000 acres of older, carbon-rich forests.<sup>68</sup> Another example, from New Jersey, is described in the “Natural carbon sequestration” section below.
- **Mineral revenues.** Alabama’s Forever Wild program is funded through interest earned on offshore natural gas royalties deposited in a trust fund,<sup>69</sup> and Michigan generates about \$30 million per year in dedicated funding from oil and gas leases, royalties, and other fees.<sup>70</sup> Michigan voters overwhelmingly approved a constitutional amendment in 2020 to lift a previous cap for this trust fund and direct more revenue to land acquisition and state park needs.<sup>71</sup> In Pennsylvania, substantial funding has been generated by county-level natural gas impact fees, which the state authorized in 2012.<sup>72</sup>
- **Permanent funds.** Relatedly, some states have funneled oil and gas revenues, budget surpluses, and other appropriations into permanent funds that enable conservation projects through regular investment earnings or interest. A recent example from New Mexico is highlighted below.
- **License plates and vehicle registration.** Many states offer conservation-themed specialty license plates whose fees support wildlife and habitat conservation. The state of California also recently rolled out professional sports team-branded specialty plates to fund its Outdoors for All initiative.<sup>73</sup> And in 2023, Colorado launched a new effort to generate funding for state parks and related recreation and wildlife programs by including a \$29 add-on state parks pass with each motor vehicle registration unless drivers choose to opt out.<sup>74</sup> This “Keep Colorado Wild Pass” generated more than \$41 million in its first year.<sup>75</sup> State park pass fees are also included with vehicle registration in Michigan, Montana, and Washington.<sup>76</sup>

- **State income tax form check-off.** Most states also offer taxpayers an easy way to voluntarily support nongame wildlife and/or endangered species conservation efforts, including habitat protection, through a simple check-off box on their state income tax forms. According to the National Conference of State Legislatures, 36 states had these check-off programs for wildlife conservation in 2023.<sup>77</sup>
- **Other revenue streams.** Additional revenue streams tapped for conservation funding include corporate business taxes (New Jersey), waste disposal/tipping fees (Pennsylvania), cigarette taxes (Pennsylvania), and revenue from environmental damage lawsuits (New Jersey).<sup>78</sup>
- While not a direct source of revenue, **government-issued bonds** are also frequently used to fund land acquisition and related capital investments. These bonds may be serviced by general government revenue or specially earmarked revenue streams.<sup>79</sup>

In addition to dedicated funding, land conservation experts have identified other best practices for effective state programs.<sup>80</sup> Some highlights include: 1) leveraging state funding to encourage additional local matching investment and to incentivize land use planning; 2) connecting investments to a coherent statewide plan or framework; 3) making funding available to local governments and nonprofits, in addition to state agencies; 4) providing flexibility to fund communities with fewer resources and to achieve other priorities; 5) allotting money for land stewardship and program implementation; 6) encouraging partnerships and collaborative projects; and 7) insulating funding from political interference.

State action may also help unlock opportunities for municipal and county-level funding for conservation, which already plays a substantial role in nationwide investments. Of the close to \$30 billion in successful state and local bond and other conservation funding ballot measures tracked by the Trust for Public Land over the past 10 years,<sup>81</sup> municipal-, special district-, and county-level measures account for more than 40 percent, or more than \$12 billion. But to catalyze local government action, some states may need to pass legislation enabling municipal and county governments to generate revenue through local bond measures or other methods. For example, Massachusetts passed the Community Preservation Act in 2000, which enabled municipalities to adopt, by referendum, a property tax levy to preserve open space and historic properties, provide affordable housing, and support outdoor recreation.<sup>82</sup> More than half of Massachusetts' cities and towns have since adopted this model, raising more than \$3.4 billion.<sup>83</sup>

**Related read:**

[“Protecting Vulnerable Public Lands Could Address U.S. Outdoor Recreation Needs”](#)

## Examples of recent leadership

### ***Texas Centennial Parks Conservation Fund***

In November 2023, Texans voted overwhelmingly—with 76 percent support—to approve a \$1 billion Centennial Parks Conservation Fund.<sup>84</sup> Honoring the Texas state park system’s 100-year anniversary, the new fund will help support and create new state parks, including by acquiring private lands from willing sellers. A bipartisan campaign,<sup>85</sup> supported by nearly 90 groups,<sup>86</sup> moved the proposal through the state legislature and helped educate the public in advance of voter approval. While a large coalition continues to advocate for passage of a new dedicated and ongoing funding stream to support conservation,<sup>87</sup> the historic state parks fund will provide an important one-time investment for a state that ranks just 35th in the nation for park land per capita.<sup>88</sup> The statewide ballot measure’s success was also matched by more than \$800 million in approved funding for local and county bonds that will go toward local parks and recreation.<sup>89</sup> This recent victory for state parks followed a 2019 Texas constitutional amendment, adopted with the support of 88 percent of voters, that dedicated sales tax revenue from certain outdoor gear to state parks and historic sites.<sup>90</sup>

### ***New York’s 2022 environmental bond***

Voters in New York approved a \$4.2 billion bond measure in 2022, known as the Clean Water, Clean Air and Green Jobs Environmental Bond Act.<sup>91</sup> The bond supports climate change and renewable energy projects, river restoration and flood risk reduction, drinking water infrastructure, and open-space land conservation and recreation. Of the \$650 million planned for protecting nature and improving nature access, a minimum of \$300 million must go to open-space conservation projects. Importantly, the Environmental Bond Act also embedded a binding commitment to ensure that new funding supports environmental justice. Similar to President Biden’s Justice40 promise to direct 40 percent of climate investment benefits to communities that are marginalized, underserved, and overburdened by pollution,<sup>92</sup> New York’s bond requires that no less than 35 percent of funds must benefit disadvantaged communities, with a target of 40 percent.

### ***Georgia Outdoor Stewardship Program***

In 2018, Georgia’s legislature passed the Georgia Outdoor Stewardship Act to create the state’s first dedicated source of conservation funding, which was approved by voters later that year with 83 percent support. The Georgia Outdoor Stewardship Program, which was approved for 10 years, receives 40 percent of existing sales and use taxes from outdoor sporting goods,<sup>93</sup> and it brought in \$28 million in funding in 2022.<sup>94</sup> Endorsed by then-Gov. Nathan Deal (R) and



advanced by a broad coalition of Georgia conservation supporters,<sup>95</sup> the dedicated fund directs grants to projects that support state and local parks and trails, stewardship of existing conservation areas, and property acquisitions for protection of clean water, wildlife, recreation, and other purposes.

### ***New Mexico's Land of Enchantment Legacy Fund***

In 2023, New Mexico tapped into budget surpluses to create the Land of Enchantment Legacy Fund, with the legislature appropriating \$50 million for spending on near-term conservation and restoration needs over the next four years.<sup>96</sup> An additional \$50 million was appropriated as principal investment for a permanent trust fund to fund conservation projects across the state. In March 2024, Gov. Michelle Lujan Grisham (D) signed the state's fiscal year 2025 budget, which added another \$300 million to the fund.<sup>97</sup> A bipartisan effort pushed by the governor,<sup>98</sup> the permanent fund will provide New Mexico's first-ever source of dedicated revenue for conservation.

---

## **3. Outdoor equity funds**

### **About this policy model**

Outdoor equity funds—also known as outdoor opportunity, outdoor recreation, and education programs, among other names—are an environmental justice tool aimed at increasing meaningful access to nature for underserved youth and their families.<sup>99</sup> By providing funding for programming, administrative costs, transportation, gear, and more to community organizations, schools, local governments, Tribal nations, and state agencies, these programs aim to reduce the barriers that limit participation in nature's ecological, health, economic, and career-building benefits.

State policies to establish outdoor equity programs have gained momentum in recent years, being adopted in California, Colorado, Maine,<sup>100</sup> Minnesota, Nevada, New Mexico, Utah, and Washington.<sup>101</sup> Total annual funding for these state programs ranges from \$1.5 million to \$57 million, with individual grant amounts ranging from \$4,000 to \$700,000. So far, collectively, the impact has been profound, with hundreds of thousands of participants served and more than \$63 million in grants offered.<sup>102</sup>

Additionally, some states are actively focusing land acquisition funds to address inequitable gaps in nature access. In Maryland, for example, the Greenspace Equity Program passed in 2023 enables land trusts, local governments, and other community partners to create, expand, and maintain green spaces in “overburdened communities and underserved communities,” with \$5 million directed to the program in 2025, growing to \$10 million each year starting in 2027.<sup>103</sup>

**Learn about  
the nature gap:**  
[“The Nature Gap”](#)

A 2023 report by the National Caucus of Environmental Legislators identified some best practices that can help establish and maintain successful outdoor equity programs:<sup>104</sup>

- **Improving advisory board and grantee selection processes.** Programs should create criteria that ensure advisory boards for grant selection include rural and urban representation, industry/work experience, youth, term limits, and geographical diversity. Stipends for board members can also reduce barriers to participation.<sup>105</sup>
- **Reducing barriers to grantee application.** To ensure an equitable grantmaking process, state programs can directly include affected communities through participatory grantmaking, offer technical assistance, allow for video applications and applications in languages other than English, provide grant tours for small communities of other awarded grants, give feedback to grantees who are not selected, and connect grantees to other funding sources.<sup>106</sup>
- **Simplifying monitoring and evaluation.** Several outdoor equity programs have developed a list of metrics by which to evaluate the work of grant recipients. These metrics may include the total number of young people participating in the program, their demographic information, and how many jobs were created through a particular program’s inception. Some states have also begun implementing innovative tactics to reduce inequities for grantees, such as limiting written reporting; allowing for storytelling; and offering multiple options for organizations to demonstrate success at individual, programmatic, area, and system levels.<sup>107</sup>
- **Developing public-private partnerships.** States can substantially expand overall program impact by enabling and encouraging public-private partnerships that pair additional private philanthropic dollars with state funding.

State outdoor equity fund efforts may soon prove to be federally scalable. The Outdoor F.U.T.U.R.E coalition is seeking to build momentum for a national outdoor equity fund.<sup>108</sup> Launched in 2021 by a racially and ethnically diverse group of leaders and supported by Sen. Martin Heinrich (D-NM), this initiative aims to build on successful models such as New Mexico’s and California’s outdoor equity programs.

## Examples of recent leadership

### *New Mexico Outdoor Equity Fund*

New Mexico created the nation’s first outdoor equity grant program in 2019 as part of a larger state initiative to expand access to nature.<sup>109</sup> Since the fund’s inception, it has awarded more than \$4 million to community programs, brought more than 60,000 New Mexico youth outdoors, supported 181 organizations, and created a ripple effect of similar funds across the country.<sup>110</sup> In 2023, New Mexico passed, with bipartisan sponsorship, a permanent funding source—the Land of Enchantment Legacy Fund—which will support future outdoor equity grantmaking, among other programs.<sup>111</sup> Key to the outdoor equity grant program’s success has been a combination of state and private funding, a match waiver, upfront grant funding for recipients, and the consistent implementation of community feedback.<sup>112</sup>

---

## 4. Tax incentives for conservation

### About this policy model

In addition to directly funding land conservation, many states use tax incentives to help local landowners voluntarily conserve their own land and keep natural or working lands undeveloped. Frequently deployed incentives include state income tax credits for the donation of land or easement rights and reduced property taxes for open space or conserved land.

In addition to a federal tax incentive made permanent in 2015, 14 states and territories offer tax credits for donating land or conservation easements, mostly through income tax credits.<sup>113</sup> A primary tool for conserving private lands in perpetuity, conservation easements are voluntary agreements made between landowners and a land trust or government agency. Under an easement, a landowner retains property ownership but makes a legally binding agreement limiting certain land uses in order to protect conservation values.

---

Many states use tax incentives to help local landowners voluntarily conserve their own land and keep natural or working lands undeveloped.

The amount and structure of tax credits for donated properties or easements varies by state. Many states provide transferable tax credits, which can be sold and immediately benefit landowners even if they owe less in taxes.<sup>114</sup>

Additionally, many states allow landowners to claim property tax reductions, or exemptions, for lands that provide conservation and open space value.<sup>115</sup> Incentive levels and criteria for qualification vary substantially across states. While some states offer broad eligibility, others have tried to target conservation benefits by requiring certain outcomes or land uses, minimum lot sizes, or alignment with local government plans or conservation priorities.<sup>116</sup> Targeting these incentives for maximum impact can help balance the inherent trade-off of reducing the local tax base.

## **Examples of recent leadership**

### ***Colorado income tax credit***

In 2021, Colorado increased its income tax credit incentive for conservation from 50 percent to up to 90 percent of the donated value of a landowner's easement.<sup>117</sup> The original program was established in 2000 and has been one of the most attractive programs for landowners in the country,<sup>118</sup> due to both its generous financial terms (up to 100 percent of fair market value, capped at \$100,000) and the fact that credits are transferable. Notably, the income tax credit boost is not without accompanying guardrails: In recent years, Colorado has begun regulating easement appraisers to ensure that equitable agreements are being reached for landowners. Within months of the enhanced tax credit's passage, land trusts reported skyrocketing interest from landowners interested in conserving their properties, suggesting that the enhanced incentives were working.<sup>119</sup>

### ***Vermont's reserve forestland property tax incentive***

Vermont's Use Value Appraisal (or "Current Use") property tax incentive was adopted in 1978 to reduce the burden of high property taxes on landowners who live and work on farms and in forests and to help maintain the rural and natural character of the state.<sup>120</sup> Eligible landowners can have their land appraised at its current use value—instead of its fair market value—as a means of accessing

significant property tax savings. To continue receiving these benefits, the land cannot be developed and must remain intact forest or agricultural land. Nearly 70 percent of eligible land, or 2 million acres, is currently enrolled, and the program is sometimes credited with keeping Vermont heavily forested.<sup>121</sup> However, landowners were previously ineligible if they did not manage the land for timber or agricultural use.

To address this, the Vermont legislature adopted a substantial amendment to this incentive program in 2022, expanding eligibility to support landowners who choose to let unique forest parcels grow old and remain unharvested.<sup>122</sup> The new law, Act 146, establishes a “reserve forestland” category under which qualifying parcels of land that have ecologically significant traits can be enrolled for Current Use program tax incentives if the land is managed to attain older forest values and functions.<sup>123</sup> Although Vermont is one of the most forested states in the country, with 4.6 million acres of forests covering 78 percent of the Green Mountain State,<sup>124</sup> only about 1,000 acres of old growth forest are estimated to remain.<sup>125</sup> The new law seeks to address this gap, improve ecosystem health and resilience, and help private landowners steward their lands for the benefit of all.

---

## 5. Natural carbon sequestration

### About this policy model

Natural climate solutions tap into nature’s ability to store additional carbon or reduce greenhouse gas emissions. Examples include tree planting, forest management strategies to store more carbon, better agricultural soil management, and restoration of carbon-storing wetlands.<sup>126</sup> Researchers have estimated that more than 20 percent of net annual U.S. greenhouse gas emissions could be offset by natural climate solutions, while also providing additional ecosystem services.<sup>127</sup>

To take advantage of this opportunity, some states have adopted policies directly targeting the natural carbon-storing benefits of conservation and restoration. These include programs aimed at directly funding or incentivizing natural climate solution projects. California, Washington, and 11 eastern states participating in the Regional Greenhouse Gas Initiative are also providing market-based incentives for reforestation, improved forest management, and avoided forest conversion by enabling projects to earn credits for carbon offsets in state-run greenhouse gas cap-and-trade/invest systems.<sup>128</sup> However, accurately assessing the carbon storage benefits of offset projects can be challenging.<sup>129</sup>

## Examples of recent leadership

### *Oregon Natural and Working Lands Fund*

In 2023, Oregon passed into law the Climate Resilience Package, which created a Natural and Working Lands Fund for natural climate solutions incentives and research, with \$10 million in initial appropriations.<sup>130</sup> Those funds can support projects that improve or protect land that stores carbon. The new law also directs the state to prioritize natural climate solutions funding and technical assistance for environmental justice communities and Tribes, as well as to develop climate-focused goals and a carbon inventory for natural and working lands.

### *New Jersey Natural Climate Solutions Grant program*

In January 2023, New Jersey announced its first round of grants under the new Natural Climate Solutions Grant program, which funds natural carbon sequestration projects, including terrestrial, aquatic, and urban nature projects.<sup>131</sup> Projects can create a new natural space or improve an existing one.<sup>132</sup> Funded with revenue that New Jersey receives through the Regional Greenhouse Gas Initiative—a multistate greenhouse gas emissions cap-and-trade program—the grant program awarded \$24.3 million to projects covering tree planting, marsh restoration, and invasive species removal.<sup>133</sup>

---

## 6. New state parks and conservation lands

### About this policy model

Like their national counterparts, state parks, forests, and wildlife management areas, as well as other state-managed lands, are some of the most publicly visible elements of a state’s or territory’s conservation work. In 2018, state park systems covered 18.6 million acres and supported \$1.39 billion in revenue, more than 50,000 jobs, and more than 800 million visits—more than twice as many visits as national parks logged that same year.<sup>134</sup>

In recent years, states and territories have added to their systems of conserved lands with the creation or expansion of conservation areas, providing protected places for wildlife to flourish and people to engage with the natural world. These new conservation lands can be designated on existing state-owned land or on purchased or donated land with support from statewide conservation funds and private sector partners.

---

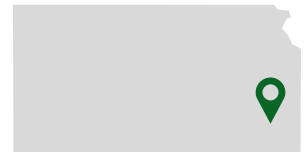
In 2018, state park systems covered 18.6 million acres and supported \$1.39 billion in revenue, more than 50,000 jobs, and more than 800 million visits.

In addition to the examples highlighted below, New Mexico created the largest wildlife management area in the state in 2022 by adding more than 54,000 acres to the existing Marquez Wildlife Management Area, which also restored access to important cultural places for Tribes.<sup>135</sup> Additionally, Colorado obtained its newest state park—the 19,200-acre Fishers Peak State Park—in 2020 and continues to look for opportunities to expand its state park system by accepting nominations for new state parks, which are assessed using future state parks criteria developed in 2019.<sup>136</sup>

## Examples of recent leadership

### *Kansas' Lehigh Portland Trails State Park*

In 2023, Kansas created the Lehigh Portland Trails State Park through the passage of a bipartisan bill signed by Gov. Laura Kelly (D), making it the state's 28th state park.<sup>137</sup> The park is 100 acres and contains prairie, woodland, and 14 miles of trails.<sup>138</sup> The property—previously home to a cement plant—was donated to the state by Iola Industries.<sup>139</sup> A local rural health advocacy organization helped coordinate the development of some of the trails before the property became a state park.<sup>140</sup> The local organization also led the campaign for the new park and, when the park was established, emphasized its community benefits, as well as the economic and recreational opportunities that it presents.<sup>141</sup> Kansas' state parks have recently seen record numbers of visitors, but Kansas has less public land than all other U.S. states, making this new addition particularly important.<sup>142</sup>



Lehigh Portland Trails  
State Park

### *U.S. Virgin Islands' new territorial parks system*

In 2022, the government of the U.S. Virgin Islands finalized legislation to create a territorial parks system, as well as a new government agency and updated board to oversee it.<sup>143</sup> Decades of public advocacy led up to the territory finally establishing a park system, which was originally proposed in 1972.<sup>144</sup> The newly appointed director of the Division of Territorial Parks and Protected Areas, Kristina “Kitty” Edwards, emphasized the value of the new parks system, saying it is “special that it’s going to be locally managed ... knowing that we’re building something [that’s] coming from our people is so important.”<sup>145</sup>

The legislation establishes a mechanism for the territorial government to preserve natural areas, including places already owned by the territory, and enables the territory to obtain property and funding that could support the park system.<sup>146</sup> The territorial government is planning for the system to cover both land and marine areas, and it has already identified more than 30 properties as promising options for inclusion.<sup>147</sup>

### **Washington's Nisqually State Park**

Washington State Parks, the Nisqually Tribe, and other state agencies are actively partnering to develop the 1,300-acre Nisqually State Park, and recent park investments will soon allow the area to be ready for more visitors.<sup>148</sup> The Nisqually Tribe and Washington State Parks have been collaborating on the park's development for more than a decade, having signed a memorandum of understanding recognizing the partnership in 2014.<sup>149</sup> In the 1990s, the state started obtaining land that is now part of the park, and in 2014, the Nisqually Tribe bought 217 acres within the planned park limits.<sup>150</sup> The park, which includes traditional homelands of the Nisqually (Squalli-absch) people, includes culturally significant sites, including the site of a massacre of Nisqually people, as well as vital habitat for salmon.<sup>151</sup> The Nisqually Tribe and Washington State Parks are developing infrastructure that would help share the Nisqually and the land's history with visitors, with a grand opening for the park anticipated by summer 2025.<sup>152</sup>



Nisqually State Park

---

## **7. State trust lands management**

### **About this policy model**

Beginning in 1785, state trust lands were granted to each new state to be held in trust for the benefit of public schools and other public institutions. Western states, having entered the union after Congress tightened limitations on selling off these lands, own the vast majority of current state trust lands.<sup>153</sup> Approximately 40 million acres of trust lands are managed today by 11 Western states, representing 1 in every 20 acres in the West.<sup>154</sup> States are obligated to manage trust lands to generate revenue in perpetuity on behalf of public schools and other public beneficiaries. In practice, states retain most trust lands, and any sale proceeds must generate revenue for beneficiaries through a permanent fund.<sup>155</sup>

State trust lands historically have been managed to maximize revenue through nonrenewable or renewable resource leasing, with little consideration for the conservation and public benefits of healthy ecosystems or outdoor recreation potential. In mineral-rich states, oil, gas, and other minerals leasing typically provides



the bulk of state trust land revenue; timber generates substantial revenue in other forested states; and, while not bringing in nearly as much revenue, grazing predominates across the majority of Western trust land acreage.<sup>156</sup> Increasingly, state trust land managers are generating revenue through solar, wind, and geothermal leasing as well.<sup>157</sup> And some states provide public access to state trust lands for a small fee. For example, Montana offers a residential “conservation license” for \$8, which enables access to most state lands.<sup>158</sup>

Despite the limitations of the requirement that trust lands generate revenue, states still have tools to steward the natural resources of these lands and enable conservation of the most ecologically, culturally, and recreationally significant lands:

- **Land sales or easements.** Consistent with their trust responsibilities, states can allow for the outright purchase of land or the purchase of easements for conservation or recreation purposes. Some states support or subsidize these transfers or easements, such as Arizona, through its Preserve Initiative.<sup>159</sup> However, existing state laws can create unnecessary barriers to outright sale or easements,<sup>160</sup> and even where requirements are streamlined, the availability of public or philanthropic funding remains a limitation.
- **Transfers.** State land boards can also prioritize transfers of lands with high conservation value to federal agencies or other state agencies in exchange for lands with greater development value. One example is Washington’s Trust Land Transfer program,<sup>161</sup> which is managed by the state’s Department of Natural Resources. Transfers to the U.S. Forest Service or the Bureau of Land Management, commonly pursued for parcels surrounded by federal lands, can be done administratively or through legislation.<sup>162</sup>
- **Leasing.** Several states allow or encourage revenue-generating leases for conservation or recreation purposes as alternatives to extractive leasing. Idaho and Colorado, for example, have active conservation leasing programs, with 23 conservation and recreation leases in Idaho currently<sup>163</sup> and 15 ecosystem services leases in Colorado as of early 2023.<sup>164</sup> Unfortunately, in other states, outdated laws or rules present unnecessary barriers to leasing for conservation purposes, including “use-it-or-lose-it” lease requirements designed for extractive land uses.<sup>165</sup> In a disappointing reversal, Montana’s legislature voted in 2019 to eliminate a conservation leasing option for state trust lands in order to favor timber projects, regardless of the unfavorable revenue implications of this narrower approach.<sup>166</sup>

**Read more  
on conservation  
leasing:**

[“Why Conservation Leasing on Public Lands Is a Win-Win for Renewables and Wildlife”](#)

- **Conservation management designations and safeguards.** While limited by the requirement that trust lands generate revenue, some states have identified specific trust lands as conservation priorities to be managed in ways that preserve their outstanding ecological or cultural values.<sup>167</sup> As with the Colorado and New Mexico examples highlighted below, state land boards have also instituted requirements to protect high-value ecological and cultural resources on trust lands, such as targeted restrictions on mineral extraction and protective standards that must be met for any development.
- **Open-space preservation on large parcels.** In areas where large parcels of state trust land are being used for residential or commercial development, smart master planning can enable states to conserve high-value trust lands consistent with their mandate to prioritize revenue generation.<sup>168</sup> In those places, which include fast-growing areas in Arizona,<sup>169</sup> states have been able to demonstrate that leaving land undeveloped for its open space, recreation, and related values generates higher economic returns from the developed areas, increasing revenue overall. This approach, which leverages the value of conservation and recreation to increase the overall value of state trust lands, is sometimes called portfolio asset management.<sup>170</sup>

## Examples of recent leadership

### *Colorado state trust lands*

In recent years, Colorado has taken steps to modernize its management of trust lands. Colorado citizens voted to amend the state constitution in 1996 to shift the focus of trust lands management away from narrowly generating the “maximum possible amount” and to acknowledge the importance of stewardship for economic productivity, “including protecting and enhancing the beauty, natural values, open space, and wildlife habitat thereof for this and future generations.”<sup>171</sup>

With this refined mandate, Colorado is pursuing a number of the approaches described above, including pioneering a system of ecosystem service leases, which generate revenue through land rental and credits earned by wetland, stream, forest carbon, and other projects.<sup>172</sup> The state also enrolls approximately 300,000 acres (10 percent of its trust lands) in a special management category, known as the Stewardship Trust, and incorporates 32,000 acres into the more targeted Colorado Natural Areas Program. Notably, oil and gas leasing still occurs on Stewardship Trust lands, although the leases must meet a higher standard for natural resource protection.<sup>173</sup> Species-specific “stewardship action plans” also include conservation

measures, such as a 2020 plan for the threatened lesser prairie chicken that adopts limitations on oil and gas leasing, surface occupancy, and other extractive activities in order to prioritize habitat conservation on state trust lands.<sup>174</sup>

### ***New Mexico's Cultural Properties Protection Rule***

In 2022, New Mexico's State Land Office adopted a first-of-its-kind rule—known as the Cultural Properties Protection Rule—to protect sacred and significant cultural resources from new development on state trust lands.<sup>175</sup> To proactively protect cultural property—defined as “a structure, place, site, object, or resource having historic, archaeological, scientific, architectural, or other cultural significance”—the new rule requires lessees of state lands to conduct an archaeological survey of cultural resources prior to any surface-disturbing development, such as oil and gas drilling or mining.<sup>176</sup> Development of this new rule followed action by New Mexico in 2019 to prohibit new oil and gas leasing on state lands within a 10-mile buffer of Chaco Culture National Historical Park in order to protect the significant cultural resources of that area.<sup>177</sup>

---

## **8. Tribal land return and co-management**

### **About this policy model**

Given historic and ongoing harms inflicted on Tribal nations by state and federal governments' participation in genocide, extermination, and exploitation campaigns, Tribal-state relationships need substantial repairing, healing, and building.<sup>178</sup> Tribes are sovereign nations in government-to-government relationships with the U.S. federal government. Generally, Tribes may choose to work with states, but these are agreements, not obligations. Conversely, states are obligated to work with Tribes and Tribal authorities under federal and treaty law.<sup>179</sup> When appropriate and mutually beneficial, strong Tribal-state relations can help advance shared goals, including supporting Tribally led land conservation, stewardship, access, and management.

As one example, a number of governmental partners have initiated efforts to return land back to Tribal nations, the enduring stewards of what is now called the United States. The LandBack movement, as it is commonly known, has been ongoing for generations.<sup>180</sup> The action of returning public and private lands to Tribal nations restores them to a special, perpetual trust, increasing access and restoring decision-making powers to Tribal governments. This policy option is one of many

that can help states repair harm and elevate Tribal sovereignty, and returning land to its enduring stewards can also be an important step toward long-term conservation of the land and its natural resources.

In addition to returning land or funding the return of land to Tribal nations, some states are pursuing other policies in conjunction with Tribes to elevate their sovereignty and access to natural places. For example, states have established new agreements where Tribal governments and states cooperate, collaborate, and/or share authority for management decisions over a resource such as land, water, or wildlife. In recent years, the federal government has also substantially accelerated its progress on centering Indigenous leadership and knowledge in decision-making, with the departments of the Interior, Agriculture, and Commerce establishing 200 co-stewardship agreements in 2023 alone.<sup>181</sup> States are well-positioned to match federal investment in improving relations and pursuing reparations with Tribal nations.

---

Returning land to its enduring stewards can be an important step toward long-term conservation of the land and its natural resources.

Other relevant state policies adopted recently include waiving, for Tribal citizens, state park fees that previously infringed on treaty rights (Minnesota);<sup>182</sup> incorporating Indigenous knowledge and enhancing Tribal consultation (various);<sup>183</sup> and respecting Tribal court jurisdiction (Washington).<sup>184</sup>

## Examples of recent leadership

### *Return of land to the Upper Sioux Community in Minnesota*

In 2023, the Minnesota legislature directed the state’s Department of Natural Resources to return the 1,400-acre Upper Sioux Agency State Park to the Upper Sioux Community, largely due to leadership and activism from Tribal Chairman Kevin Jensvold and the Upper Sioux Community.<sup>185</sup> The land is a site of ceremony and grief, as it was where many Dakota people died during summer 1862 due to mistreatment by the U.S. government and a lack of food provisions that had been promised via treaty.<sup>186</sup>



Former Upper Sioux Agency State Park

### *Tribally led conservation and land return funding in California*

In recent years, California has made an effort to strengthen partnerships with the state’s Tribes, including by investing in Tribally led conservation and land return. In 2020, Gov. Newsom signed an executive order on nature-based climate solutions, which, among other activities, called for collaboration with Tribal partners “to incorporate tribal expertise and traditional ecological knowledge to better

understand” California’s biodiversity and its related threats.<sup>187</sup> Subsequent Tribal engagement ultimately led to the launch of the \$100 million Tribal Nature-Based Solutions Grants program, aimed at supporting Tribes in reacquiring ancestral land while addressing the concomitant biodiversity and climate crises.<sup>188</sup> The funds can be used to purchase land, protect culturally relevant natural resources, grow and communicate traditional and contemporary knowledge, and support myriad other projects.

### ***Illinois transfer of Native American human remains***

In 2023, Illinois passed a bill that shifts ownership of Native American human remains and archaeological sites from the state to Tribal nations and establishes Tribes’ ability to return ancestors to their homelands on state land, substantially strengthening protections for Native American human remains and archaeological sites.<sup>189</sup> In a state that has the second-largest collection of unrepatriated Native American remains in the United States, this is a big step toward repairing harm.<sup>190</sup>

### ***Michigan Sanilac Petroglyphs Historic State Park co-management***

In 2019, Michigan and the Saginaw Chippewa Indian Tribe agreed to co-manage Sanilac Petroglyphs Historic State Park to: 1) protect and share cultural and natural heritage; 2) improve on-site education quality and equity; 3) reduce costs by eliminating redundancies; and 4) be eligible and competitive for grant funding.<sup>191</sup> The area contains Michigan’s largest known collection of Native American sandstone carvings (called *Ezhibiigaadek Asin*, “written on stone” in Anishinaabemowin, the Anishinaabe language) that date back many centuries. The Tribal-state partnership has helped both provide resources for the interpretation of the carvings and produce educational signs with phrases in Anishinaabemowin.<sup>192</sup>



Sanilac Petroglyphs Historic State Park

---

## **9. Wildlife corridors and habitat connectivity**

### **About this policy model**

Large connected landscapes are essential for ecosystem resilience, wildlife health, and public safety. States are pursuing a variety of policy mechanisms for keeping large landscapes intact and for promoting wildlife crossings, a type of physical infrastructure critical to reducing the risk of wildlife-vehicle collisions, which cost the United States up to \$8 billion annually.<sup>193</sup>

---

State action picked up momentum in 2022 and 2023 following the passage of the Infrastructure Investment and Jobs Act, which included a \$350 million Wildlife Crossings Pilot Program.

To date, 19 states have passed legislation—a majority of which is bipartisan—aimed at supporting habitat connectivity or wildlife corridor projects.<sup>194</sup> State action picked up momentum in 2022 and 2023 following the passage of the Infrastructure Investment and Jobs Act, which included a \$350 million Wildlife Crossings Pilot Program.<sup>195</sup> A variety of approaches have been tried and tested, including legislation to provide funding for wildlife crossing projects,<sup>196</sup> to strengthen interagency coordination and authorities to better address habitat connectivity,<sup>197</sup> and, as described below for Virginia, to create long-term wildlife corridor action plans. A 2016 Vermont law also requires municipalities and regional planning bodies to identify important forest blocks and habitat connectors and to plan development to minimize fragmentation in those areas.<sup>198</sup>

Importantly, consistent funding has allowed states to provide reliable matches for federal infrastructure grants, more certainty in wildlife crossing planning and construction, and flexibility to practice adaptive management in changing landscapes amid the climate crisis.<sup>199</sup>

## Examples of recent leadership

### *Virginia's Wildlife Corridor Action Plan*

Virginia has historically been a high-risk state for wildlife-vehicle collisions.<sup>200</sup> In 2020, in an effort to help make roads safer and reduce habitat fragmentation for wildlife, the Virginia legislature passed S.B. 1004/H.B. 1695, a landmark bill that created a Wildlife Corridor Action Plan and requires collaboration between key state agencies such as the Virginia Department of Wildlife Resources and the Virginia Department of Transportation.<sup>201</sup> In 2021, the state passed, with strong bipartisan support, a bill that created a comprehensive program directing state agencies to adopt recommendations from the Wildlife Corridor Action Plan into future planning to ensure that connectivity and safety remain priorities in Virginia.<sup>202</sup> Virginia's first action plan was released in 2022<sup>203</sup> and can serve as a model for other states aiming to increase large landscape connectivity and to protect species and motorists.

### ***Wyoming wildlife corridors and connectivity projects***

Wyoming is one of the only states to establish consistent funding for wildlife connectivity. Since authorizing the Wyoming Wildlife and Natural Resource Trust Fund for wildlife corridor and crossing projects in 2021, the state has already allocated more than \$17 million for this purpose.<sup>204</sup> That followed a 2020 executive order by Gov. Mark Gordon (R) on mule deer and antelope migration corridors that designated three priority wildlife corridors, directed state agencies to protect annual migration and avoid habitat disturbance in these corridors, and established a process for the nomination and designation of additional corridors.<sup>205</sup> Importantly, the state also pioneered two creative voluntary funding sources. These include a wildlife conservation license plate, with proceeds directed to construction of signage, fences, and crossings that reduce wildlife-vehicle collisions.<sup>206</sup> The state also provides additional donation opportunities on hunting and fishing license applications, conservation stamps, and at points of sale for state park permits.<sup>207</sup>

### ***Florida Wildlife Corridor***

Florida's work on connectivity policy dates back to 2013, when the legislature passed a resolution that recognized the significance of the Florida Wildlife Corridor, a statewide network of nearly 18 million acres of contiguous wilderness and working lands critical to protecting Florida's 131 threatened and endangered species and to reducing the impacts of climate change.<sup>208</sup> Nearly a decade later, in 2021, the legislature passed the landmark Florida Wildlife Corridor Act, which directed the Department of Environmental Protection to encourage and promote investments in areas that protect and enhance the corridor, appropriating \$300 million to acquire lands to complete the corridor.<sup>209</sup> In 2023, two separate appropriations were made: one continuous appropriation at \$100 million per year<sup>210</sup> and a one-time appropriation of \$850 million,<sup>211</sup> both for the purpose of acquiring additional land to complete the Florida corridor.<sup>212</sup>

In addition to supporting habitat and migration routes on land, these major investments are supporting aquatic species such as manatees, fish, and amphibians in the Everglades, St. Johns River, and other downstream waters.<sup>213</sup>

---

## **10. Avoiding and mitigating nature loss**

### **About this policy model**

States, in partnership with local governments, have a variety of tools to avoid and offset nature loss caused by expanding industrial, commercial, and residential development. These include requirements and programs to help project

developers avoid or minimize impacts to natural areas, to invest in proactive conservation projects that offset impacts, to protect vulnerable wetlands, and to consider mitigation at a landscape scale.

Collectively, these programs can help preserve critical habitat and ecosystem functions, substantially reduce water pollution, and support large landscape conservation.

### ***Development buffers***

While many states have delegated the relevant authorities to local governments, others have passed statewide requirements mandating the preservation or establishment of vegetated buffer zones around riparian, coastal, lake, and wetland areas. For example, North Carolina has riparian buffer requirements covering certain watersheds, which require undisturbed forest buffers around streams, lakes, and other waters.<sup>214</sup> Other examples include Maryland’s 100-foot buffer requirements for tidal waters, wetlands, and tributaries of the Chesapeake and Coastal bays<sup>215</sup> and Minnesota’s Buffer Law, which requires a 50-foot vegetation buffer along lakes, rivers, and streams.<sup>216</sup> Similarly, states may also adopt setback requirements that limit building construction within minimum distances from water bodies, sometimes combined with vegetation requirements.<sup>217</sup>

Some states also offer financial incentives to encourage the restoration of natural buffers. For example, Maryland launched its Conservation Buffer Initiative in 2021, which pays farmers and landowners to plant forest and grass buffers and to establish grazing control areas.<sup>218</sup> Delaware similarly offers incentives for agricultural and urban landowners in the Chesapeake Bay watershed to install forest buffers.<sup>219</sup> Research has shown that vegetation buffers, particularly forested lands, are extremely effective at reducing pollution,<sup>220</sup> making them a cost-effective way to maintain and restore clean water.

### ***Compensatory mitigation for habitat and wetlands loss***

“Compensatory mitigation” refers to actions taken to compensate for a project’s unavoidable impacts to natural resources, such as wetlands, other aquatic ecosystems, or critical wildlife habitat. For example, a large-scale solar energy project developer that cannot completely avoid affecting desert tortoise habitat could support a project to restore and protect degraded habitat off-site. Mitigation projects can result in the restoration, creation, enhancement, or preservation of natural resources. While mitigation projects may be conducted by the permittee or through a direct contractor, large-scale projects are most commonly conducted by a third party that pools funding through a mitigation or conservation “bank,” which generates mitigation credits or is funded by an in-lieu fee program.<sup>221</sup>



Although this concept is commonly associated with federal laws that require mitigation, such as the Clean Water Act, the Endangered Species Act, or the Federal Land Policy and Management Act, states can play a significant role in establishing and leveraging mitigation requirements for maximum conservation benefit. Many states have their own clean water or endangered species laws, which can impose independent mitigation requirements for project developers. Additionally, some states have statutes that require major projects to undergo environmental review similar to the National Environmental Policy Act, and at least California and Washington require project mitigation under those state laws.<sup>222</sup> Well-designed state and federal mitigation requirements can help guide development to the most appropriate areas and ensure that compensatory mitigation investments deliver additional, verifiable, and durable conservation gains.

---

Well-designed state and federal mitigation requirements can help guide development to the most appropriate areas and ensure that compensatory mitigation investments deliver additional, verifiable, and durable conservation gains.

State agencies may also manage programs that leverage and coordinate compensatory mitigation to deliver greater habitat and ecosystem benefits in their state. In fact, state transportation departments were early leaders in sponsoring wetlands mitigation banks to support large transportation projects.<sup>223</sup> Today, many state agencies manage programs that work with federal agencies to certify mitigation or conservation banks<sup>224</sup> or run in-lieu fee programs that provide grants for restoration and conservation programs.<sup>225</sup>

### ***Wetlands protections***

In the wake of the U.S. Supreme Court's 2023 decision in *Sackett v. Environmental Protection Agency* to substantially limit the scope of the Clean Water Act's protections—including for dredging and filling wetlands—some states are revisiting state-level protections for rivers, streams, and wetlands.<sup>226</sup> A 2022 Environmental Law Institute review found that only about half of states regulate waters and non-tidal wetlands beyond federal Clean Water Act jurisdiction, while 24 states rely entirely on the federal law's protections.<sup>227</sup>

In one recent example, the February 2024 executive order from North Carolina Gov. Cooper—which established statewide conservation targets, as noted above—included specific direction for state agencies to prioritize conservation of vulnerable wetlands.<sup>228</sup> The order establishes a “no-net loss” policy for forests and wetlands, requiring state agencies to avoid, minimize, and offset impacts to wetlands, forests, and riparian areas.<sup>229</sup> It also sets a long-term goal of achieving a net gain of wetlands through conservation and restoration.<sup>230</sup>

### ***Landscape-scale mitigation planning***

Building on decades of state experience with mitigation programs, states have recently found success with landscape-scale mitigation efforts. By focusing on larger regions where multiple development projects are occurring, states can tap into the three stages of mitigation—avoid, minimize, and compensate—to encourage development in areas that avoid impacting sensitive resources, manage for priority ecosystem services across a region, and coordinate compensatory mitigation spending for maximum benefit, while making permitting more efficient for large projects such as solar, wind, or energy transmission.

For example, under California’s Regional Conservation Investment Strategies Program, launched in 2017, public agencies and Tribes can develop regional plans that identify conservation priority areas. Those plans help inform infrastructure siting and state-recognized mitigation credit agreements, which encourage high-value conservation projects within that landscape.<sup>231</sup> In a related effort, California is currently updating guidance for mitigation crediting in order to better incentivize projects that improve habitat connectivity for threatened wildlife species.<sup>232</sup>

### **Examples of recent leadership**

#### ***Colorado oil and gas regulations***

In November 2020, Colorado’s Oil and Gas Conservation Commission completed an overhaul of its regulations for oil and gas activities for public health, safety, environmental, and wildlife benefits.<sup>233</sup> These new rules implement S.B. 19-181, pushed by Gov. Polis and passed by the legislature in 2019, which shifted the mandate of the state’s oil and gas regulatory agency to prioritize health and safety.<sup>234</sup> In addition to changes for public health and community involvement, such as requiring environmental justice considerations, ending routine venting and flaring, and tightening groundwater protections, the final regulations substantially enhance protections for ecosystems and wildlife.<sup>235</sup> New requirements include mandatory buffers around priority waters, critical habitat avoidance requirements, enhanced protections for wildlife migration corridors, and new compensatory mitigation

mandates. Requiring 500-foot, no-surface-occupancy buffers around high-priority streams and waters alone directly benefits more than 6.3 million acres, representing a 980 percent increase over previous buffer rules and closing previous loopholes and exemptions.<sup>236</sup>

### ***Sage-grouse habitat mitigation in Nevada and Montana***

As a result of historic state-federal collaboration to address threats to the greater sage-grouse and conserve dwindling sagebrush habitat, Western states pursued various conservation measures to complement and inform federal sage-grouse management plans, first adopted in 2015.<sup>237</sup> As part of this effort, several states launched targeted programs to mitigate impacts to sage-grouse habitat.

With a goal of producing net benefits for the species, Nevada launched an innovative mitigation credit program for greater sage-grouse habitat, known as the Conservation Credit System.<sup>238</sup> Under the system, mines, energy development, and other infrastructure projects that impact sage-grouse habitat incur debits that must be offset by credits from verified projects that enhance or restore habitat with a 30-year commitment of habitat protection. Credits are performance based, and multipliers are applied to account for localized habitat value both to reward proximity of conservation benefits to the impacts and to ensure an overall net benefit. Initially launched in late 2014, the state regulations' 2019 mitigation requirement substantially increased demand for credits. By the end of 2023, just under 30,000 acres had been conserved, with three new projects nearing completion that are expected to add 63,000 acres.<sup>239</sup>

Similarly, Montana passed its Greater Sage-Grouse Stewardship Act in 2015, which adopted a model for mitigation debiting and crediting. Under Montana's system, developers must offset impacts to sage-grouse habitat by directly financing habitat projects or contributing to a statewide stewardship fund that provides grants to credit-generating habitat projects.<sup>240</sup> By the end of 2019, the Stewardship Fund had awarded eight grants and successfully conserved more than 71,000 acres of sage-grouse habitat.<sup>241</sup>

# Other relevant policy tools

In addition to the land conservation policies profiled above, other policy tools can enable states to conserve important wildlife habitat and other natural lands and waters. Some examples are outlined below.

---

## Outstanding Natural Resource Waters designation

Some states have acted to protect rivers, lakes, and other waters by designating them for special clean water protection, which also benefits lands within those watersheds. Under the Clean Water Act, states can designate “Outstanding National Resource Waters” to preserve exceptional water quality, recreational resources, or ecological conditions.<sup>242</sup> Once designated, waters receive enhanced protection; in particular, with limited exceptions, activities that would degrade water quality are not allowed, including land use activities.<sup>243</sup> In 2022, responding to a community-led proposal, Colorado designated 520 miles of 25 streams as “Outstanding Waters.”<sup>244</sup> That same year, New Mexico designated more than 300 miles of river and 43 acres of wetlands, including in the Upper Pecos River watershed, which was threatened by proposed gold, copper, and zinc mining.<sup>245</sup> And in December 2023, Washington designated its first-ever “Outstanding Resource Waters” on more than 225 miles of the Cascade, Green, and Napeequa rivers.<sup>246</sup>

---

## Endangered species requirements and critical habitat designations

While they vary substantially in coverage and requirements, laws exist in 48 states to protect endangered species.<sup>247</sup> Requirements under these laws most frequently apply to state funding or state authorizations such as permitting. Although generally narrower than federal law, state endangered species requirements can help encourage the protection of important habitat, and officials in 12 states can specifically designate areas as “critical habitat” that is deemed most important for species survival.<sup>248</sup>

Strong state action can also help prevent federal listings and supplemental efforts to protect federally listed species. A recent nationwide review identified several important ways states can strengthen state endangered species laws, including through consistent updates to a state’s list of threatened and endangered species, a strong “take” definition that includes habitat destruction, and incentives for private landowners to aid in species recovery.<sup>249</sup>

---

## Land use regulations and planning

Land use regulations, such as zoning, and planning can help communities preserve open space and conserve nature. While local municipalities traditionally drive land use planning and regulations, states have taken a range of approaches to support, incentivize, or require municipalities to conserve open space. For example, in 1974, Oregon became the first state to establish a statewide growth management plan with strong urban growth boundaries.<sup>250</sup> Other states, such as Vermont, have adopted incentive-driven approaches that make certain grants or other benefits available to municipalities that have comprehensive plans meeting specified criteria.<sup>251</sup>

---

## Coastal access

State policies can also address inequitable coastal access.<sup>252</sup> Robust laws that safeguard equitable coastal access only protect 10 percent of the nation’s coasts, according to a 2022 analysis from the Center for American Progress and the Hispanic Access Foundation.<sup>253</sup> Remediating this inequity is a way to provide greater access to nature for disadvantaged communities.<sup>254</sup> For example, Texas grants public access to beaches via “rolling easements” that can move with gradual changes to the coastline; Oregon ensures public coastal access; and California has legislation preventing development from infringing upon existing coastal access.<sup>255</sup> States can also set parameters for funding, such as necessitating that public funding support beach restoration projects that provide public access. Such stipulations are in place in Connecticut, New Jersey, North Carolina, and California.<sup>256</sup>

**Read the 2022  
CAP analysis:**

[“How To Fix Americans’  
Diminishing Access to  
the Coasts”](#)

---

## Landscape collaboration

Some state governments are directly supporting landscape-level collaborations that bring together public and private stakeholders across specific regions to develop and implement a shared conservation vision. For example,

Pennsylvania’s Conservation Landscape Program, which started in 2004, supports collaboration in eight landscapes, anchored around blocks of state-owned parks and forests.<sup>257</sup> With dedicated staff resources, mini grants, and other state support, the collaboratives have created community-anchored visions for their region and partnered on crosscutting projects, such as long-distance trails, conservation data sharing, coordinated infrastructure investments, and regional tourism promotion.<sup>258</sup>

---

## **Regional (interstate) collaboration**

Ecologically connected lands and waters do not fit neatly within state boundaries; neighboring states face interconnected challenges and opportunities; and migrating wildlife certainly do not respect state lines. Yet deep collaboration among states on shared conservation goals remains rare. One notable collaborative effort, known as the Southeast Conservation Adaptation Strategy, brings together state and federal agencies covering 15 states, Puerto Rico, and the U.S. Virgin Islands, along with Tribes, nonprofit organizations, universities, and other entities, to develop a shared vision for conservation in the Southeast.<sup>259</sup> Launched in 2011, this collaborative effort primarily has focused on developing and refining the “Southeast Conservation Blueprint,”<sup>260</sup> a spatial plan that identifies priority areas for conservation, based on a common set of monitored indicators for natural and cultural resources, to secure a connected set of lands and waters across the southeast United States and Caribbean.

# Conclusion

States and territories are harnessing a wide array of policy tools for land conservation, from acquisition funds and land use planning to regulatory requirements and returning lands back to Tribal nation stewardship. Meanwhile, conservation actions enjoy substantial bipartisan support, with statewide and local ballot measures typically passing with overwhelming majorities. These trends provide reason for hope.

At the same time, nature loss and species extinctions are occurring at an alarming pace,<sup>261</sup> and the climate crisis is dramatically altering wildlife habitat and escalating pressure on species and ecosystems to adapt. In the face of these crises, the United States needs to accelerate conservation action at all levels.

State policy innovation can help surface and test models that could be replicated in other parts of the country and even nationally. Scaling up impact, though, will require even more committed leadership and deeper investment from governors and legislators, as well as effective support from Congress and federal agencies. Collaboration opportunities across states also remain underutilized, despite wildlife populations, watersheds, and plant communities that stretch across multistate regions.

Finally, expanding opportunities to share lessons learned among state officials could help those leaders, and nongovernmental partners, run with proven solutions. Hopefully, the policies and examples profiled in this report can offer a starting place for dialogue around replicating effective models, scaling up investment, and encouraging a race to the top among states to save nature.

---

In the face of these crises, the United States needs to accelerate conservation action at all levels.

---

## Acknowledgments

The authors would like to thank their colleagues Grant Gliniecki, Logan Christian, Dylan McDowell, Emma Lofgren, Nate Fowler, Angelo Villagomez, Nicole Gentile, Mark Haggerty, Steve Bonitatibus, Bill Rapp, and Chester Hawkins, Meghan Miller, and Cindy Murphy-Tofig. They would also like to thank external partners who shared their expertise, including Andrew du Moulin and Will Abberger of the Trust for Public Lands; Brian Rae, Andy Tuck, Kellyn Garrison, and Isis Stark of The Nature Conservancy; Zack Wurtzebach of the Center for Large Landscape Conservation; Cassy Rose of the U.S. Climate Alliance; Greg Zimmerman of the Protection Campaign; Sara Brodnax of the National Audubon Society; Jeremy Vesbach of Western Resource Advocates; Sarah Cobler of Western Conservation Foundation; Travis Brammer of the Property and Environment Research Center; Erin Sito of the Wildlands Network; Greg Masten of the National Congress of American Indians, and Jeanette Ziegler of Native Americans in Philanthropy, as well as the current and former state officials who shared their experiences.



## Endnotes

- 1 While this report sometimes uses “state” and “state-level” as shorthand, most of the policies profiled in this report are also relevant for U.S. territorial governments.
- 2 Matt Lee-Ashley, Jenny Rowland-Shea, and Ryan Richards, “The Green Squeeze: America’s Nature Crisis” (Washington: Center for American Progress, 2019), available at <https://www.americanprogress.org/article/the-green-squeeze/>.
- 3 NatureServe, “Biodiversity in Focus: United States Edition” (Arlington, VA: 2023), available at <https://www.natureserve.org/bif>.
- 4 Sam Zeno, “The Biden Administration Has Reached Conservation Records in 2023,” Center for American Progress, December 20, 2023, available at <https://www.americanprogress.org/article/the-biden-administration-has-reached-conservation-records-in-2023/>.
- 5 Drew McConville and others, “Executive Action vs. the Nature Crisis: Top 8 Opportunities President Biden Should Pursue To Meet His America the Beautiful Commitment” (Washington: Center for American Progress, 2022), available at <https://www.americanprogress.org/article/executive-action-vs-the-nature-crisis-top-8-opportunities/>.
- 6 Of course, the 200-plus year traditions of state and federal land conservation policy pale in comparison to the millennia of stewardship by North America’s Indigenous peoples. While policy models adopted by Tribal nations are beyond the scope of this report, the Center for American Progress and the National Caucus of Environmental Legislators note the ongoing leadership of Tribes and Indigenous communities in conservation and the well-documented success of Indigenous conservation management globally. See, for example, Richard Schuster and others, “Vertebrate biodiversity on indigenous-managed lands in Australia, Brazil, and Canada equals that in protected areas,” *Environmental Science & Policy* 101 (2019): 1–6, available at <https://www.sciencedirect.com/science/article/abs/pii/S1462901119301042>.
- 7 Considered by some as the first state parks, Yosemite Valley and Mariposa Grove were accepted by California for preservation in 1864 before later being returned to federal ownership; Niagara Falls was established as a protected “reservation” by New York in 1885; and Itasca State Park, in Minnesota, was established in 1891. Meanwhile, the first four national parks were established in 1872 (Yellowstone), 1875 (Mackinac), and 1890 (Sequoia and Yosemite). California Department of Parks and Recreation, “A State Park System is Born,” available at [https://www.parks.ca.gov/?page\\_id=940](https://www.parks.ca.gov/?page_id=940) (last accessed March 2024); Niagara Falls State Park, “Facts about Niagara Falls,” available at <https://www.niagarafallsstatepark.com/niagara-falls-state-park/amazing-niagara-facts> (last accessed March 2024); Parks and Trails Council of Minnesota, “Itasca State Park,” available at <https://www.parksandtrails.org/portfolio/itasca/> (last accessed March 2024); National Park Service, “Preserving Nature in the National Parks: A History,” available at [https://www.nps.gov/parkhistory/online\\_books/sellars/chap1a.htm](https://www.nps.gov/parkhistory/online_books/sellars/chap1a.htm) (last accessed March 2024).
- 8 California Department of Parks and Recreation, “A State Park System is Born.”
- 9 Kate Burgess, “Nature-Based Solutions: Healing nature with regenerative ocean farming,” Salazar Center for North American Conservation, September 25, 2023, available at <https://salazarcenter.colostate.edu/nature-based-solutions-healing-nature-with-regenerative-ocean-farming/>.
- 10 Hawaii Department of Land and Natural Resources Division of Forestry and Wildlife, “30x30 Watershed Initiative,” available at <https://dlnr.hawaii.gov/dofaw/30x30/#:~:text=The%20Division's%2030%C3%9730,the%20Hawai%CA%BBi%20Green%20Growth%20Initiative> (last accessed February 2024).
- 11 Wisconsin Gov. Tony Evers, “Executive Order #112: Relating the Conservation and Restoration of Forestland in Wisconsin,” April 22, 2021, available at <https://evers.wi.gov/Documents/EO/EO112-RelatingtotheConservationandRestorationofForestland.pdf>.
- 12 North Carolina Gov. Roy Cooper, “Executive Order No. 305: An Order to Protect and Restore North Carolina’s Critical Natural and Working Lands,” February 12, 2024, available at <https://governor.nc.gov/executive-order-no-305/open>.
- 13 Great Outdoors Colorado, “Preparing for the Future: Colorado’s Outdoors Strategy,” available at <https://goco.org/programs-projects/outdoors-strategy> (last accessed February 2024).
- 14 Lucy Haggard, “Colorado Outdoor Regional Partnerships Initiative: Local collaborations in support of thriving people, landscapes, and wildlife statewide,” Colorado Outdoor Regional Partnerships Initiative, June 18, 2023, available at <https://storymaps.arcgis.com/stories/393237b131b2455e9ff2fc3692c4226f>.
- 15 California Gov. Gavin Newsom, “Executive Order N-82-20,” October 7, 2020, available at <https://www.gov.ca.gov/wp-content/uploads/2020/10/10.07.2020-EO-N-82-20.pdf>.
- 16 Massachusetts’ state climate plan established goals of increasing permanent conservation to at least 28 percent by 2025, at least 30 percent by 2030, and at least 40 percent by 2050. See Commonwealth of Massachusetts, “Massachusetts Climate Report Card - Natural & Working Lands,” available at <https://www.mass.gov/info-details/massachusetts-climate-report-card-natural-working-lands> (last accessed February 2024).
- 17 “Natural Resources - Land Conservation - Establishment of Goals and Programs (Maryland the Beautiful Act),” S.B. 470, Maryland General Assembly, 2023 Regular Session, May 8, 2023, available at <https://mgaleg.maryland.gov/mgawebsite/Legislation/Details/sb0470/?ys=2023rs>.
- 18 Maine Climate Council, “Maine Won’t Wait: A Four-Year Plan for Climate Action” (Augusta, ME: 2020), available at [https://www.maine.gov/climateplan/sites/maine.gov/climateplan/files/inline-files/MaineWontWait\\_December2020\\_printable\\_12.1.20.pdf](https://www.maine.gov/climateplan/sites/maine.gov/climateplan/files/inline-files/MaineWontWait_December2020_printable_12.1.20.pdf).
- 19 New Mexico Gov. Michelle Lujan Grisham, “Executive Order 2021-052: Protecting New Mexico’s Lands, Watersheds, Wildlife, and Natural Heritage,” August 25, 2021, available at <https://www.governor.state.nm.us/wp-content/uploads/2021/08/Executive-Order-2021-052.pdf>.
- 20 “Urging various actions relating to the protection and conservation of land and water,” Assembly Joint Resolution 3, Nevada Legislature, 81st session, May 21, 2021, available at <https://www.leg.state.nv.us/App/NELIS/REL/81st2021/Bill/7487/Overview>.
- 21 New York State Senate, “S.6191A,” 2021-2022 Legislative Session, available at <https://www.nysenate.gov/legislation/bills/2021/S6191>.

- 22 "An act relating to community resilience and biodiversity protection," Act 59 (H. 126), Vermont General Assembly, 2023-2024 Session, available at <https://legislature.vermont.gov/bill/status/2024/H.126>.
- 23 An original goal, in 2006, of effectively conserving 20 percent of terrestrial resources (and 30 percent of near-shore marine resources) across the region by 2020 was followed in 2019 by a commitment to effectively manage 30 percent of terrestrial resources and 50 percent of marine resources, including offshore waters (the exclusive economic zone). See Micronesia Challenge, "About the Challenge," available at <http://themicronesiachallenge.blogspot.com/p/about.html> (last accessed March 2024); The Nature Conservancy, "Micronesia Challenge: 30, 20, One Micronesia," September 3, 2020, available at <https://www.nature.org/en-us/about-us/where-we-work/asia-pacific/the-pacific-islands/stories-in-the-pacific-islands/micronesia-challenge/>.
- 24 After pledging to help America meet 30x30 goals on the campaign trail, President Biden established a formal U.S. target his first week in office. See The White House, "Executive Order on Tackling the Climate Crisis at Home and Abroad," Executive Order 14008, January 27, 2021, available at <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/executive-order-on-tackling-the-climate-crisis-at-home-and-abroad/>.
- 25 Hannah Grover, "A small Texas-based group urges New Mexico counties to oppose 30x30," New Mexico Political Report, March 7, 2022, available at <https://nmpoliticalreport.com/news/a-small-texas-based-group-urges-new-mexico-counties-to-oppose-30x30/>.
- 26 Eric Sorenson and Robert Zaino, "Vermont Conservation Design," Vermont Agency of Natural Resources, February 2018, available at <http://vtfishandwildlife.com/conserve/vermont-conservation-design>.
- 27 Gov. Maura Healey (D-MA) recently directed the state to develop biodiversity goals and strategies for 2030, 2040, and 2050. See Commonwealth of Massachusetts, "Governor Healey Celebrates Climate Week by Establishing Nation's First Long-term Biodiversity Goals, Single-Use Plastic Bottle Ban," Press release, September 21, 2023, available at <https://www.mass.gov/news/governor-healey-celebrates-climate-week-by-establishing-nations-first-long-term-biodiversity-goals-single-use-plastic-bottle-ban>. Various states have also established biodiversity strategies. See, for example, Washington Biodiversity Council, "Washington Biodiversity Conservation Strategy: Sustaining our Natural Heritage for Future Generations" (Olympia, WA: 2007), available at <https://rco.wa.gov/wp-content/uploads/2019/07/BiodiversityConservationStrategy.pdf>; California Natural Resources Agency and others, "California Biodiversity Initiative: A Roadmap for Protecting the State's Natural Heritage" (Sacramento, CA: 2018), available at <https://californiabiodiversityinitiative.org/pdf/california-biodiversity-action-plan.pdf>.
- 28 See, for example, California Natural Resources Agency, "Outdoors for All: Providing Equitable Access to Parks and Nature" (Sacramento, CA: 2023), available at [https://resources.ca.gov/-/media/CNRA-Website/Files/Initiatives/Access-for-all/Outdoors\\_for\\_All\\_Strategy\\_English.pdf](https://resources.ca.gov/-/media/CNRA-Website/Files/Initiatives/Access-for-all/Outdoors_for_All_Strategy_English.pdf).
- 29 See, for example, New Jersey Fish and Wildlife, "Connecting Habitat Across New Jersey (CHANJ)," available at <https://dep.nj.gov/njfw/conservation/connecting-habitat-across-new-jersey-chanj/> (last accessed February 2024).
- 30 Association of Fish & Wildlife Agencies, "State Wildlife Action Plans-Blueprints for Conserving Our Nation's Fish & Wildlife," available at <https://www.fishwildlife.org/afwa-informs/state-wildlife-action-plans> (last accessed February 2024).
- 31 California Gov. Gavin Newsom, "Executive Order N-82-20"; Office of Governor Gavin Newsom, "Governor Newsom Launches Innovative Strategies to Use California Land to Fight Climate Change, Conserve Biodiversity and Boost Climate Resilience," Press release, October 7, 2020, available at <https://www.gov.ca.gov/2020/10/07/governor-newsom-launches-innovative-strategies-to-use-california-land-to-fight-climate-change-serve-biodiversity-and-boost-climate-resilience/>.
- 32 California Natural Resources Agency, "Pathways to 30x30 California: Accelerating Conservation of California's Nature" (Sacramento, CA: 2022), available at <https://canature.maps.arcgis.com/sharing/rest/content/items/8da9faef231c4e31b651ae6dff95254e/data>.
- 33 Ibid.
- 34 California Natural Resources Agency, "30x30 Partnership: Supporting implementation of 30x30," available at <https://www.californianature.ca.gov/pages/30x30-partnership> (last accessed February 2024).
- 35 California Natural Resources Agency, "Pathways to 30x30 California: Accelerating Conservation of California's Nature."
- 36 California Natural Resources Agency, "CA Nature," available at <https://www.californianature.ca.gov/pages/ca-nature> (last accessed March 2024).
- 37 The nature-based solutions package included \$669 million for fiscal years 2022-23, \$428 million for 2023-24, and \$20 million for 2024-25. See Legislative Analyst's Office, "The 2022-23 California Spending Plan: Resources and Environmental Protection," available at <https://lao.ca.gov/Publications/Report/4633#natural-resources> (last accessed March 2024).
- 38 In addition to explicitly supporting the 30x30 strategy, the nature-based solutions package was aimed at supporting California's complementary nature-based solutions strategy, which also stemmed from Executive Order N-82-20. See California Natural Resources Agency, "Natural and Working Lands Climate Smart Strategy" (Sacramento, CA: 2022), available at [https://resources.ca.gov/-/media/CNRA-Website/Files/Initiatives/Expanding-Nature-Based-Solutions/CNRA-Report-2022---Final\\_Accessible.pdf](https://resources.ca.gov/-/media/CNRA-Website/Files/Initiatives/Expanding-Nature-Based-Solutions/CNRA-Report-2022---Final_Accessible.pdf).
- 39 California Natural Resources Agency, "Tribal Nature-Based Solutions Program," available at <https://resources.ca.gov/Initiatives/Tribalaffairs/Tribal-Nature-Based-Solutions-Program> (last accessed February 2024).
- 40 California Natural Resources Agency, "Outdoors for All: Providing Equitable Access to Parks and Nature."
- 41 California Natural Resources Agency, "Pathways to 30x30 California: Annual Progress Report" (Sacramento, CA: 2023), available at <https://canature.maps.arcgis.com/sharing/rest/content/items/6d594a9c1bcf4de4a97300ad3a82b457/data>.
- 42 Land and Water Conservation Fund Coalition, "State and Local Assistance Program," available at <https://lwccoalition.org/state-and-local-assistance> (last accessed February 2024).
- 43 Trust for Public Land, "\$8.7 Billion for Parks, Climate, and Conservation Approved by Voters," Press release, November 9, 2022, available at <https://www.tpl.org/media-room/8-7-billion-for-parks-climate-and-conservation-approved-by-voters>.

- 44 Demand for the state conservation funding programs discussed below regularly outpaces supply, similar to the backlog observed for federal programs such as the Land and Water Conservation Fund and the Agricultural Conservation Easement Program. To achieve a national goal of conserving 30 percent of U.S. lands by 2030, experts including the Land Trust Alliance anticipate needing to substantially scale up the pace of private lands conservation substantially above current levels. For additional information about the backlog for conservation funding, see Land and Water Conservation Fund Coalition, "About LWCF," available at <https://lwcfcoalition.org/about-lwcf> (last accessed March 2024); Megan Stubbs, "Agricultural Conservation: A Guide to Programs" (Washington: Congressional Research Service), available at <https://crsreports.congress.gov/product/pdf/R/R40763> (last accessed March 2024); National Wildlife Federation, "Securing Funds for Conservation," available at <https://www.nwf.org/en/Our-Work/Wildlife-Conservation/Policy/Funding> (last accessed March 2024); Land Trust Alliance, "Our Commitment to 30x30," available at <https://landtrustalliance.org/why-land-matters/land-conservation/30x30> (last accessed March 2024).
- 45 Maine Audubon, "Land for Maine's Future," available at <https://maineaudubon.org/advocacy/lmf/> (last accessed March 2024).
- 46 Louisiana Department of Wildlife and Fisheries, "Louisiana Outdoors Forever," available at <https://www.wlf.louisiana.gov/page/louisiana-outdoors-forever> (last accessed March 2024).
- 47 Clark Corbin, "Once-in-a-generation investment: Idaho state parks receive record funding for improvements," *Idaho Capital Sun*, October 6, 2023, available at <https://idahocapitalsun.com/2023/10/06/once-in-a-generation-investment-idaho-state-parks-receive-record-funding-for-improvements/>.
- 48 State of Rhode Island Department of Environmental Management, "2022 Green Bond," available at <https://dem.ri.gov/green-bond-2022-green-bond> (last accessed February 2024).
- 49 Sandra Tassel, "Making the Most of Our Money: Recommendations for State Conservation Programs" (Look at the Land Inc. for The Nature Conservancy and The Trust for Public Land, 2013), available at <https://www.tpl.org/wp-content/uploads/2015/12/confin-Makg-the-Most-of-MoneyFinal.pdf>.
- 50 Trust for Public Land, "Overview of State Funding for Land Conservation" (Los Angeles: 2023), available at <https://conservationalliance.org/wp-content/uploads/2023/08/Conservation-Funding-at-a-Glance-updated-August-2023.pdf>.
- 51 Ibid.
- 52 Trust for Public Land, "TPL LandVote Database," available at [www.landvote.org](http://www.landvote.org) (last accessed March 2024).
- 53 Ibid.
- 54 Colorado College, "State of the Rockies: 2024 Conservation in the West Poll," available at <https://www.colorado-college.edu/other/stateoftherockies/conservationinthewest/2024.html> (last accessed March 2024).
- 55 Colorado College, "State of the Rockies: Conservation and Public Lands in the West" (Colorado Springs, CO: 2024), available at [https://www.coloradocollege.edu/other/stateoftherockies/\\_documents/2024-poll-data/2024%20Topic%20Report%20on%20Conservation%20and%20Public%20Lands%20in%20the%20West.pdf](https://www.coloradocollege.edu/other/stateoftherockies/_documents/2024-poll-data/2024%20Topic%20Report%20on%20Conservation%20and%20Public%20Lands%20in%20the%20West.pdf); Brian Stryker and Ben Lenet, "Public Opinion Research Regarding 30x30," ALG Research, January 26, 2021, available at [https://www.nrdc.org/sites/default/files/nrdc\\_30x30\\_public\\_release\\_memo\\_.pdf](https://www.nrdc.org/sites/default/files/nrdc_30x30_public_release_memo_.pdf).
- 56 Trust for Public Land, "Overview of State Funding for Land Conservation." For state-by-state breakdowns, see Lincoln Institute of Land Policy and George Washington Institute of Public Policy, "Significant Features of the Property Tax: Real Estate Transfer Charges," available at <https://www.lincolnst.edu/research-data/data-toolkits/significant-features-property-tax/access-property-tax-database/real-estate-transfer-charges> (last accessed February 2024).
- 57 Trust for Public Land, "Conservation Almanac: Florida Conservation Programs," available at <https://conservationalliance.org/programs/florida/> (last accessed February 2024).
- 58 Trust for Public Land, "Overview of State Funding for Land Conservation."
- 59 Colorado Lottery, "Giving Back," available at <https://www.coloradolottery.com/en/about/giving-back/> (last accessed February 2024).
- 60 Trust for Public Land, "Overview of State Funding for Land Conservation."
- 61 Association of Fish & Wildlife Agencies, "The American System of Conservation Funding," available at <https://www.fishwildlife.org/afwa-informs/resources/american-system-conservation-funding> (last accessed February 2024).
- 62 Montana Department of Revenue, "Cannabis Sales Reports," available at <https://mtrevenue.gov/cannabis-sales-reports/> (last accessed February 2024).
- 63 These percentage allocations follow an initial deposit of \$6 million into a fund for addiction recovery and treatment. Montana Department of Revenue, "Cannabis Tax," available at <https://mtrevenue.gov/taxes/miscellaneous-taxes-and-fees/cannabis/#StateDistribution> (last accessed February 2024).
- 64 The 2023 legislative session closed with Gov. Greg Gianforte (R-MT) vetoing a bill that would have tweaked allocations but left the total percentage of funding for conservation largely intact. At the time of publication, a legal challenge to this veto, which was timed to avoid a veto override, is pending. See Wild Montana, "Wild Montana, Montana Wildlife Federation file suit to prevent Governor's attempt to obstruct Legislature's constitutional authority," Press release, June 7, 2023, available at [https://wildmontana.org/press\\_release/wild-montana-montana-wildlife-federation-file-suit-to-prevent-governors-attempt-to-obstruct-legislatures-constitutional-authority/](https://wildmontana.org/press_release/wild-montana-montana-wildlife-federation-file-suit-to-prevent-governors-attempt-to-obstruct-legislatures-constitutional-authority/).
- 65 Trust for Public Land, "Overview of State Funding for Land Conservation."
- 66 Julia Dietz, "County Green Space Sales Tax Headed to Ballot in Beaufort County," Audubon South Carolina, September 1, 2022, available at <https://sc.audubon.org/news/county-green-space-sales-tax-headed-ballot-beaufort-county>.
- 67 Isabella Breda, "WA's carbon-pricing program nears \$1 billion in revenue, far outpacing early estimates," *Seattle Times*, August 16, 2023, available at <https://www.seattletimes.com/seattle-news/environment/was-carbon-pricing-program-nears-1-billion-in-revenue-far-outpacing-early-estimates/>.
- 68 Conservation Northwest, "Climate Commitment Act Funds Go to Washington State Forests in Historic Recognition that Forests Play a Central Role in Reducing Emissions," Press release, April 24, 2023, available at <https://conservationnw.org/news-updates/climate-commitment-act/>.

- 69 Deposits are capped at \$15 million annually. Forever Wild Land Trust, "Environmental and Fiscal Responsibility," available at <https://www.alabamaforeverwild.com/forever-wild-funding> (last accessed March 2024).
- 70 Trust for Public Land, "Overview of State Funding for Land Conservation."
- 71 Lester Graham, "Election 2020: Michigan voters overwhelmingly approve Proposal 1, changing park funding," Michigan Public Radio, November 4, 2020, available at <https://www.michiganradio.org/politics-government/2020-11-04/election-2020-michigan-voters-overwhelmingly-approve-proposal-1-changing-park-funding>.
- 72 Trust for Public Land, "Overview of State Funding for Land Conservation."
- 73 State of California, "Outdoors for All," available at <https://resources.ca.gov/Initiatives/Access-for-All> (last accessed February 2024).
- 74 Jason Blevins, "Drivers deliver \$411 million to parks and wildlife in first year of optional Keep Colorado Wild Pass," *The Colorado Sun*, January 11, 2024, available at <https://coloradosun.com/2024/01/11/colorado-parks-and-wildlife-keep-colorado-wild-pass/>.
- 75 Ibid.
- 76 Ibid.
- 77 Mandy Rafool and Andrea Jimenez, "Tax Form Checkoff Programs Make Charitable Giving Less, Well, Taxing," National Conference of State Legislatures, April 17, 2023, available at <https://www.ncsl.org/state-legislatures-news/details/tax-form-checkoff-programs-make-charitable-giving-less-well-taxing>.
- 78 Trust for Public Land, "Overview of State Funding for Land Conservation."
- 79 For example, both New Jersey and the Florida Forever program tap into dedicated revenue streams to service conservation project bonds. See Trust for Public Land, "Conservation Almanac: New Jersey Conservation Programs," available at <https://conservationalmanac.org/programs/new-jersey/> (last accessed February 2024); Trust for Public Land, "Conservation Almanac: Florida," available at <https://conservationalmanac.org/programs/florida/> (last accessed February 2024).
- 80 Tassel, "Making the Most of Our Money: Recommendations for State Conservation Programs."
- 81 Trust for Public Land, "TPL LandVote Database."
- 82 Community Preservation Coalition, "CPA: An Overview," available at <https://www.communitypreservation.org/about> (last accessed February 2024).
- 83 Ibid.
- 84 Luke Metzger, "Texas voters approve \$1.8 billion in parks and recreation funding," Environment Texas, November 17, 2023, available at <https://environmentamerica.org/texas/center/articles/texas-voters-approve-1-823-billion-in-parks-and-recreation-funding/>.
- 85 Luke Metzger, "How we got the Texas Legislature to invest \$1 billion in state parks," Environment Texas, August 21, 2023, available at <https://environmentamerica.org/texas/articles/how-we-got-texas-legislature-to-invest-1-billion-in-state-parks/>.
- 86 The Nature Conservancy, "The Nature Conservancy in Texas Supports Proposition 14 to Create the Centennial Parks Conservation Fund," Press release, September 27, 2023, available at <https://www.nature.org/en-us/newsroom/texas-centennial-parks-conservation-fund/>.
- 87 The Nature Conservancy, "Texas House Natural Resources Committee Holds Hearing on Bill to Create Historic Texas Land and Water Conservation Fund," Press release, April 5, 2023, available at <https://www.nature.org/en-us/newsroom/texas-land-and-water-conservation-fund/>.
- 88 Alejandra Martinez, "Texas House approves bills to spend up to \$1 billion to buy more state parkland," *The Texas Tribune*, May 15, 2023, available at <https://www.texastribune.org/2023/05/15/texas-house-bill-state-parks-land-funding/>.
- 89 Metzger, "Texas voters approve \$1.8 billion in parks and recreation funding."
- 90 Congressional Sportsmen's Foundation, "Texas: Voters Approve Constitutional Amendment to Fully Dedicate Sporting Goods Sales Tax to State Parks and Historic Sites," November 12, 2019, available at <https://congressionalsportsmen.org/news/texas-voters-approve-constitutional-amendment-to-fully-dedicate-sporting-goods-sales-tax-to-state-parks-and-historic-sites/>.
- 91 New York State Department of Environmental Conservation, "Clean Water, Clean Air, and Green Jobs Environmental Bond Act," available at <https://dec.ny.gov/about/clean-water-clean-air-and-green-jobs-environmental-bond-act> (last accessed February 2024).
- 92 The White House, "Justice40: A Whole-Of-Government Initiative," available at <https://www.whitehouse.gov/environmentaljustice/justice40/> (last accessed February 2024).
- 93 Georgia Department of Natural Resources, "Georgia Outdoor Stewardship Program: 2023-2024 Conserve Georgia Manual" (Atlanta: 2023), available at [https://gadnr.org/sites/default/files/dnr/pdf/2023\\_2024\\_GOSP\\_Manual\\_8.30.2023.pdf](https://gadnr.org/sites/default/files/dnr/pdf/2023_2024_GOSP_Manual_8.30.2023.pdf).
- 94 Georgia Department of Natural Resources, "Grants Awarded for Conservation and Outdoor Recreation," Press release, February 24, 2023, available at <https://gastateparks.org/press-release-parks/Grants-Awarded-for-Conservation-and-Outdoor-Recreation>.
- 95 Park Pride, "Georgia Outdoor Stewardship Amendment Receives Strong Support," Press release, October 3, 2018, available at <https://parkpride.org/georgia-outdoor-stewardship-amendment-receives-strong-support/>.
- 96 S.B. 9, New Mexico Legislature, 2023 Regular Session, March 23, 2023, available at <https://nmlegis.gov/Legislation/Legislation?Chamber=S&LegType=B&LegNo=9&year=23>.
- 97 Land of Enchantment Legacy Fund, "Legacy Fund Receives Historic, Long-Term Conservation Funding," Press release, March 6, 2024, available at <https://www.enchantmentfund.org/post/2024budgetstatement>.
- 98 Office of Gov. Michelle Lujan Grisham, "Governor introduces bipartisan 'Land of Enchantment Legacy Fund' proposal for land and water conservation," Press release, January 26, 2023, available at <https://www.governor.state.nm.us/2023/01/26/governor-introduces-bipartisan-land-of-enchantment-legacy-fund-proposal-for-land-and-water-conservation/>.
- 99 National Caucus of Environmental Legislators, "Outdoor Opportunity Legislative Toolkit" (Washington: 2023), available at <https://www.nceleviro.org/app/uploads/2023/11/Outdoor-Opportunity-Legislative-Toolkit.pdf>.
- 100 Maine Department of Education, "Maine Outdoor Learning Initiative," available at <https://www.maine.gov/doe/index.php/innovation/MaineOutdoorLearning> (last accessed February 2024).

- 101 National Caucus of Environmental Legislators, "Outdoor Opportunity Legislative Toolkit," pp. 14.
- 102 Ibid.
- 103 Maryland League of Conservation Voters, "Greenspace Equity: HB 503," available at <https://www.mdclv.org/wp-content/uploads/2023/02/Greenspace-Equity.pdf> (last accessed February 2024); H.B. 503, Maryland General Assembly, 2023 Regular Session, May 8, 2023, available at <https://mgaleg.maryland.gov/mgawebsite/Legislation/Details/hb0503?ys=2023RS>.
- 104 National Caucus of Environmental Legislators, "Outdoor Opportunity Legislative Toolkit."
- 105 Colorado Parks and Wildlife, "Outdoor Equity Grant Program," available at <https://cpw.state.co.us/aboutus/Pages/Outdoor-Equity-Fund.aspx> (last accessed February 2024).
- 106 Maine Initiatives, "Outdoor Equity Fund," available at <https://maineinitiatives.org/programs/our-grants/outdoor-equity-fund> (last accessed February 2024).
- 107 National Caucus of Environmental Legislators, "Outdoor Opportunity Legislative Toolkit," p. 21.
- 108 Outdoor F.U.T.U.R.E., "Homepage," available at <https://outdoorfuture.org/> (last accessed February 2024).
- 109 S.B. 462, New Mexico Legislature, 2019 Regular Session, April 2, 2019, available at <https://www.nmlegis.gov/Legislation/Legislation?chamber=S&legType=B&legNo=462&ear=19>.
- 110 New Mexico Outdoor Recreation Division, "Our Work," available at <https://www.nmoutside.com/our-work> (last accessed February 2024).
- 111 S.B. 9, New Mexico Legislature, 2023 Regular Session, March 23, 2023, available at <https://nmlegis.gov/Legislation/Legislation?Chamber=S&LegType=B&LegNo=9&year=23>.
- 112 National Caucus of Environmental Legislators, "Outdoor Opportunity Legislative Toolkit."
- 113 Land Trust Alliance, "Income Tax Incentives for Land Conservation," September 27, 2022, available at <https://landtrustalliance.org/resources/learn/explore/income-tax-incentives-for-land-conservation>.
- 114 Ibid.
- 115 Jeffrey Sundberg, "Tax Incentives for Open Space Preservation," Lincoln Institute of Land Policy, available at <https://www.lincolnst.edu/publications/articles/tax-incentives-open-space-preservation> (last accessed February 2024); *ibid.*
- 116 Sundberg, "Tax Incentives for Open Space Preservation."
- 117 Colorado Conservation Easement Tax Credit Modifications Bill, H.B. 21-1233, 2021 Regular Session, June 30, 2021, available at <https://leg.colorado.gov/bills/hb21-1233>.
- 118 Katherine Madden, "Colorado Conservation Easement Bill Presents Taxpayer-Friendly Opportunities," Brownstein, July 13, 2021, available at <https://www.bhfs.com/insights/alerts-articles/2021/new-colorado-conservation-easement-bill-presents-taxpayer-friendly-opportunities-and-clarifications#:~:text=In%20recent%20years%2C%20Colorado%20has,and%20agricultural%20significance%20and%20value>.
- 119 Cailey McDermott, "HB21-1233 Big Win for CO Conservation," Central Colorado Conservancy, October 29, 2021, available at <https://www.centralcoloradoconservancy.org/post/hb21-1233-big-win-for-co-conservation>.
- 120 Vermont Natural Resources Council, "Community Planning Toolbox: Current Use Taxation," available at <https://vnr.org/community-planning-toolbox/tools/current-use-taxation/> (last accessed February 2024).
- 121 Emma Cotton, "After discussion, House approves bill to include passively managed forest in current use program," Vermont Digger, February 25, 2022, available at <https://vtdigger.org/2022/02/25/after-discussion-house-approves-bill-to-include-passively-managed-forest-in-current-use-program/>; Northeast Wilderness Trust, "Wild Forests Vermont and the Current Use Program," available at <https://newildernesstrust.org/wild-forests-vermont-current-use/#:~:text=Current%20Use%2C%20or%20the%20%E2%80%9CUse,eligible%20land%20is%20currently%20enrolled> (last accessed February 2024).
- 122 Abagael Giles, Grace Benninghoff, and Kevin Trevelyan, "Letting forests grow old will soon be allowed under Vermont's current use program," Vermont Public, June 8, 2022, available at <https://www.vermontpublic.org/vpr-news/2022-06-08/letting-forests-grow-old-will-soon-be-allowed-under-vermonts-current-use-program>.
- 123 "Vermont Act relating to eligibility of reserve forestland for enrollment in the Use Value Appraisal Program," H. 697 (Act 146), May 27, 2022, available at <https://legislature.vermont.gov/Documents/2022/Docs/ACTS/ACT146/ACT146%20As%20Enacted.pdf>.
- 124 Vermont Department of Forest - Parks and Recreation, "Overview of Vermont's Forests," available at <https://fpr.vermont.gov/forest/vermonts-forests> (last accessed February 2024).
- 125 Lynne McCrea and Angela Evancie, "Does Vermont have any patches of old growth forests?," Vermont Public, June 7, 2019, available at <https://www.vermontpublic.org/programs/2019-06-07/does-vermont-have-any-patches-of-old-growth-forest>.
- 126 For more information on natural climate solutions, see The Nature Conservancy, "Natural Climate Solutions: Embrace Nature, Empower the Planet," available at <https://www.nature.org/en-us/what-we-do/our-insights/perspectives/natural-climate-solutions/> (last accessed January 2024).
- 127 Joseph E. Fargione and others, "Natural climate solutions for the United States," *Science Advances* 4 (11) (2018), available at <https://www.science.org/doi/10.1126/sciadv.aat1869>.

- 128 California Air Resources Board, "Compliance Offset Program," available at <https://ww2.arb.ca.gov/our-work/programs/compliance-offset-program> (last accessed January 2024); California Air Resources Board, "Compliance Offset Protocol: U.S. Forest Projects," June 25, 2015, available at <https://ww2.arb.ca.gov/sites/default/files/cap-and-trade/protocols/usforest/forestprotocol2015.pdf>; Washington State Legislature, "RCW 70A.65.170: Offsets.," September 1, 2023, available at <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.65.170>; Washington State Legislature, "WAC 173-446-505: Requirements for compliance offset protocols.," October 30, 2022, available at <https://app.leg.wa.gov/WAC/default.aspx?cite=173-446-505>. Internal reference in the latter legislation: "The California Air Resources Board, Compliance Offset Protocol U.S. Forest Projects, October 20, 2011, Compliance Offset Protocol U.S. Forest Projects, November 14, 2014, and Compliance Offset Protocol U.S. Forest Projects, June 25, 2015, are adopted. All new offset projects with a commencement date after September 30, 2022, must use the most recent version of the adopted protocol. Exceptions are listed." See also The Regional Greenhouse Gas Initiative, "Offsets," available at <https://www.rggi.org/allowance-tracking/offsets> (last accessed January 2024); The Regional Greenhouse Gas Initiative, "Forestry and Afforestation," available at <https://www.rggi.org/allowance-tracking/offsets/offset-categories/forestry-afforestation> (last accessed January 2024); The Regional Greenhouse Gas Initiative, "Welcome," available at <https://www.rggi.org> (last accessed January 2024).
- 129 Robynne Boyd, "Why Forest Carbon Offsets Aren't a Substitute for Slashing Emissions," Natural Resources Defense Council, May 16, 2022, available at <https://www.nrdc.org/stories/why-forest-carbon-offsets-arent-substitute-slashing-emissions>; Grayson Badgley, "Systematic over-crediting in California's forest carbon offsets program," *Global Change Biology*, October 20, 2021, available at <https://doi.org/10.1111/gcb.15943>.
- 130 82nd Oregon Legislative Assembly, 2023 Regular Session, "House Bill 3409 (Enrolled)," August 4, 2023, available at <https://olis.oregonlegislature.gov/liz/2023R1/Downloads/MeasureDocument/HB3409/Enrolled>; Sylvia Troost, Elizabeth Ruther, and Bobby Hayden, "Oregon Elevates Natural and Working Lands to Help Slow Climate Change," The Pew Charitable Trusts, August 2, 2023, available at <https://www.pewtrusts.org/en/research-and-analysis/articles/2023/08/02/oregon-elevates-natural-and-working-lands-to-help-slow-climate-change>.
- 131 New Jersey Department of Environmental Protection, "Murphy Administration Awards \$24.3 Million Through Its Natural Climate Solutions Grant Program," Press release, January 18, 2023, available at [https://www.nj.gov/dep/newsrel/2023/23\\_0003.htm](https://www.nj.gov/dep/newsrel/2023/23_0003.htm); New Jersey Department of Environmental Protection, "RGGI Natural Climate Solutions Grants: Blue and Green Carbon Projects," August 1, 2022, available at <https://www.nj.gov/dep/climatechange/docs/natural-climate-solutions-grant-program.pdf>.
- 132 New Jersey Department of Environmental Protection, "RGGI Natural Climate Solutions Grants: Blue and Green Carbon Projects."
- 133 New Jersey Department of Environmental Protection, "Murphy Administration Awards \$24.3 Million Through Its Natural Climate Solutions Grant Program"; New Jersey Department of Environmental Protection, "RGGI Natural Climate Solutions Grants," available at <https://dep.nj.gov/climatechange/mitigation/ncs-grant/#:~:text=Natural%20resources%20that%20sequence%20carbon,blue%20and%20green%20carbon%20projects> (last accessed January 2024); New Jersey Department of Environmental Protection, Board of Public Utilities, and Economic Development Authority, "RGGI Strategic Funding Plan, Years 2023-2025" (Trenton, NJ: 2024), available at <https://nj.gov/rggi/docs/rggi-strategic-funding-plan.pdf>.
- 134 Jordan Smith, Anna Miller, and Yu-Fai Leung, "2019 Outlook and Analysis Letter; National Association of State Park Directors" (Logan, UT: Utah State University Institute of Outdoor Recreation and Tourism, 2020), available at [https://www.researchgate.net/publication/339662634\\_2019\\_Outlook\\_and\\_Analysis\\_Letter\\_National\\_Association\\_of\\_State\\_Park\\_Directors](https://www.researchgate.net/publication/339662634_2019_Outlook_and_Analysis_Letter_National_Association_of_State_Park_Directors); National Park Service Office of Communications, "National Park Service visitation tops 318 million in 2018," Press release, March 5, 2019, available at <https://www.nps.gov/orgs/1207/03-05-2019-visitation-numbers.htm#:~:text=WASHINGTON%20%2D%20visitation%20to%20America%27s%20national,record%20keeping%20began%20in%201904>.
- 135 Ben Neary, "New Mexico Leaders Gather to Celebrate Acquisition of 54,000-acre Ranch Near Grants," New Mexico Wildlife Federation, June 30, 2022, available at <https://nmwildlife.org/new-mexico-leaders-gather-to-celebrate-acquisition-of-54000-acre-ranch-near-grants/#:~:text=The%20acquisition%20of%20the%20L,for%20elk%20and%20other%20species>.
- 136 Colorado Parks & Wildlife, "Fishers Peak," available at <https://cpw.state.co.us/placetogo/parks/FishersPeak> (last accessed December 2023); Colorado Parks & Wildlife, "Nominate Colorado's Next State Park," available at <https://cpw.state.co.us/aboutus/Pages/FutureStateParks.aspx> (last accessed December 2023).
- 137 Kansas Office of the Governor, "Governor Kelly Signs Bill Establishing New State Park in Allen County," Press release, April 19, 2023, available at <https://governor.kansas.gov/governor-kelly-signs-bill-establishing-new-state-park-in-allen-county/>; Kansas Legislature: Bills & Laws, "HB 2039," Enrolled April 27, 2023, available at [http://www.kslegislature.org/li/b2023\\_24/asures/hb2039/](http://www.kslegislature.org/li/b2023_24/asures/hb2039/).
- 138 Kansas Tourism, "Lehigh Portland State Park," available at <https://www.travelks.com/things-to-do/parks-and-nature/state-parks/lehigh-portland-trail/> (last accessed December 2023).
- 139 Ibid.; Kansas Office of the Governor, "Governor Kelly Signs Bill Establishing New State Park in Allen County."
- 140 Thrive Allen County, "Homepage" (First of scrolling pictures "Making Healthy Happen"), available at <https://thriveallencounty.org> (last accessed December 2023); Thrive Allen County, "Lehigh Portland Trails," available at <https://thriveallencounty.org/project/lehigh-portland-trails/#:~:text=The%20Lehigh%20Portland%20Trails%20are,trail%20running%2C%20and%20nature%20hikes> (last accessed December 2023).
- 141 Kansas Tourism, "Lehigh Portland State Park"; Kansas Office of the Governor, "Governor Kelly Signs Bill Establishing New State Park in Allen County."
- 142 Andrew Bahl, "Kansas has less public land than any other state, but its parks are seeing record visitation," *The Topeka Capital-Journal*, July 6, 2022, available at <https://www.cjonline.com/story/news/environment/2022/07/06/kansas-state-parks-see-record-visitation-climate-change-challenges/7584754001/>.
- 143 U.S. Virgin Islands Government, "Governor Bryan Signs Legislation Creating Territorial Park System," Press release, August 9, 2022, available at <https://www.vi.gov/governor-bryan-signs-legislation-creating-territorial-park-system/#:~:text=The%20legislation%20allows%20the%20Government,be%20protected%20from%20commercial%20development>; U.S. Virgin Islands Department of Planning and Natural Resources, "Virgin Islands Territorial Park System Is a Go!", Press release, July 24, 2023, available at [https://dpr.vi.gov/wp-content/uploads/2023/07/Territorial-Park.pr\\_.pdf](https://dpr.vi.gov/wp-content/uploads/2023/07/Territorial-Park.pr_.pdf); U.S. Virgin Islands Government Bill No. 34-0267/Act 8609, August 8, 2022, available at <https://billtracking.legvi.org:8082/preview/Act%2F8609>; U.S. Virgin Islands Government Bill No. 34-0268/Act 8610, August 8, 2022, available at <https://billtracking.legvi.org:8082/preview/Act%2F8610>.

- 144 Kristina Edwards, director of Division of Territorial Parks and Protected Areas, Division of Planning and Natural Resources, interview with author via phone, February 15, 2024, on file with author; Olasee Davis, "Government bureaucracy getting in the way of preserving territory's historical sites," *The Virgin Islands Daily News*, October 26, 2023, available at [https://www.virginislandsdailynews.com/opinion/government-bureacracy-getting-in-the-way-of-preserving-territorys-historical-sites/article\\_55c94ed5-2641-52c5-bfac-8aafc0ef4d31.html](https://www.virginislandsdailynews.com/opinion/government-bureacracy-getting-in-the-way-of-preserving-territorys-historical-sites/article_55c94ed5-2641-52c5-bfac-8aafc0ef4d31.html).
- 145 Edwards, interview with author.
- 146 Edwards, interview with author; U.S. Virgin Islands Government, "Governor Bryan Signs Legislation Creating Territorial Park System."
- 147 Ibid.
- 148 Washington Trails Association, "Nisqually State Park," available at <https://www.wta.org/go-hiking/hikes/nisqually-state-park> (last accessed January 2024); Ty Vinson, "Washington's first new state park in nearly 40 years moves closer to completion," *The Olympian*, March 6, 2024, available at <https://www.theolympian.com/news/local/article285990306.html>.
- 149 Nisqually Indian Tribe, "Nisqually Parks," available at <http://www.nisqually-nsn.gov/index.php/administration/planning-and-economic-development/parks/> (last accessed December 2023).
- 150 Craig Sailor, "Washington's newest state park is taking shape, and it's in Pierce County," *The News Tribune*, April 20, 2022, available at <https://www.kiro7.com/news/local/washingtons-newest-state-park-is-taking-shape-its-pierce-county/FUZH5JXRDBFDDGW6KJQFSXJR6Q/>; Nisqually Indian Tribe, "Nisqually Parks."
- 151 Historical Research Associates Inc., "Nisqually State Park: Interpretive Plan" (Washington: 2020), available at [http://www.nisqually-nsn.gov/files/1416/0737/5594/HRA\\_NSP\\_Interpretive\\_Plan\\_LowRes.pdf](http://www.nisqually-nsn.gov/files/1416/0737/5594/HRA_NSP_Interpretive_Plan_LowRes.pdf); Lisa Breckenridge, Parks and Planning, Nisqually Indian Tribe, interview with author via phone, February 21, 2024, on file with author.
- 152 Sailor, "Washington's newest state park is taking shape, and it's in Pierce County"; Vinson, "Washington's first new state park in nearly 40 years moves closer to completion"; Breckenridge, interview with author.
- 153 Andy Laurenzi, "State Trust Lands: Balancing Public Value and Fiduciary Responsibility," *Land Lines* 16 (3) (2004): 1-4, available at [https://www.lincolinst.edu/sites/default/files/pubfiles/909\\_final\\_7\\_04.pdf](https://www.lincolinst.edu/sites/default/files/pubfiles/909_final_7_04.pdf).
- 154 Mark Haggerty and Chelsea Liddell, "State Trust Lands in Transition: Understanding the Trust Model" (Bozeman, MT: Headwaters Economics, 2019), available at <https://headwaterseconomics.org/wp-content/uploads/HE-State-Trust-Lands-Understanding-The-Trust-Model.pdf>.
- 155 Ibid.
- 156 Susan Culp and Joe Marlow, "Conserving State Trust Lands: Strategies for the Intermountain West" (Cambridge, MA: Lincoln Institute of Land Policy, 2015), available at <https://www.lincolinst.edu/publications/policy-focus-reports/conserving-state-trust-lands>; Haggerty and Liddell, "State Trust Lands in Transition: Understanding the Trust Model."
- 157 Sam Panarella, Ada Stepleton, and Peter Yould, "Renewable Energy Development on State Trust Lands," *Duke Environmental Law & Policy Forum* (2022): 177-245, available at [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3923785](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3923785).
- 158 Montana Fish, Wildlife & Parks, "Buy & Apply: Conservation Licenses," available at <https://fwp.mt.gov/buyandapply/conservation-license> (last accessed February 2024).
- 159 Trust for Public Land, "Conservation Almanac: Arizona Conservation Programs," available at <https://conservationalmanc.org/programs/arizona/> (last accessed February 2024).
- 160 Culp and Marlow, "Conserving State Trust Lands: Strategies for the Intermountain West."
- 161 Washington State Department of Natural Resources, "Trust Land Transfer," available at <https://www.dnr.wa.gov/managed-lands/land-transactions/trust-land-transfer#:~:text=Established%20in%201989%2C%20the%20Trust,the%20state%20trust%20lands%20portfolio> (last accessed February 2024).
- 162 For more on the history of checkerboard ownership and the process for administrative transfers, see Culp and Marlow, "Conserving State Trust Lands: Strategies for the Intermountain West."
- 163 Idaho Department of Lands, "Grazing, Farming and Conservation Leases," available at <https://www.idl.idaho.gov/leasing/grazing-farming-conservation-program/> (last accessed February 2024).
- 164 This does not count the separate category of recreation leases. Mindy Gottsegen, "Colorado State Land Board Ecosystem Services Program" (Jacksonville, FL: National Mitigation and Environmental Markets Conference, 2023), on file with author.
- 165 Bryan Leonard and others, "Allow 'nonuse rights' to conserve natural resources," *Science* 373 (2021): 958-961, available at [10.1126/science.aba4573](https://doi.org/10.1126/science.aba4573); <https://www.science.org/doi/abs/10.1126/science.aba4573>.
- 166 Chelsea Liddell and Mark Haggerty, "State Trust Lands in Transition: Challenges from New Uses and Demands" (Bozeman, MT: Headwaters Economics, 2019), available at <https://headwaterseconomics.org/wp-content/uploads/HE-State-Trust-Lands-Challenges-From-New-Uses-and-Demands.pdf>.
- 167 For an example, see description of Colorado's Stewardship Trust program below.
- 168 Culp and Marlow, "Conserving State Trust Lands: Strategies for the Intermountain West."
- 169 Liddell and Haggerty, "State Trust Lands in Transition: Challenges from New Uses and Demands."
- 170 Mark Haggerty, Katharyn Bills, and Kelly Poel, "Diversifying Revenue on New Mexico's State Trust Lands," (Bozeman, MT: Headwaters Economics, 2021), available at <https://headwaterseconomics.org/wp-content/uploads/HE-NM-SLO-Revenue-Diversification-Report-2021.pdf>.
- 171 Liddell and Haggerty, "State Trust Lands in Transition: Challenges from New Uses and Demands."
- 172 Gottsegen, "Colorado State Land Board Ecosystem Services Program."
- 173 Colorado State Land Board, "Stewarding Colorado Trust Lands for Generations: A Report from the Colorado State Land Board on Stewardship Programs and Activities" (Denver: 2020), available at <https://slb.colorado.gov/stewardship-report>.
- 174 Colorado State Land Board, "Lesser Prairie Chicken Stewardship Action Plan" (Denver, 2020), available at <https://slb.colorado.gov/stewardship-action-plans>.
- 175 New Mexico State Land Office, "Land Commissioner Adopts Cultural Properties Protection Rule," Press release, October 18, 2022, available at <https://www.nmstatelands.org/2022/10/18/land-commissioner-adopts-cultural-properties-protection-rule/>.

- 176 Cultural Properties Protection Rule, New Mexico Administrative Code part 19.2.24, *New Mexico Register XXXIII (18)* (2022), available at <https://www.nmstatelands.org/wp-content/uploads/2022/10/2022-09-27-Published-Rule-NM-Register.pdf>.
- 177 New Mexico State Land Office, "Commissioner Garcia Richard Signs Executive Order Placing a Moratorium on New Oil and Gas Leasing on 72,776 Acres in the Greater Chaco Region," Press release, April 29, 2019, available at [https://www.nmstatelands.org/wp-content/uploads/2019/06/4.29.2019\\_Chaco\\_Executive\\_Order\\_Signed.pdf](https://www.nmstatelands.org/wp-content/uploads/2019/06/4.29.2019_Chaco_Executive_Order_Signed.pdf).
- 178 National Caucus of Environmental Legislators, "State and Tribal Relations Fact Sheet," available at <https://www.nceleviro.org/app/uploads/2023/08/State-and-Tribal-Relationships-Fact-Sheet.pdf> (last accessed March 2024).
- 179 National Congress of American Indians, "Tribal Nations and the United States" (Washington), available at [https://archive.ncai.org/tribalnations/introduction/Indian\\_Country\\_101\\_Updated\\_February\\_2019.pdf](https://archive.ncai.org/tribalnations/introduction/Indian_Country_101_Updated_February_2019.pdf) (last accessed March 2024); Bureau of Indian Affairs, "What is the relationship between the tribes and individual states?," available at <https://www.bia.gov/faqs/what-relationship-between-tribes-and-individual-states> (last accessed March 2024).
- 180 NDN Collective, "LandBack," available at <https://land-back.org/> (last accessed February 2024).
- 181 Ibid.
- 182 Minnesota, Sec. 85.053 MN Statutes, available at <https://www.revisor.mn.gov/statutes/cite/85.053> (last accessed February 2024).
- 183 See, for example, California State Lands Commission, "Tribal Consultation," available at <https://www.slc.ca.gov/tribal-consultation/> (last accessed March 2024).
- 184 Washington Legislature H.B. 2233, 2011-12, March 19, 2012, available at <https://apps.leg.wa.gov/billssummary/?BillNumber=2233&Year=2011&Initiative=false>.
- 185 Gabriel Sánchez, Tinbete Ermyas, and Ari Shapiro, "Minnesota is returning 1,400 acres of land to the Upper Sioux Community," NPR, September 6, 2023, available at <https://www.npr.org/2023/09/06/1197987638/minnesota-is-returning-1-400-acres-of-land-to-the-upper-sioux-community>.
- 186 Minnesota Department of Natural Resources, "Upper Sioux Agency State Park to Close February 16, 2024," available at [https://www.dnr.state.mn.us/state\\_parks/upper-sioux-agency-state-park-land-transfer.html](https://www.dnr.state.mn.us/state_parks/upper-sioux-agency-state-park-land-transfer.html) (last accessed February 2024).
- 187 California Gov. Gavin Newsom, "Executive Order N-82-20."
- 188 California Natural Resources Agency, "Tribal Nature-Based Solution Program," available at <https://resources.ca.gov/Initiatives/TribalAffairs/Tribal-Nature-Based-Solutions-Program> (last accessed February 2024).
- 189 Illinois General Assembly H.B. 3413, 103rd General Assembly, August 4, 2023, available at <https://www.ilga.gov/legislation/billstatus.asp?DocNum=3413&GAID=17&GA=103&DocTypeID=HB&LegID=148580&SessionID=112>.
- 190 State of Illinois, "Governor Pritzker Signs Bills Expanding Protections for Native Americans in Illinois," Press release, August 4, 2013, available at <https://www.illinois.gov/news/press-release.26837.html>.
- 191 Alex Brown, "In new collaborations, Tribes become stewards of parks and monuments," Michigan Advance, October 22, 2023, available at <https://michiganadvance.com/2023/10/22/in-new-collaborations-tribes-become-stewards-of-parks-and-monuments/#:~:text=Some%20might%20say%20that%20arrow,Sanilac%20Petroglyphs%20Historic%20State%20Park>.
- 192 Michigan History Center, "Sanilac Petroglyphs," available at <https://www.michigan.gov/mhc/museums/sanilac> (last accessed February 2024).
- 193 National Caucus of Environmental Legislators, "Wildlife Corridors Fact Sheet" (Washington), available at <https://www.nceleviro.org/resources/wildlife-corridors-crossings-fact-sheet/> (last accessed February 2024).
- 194 Wildlands Network, "State Legislation Supporting Habitat Connectivity" (Salt Lake City), available at <https://static1.squarespace.com/static/60b7e4e41506593f71926fe7/t/639a05eafda7d91b4df3b045/1671038442621/State+Legislation+Supporting+Habitat+Connectivity.pdf> (last accessed February 2024).
- 195 U.S. Department of Transportation, "Wildlife Crossings Pilot Program," available at <https://www.transportation.gov/rural/grant-toolkit/wildlife-crossings-pilot-program> (last accessed February 2024).
- 196 Utah State Legislature, S.B. 0003, 2023, available at <https://le.utah.gov/~2023/bills/static/SB0003.html>.
- 197 Colorado Safe Crossings For Colorado Wildlife And Motorists, S.B. 22-151, June 1, 2022, available at <https://leg.colorado.gov/bills/sb22-151#:~:text=Money%20in%20the%20fund%20is,and%20for%20matching%20requirements%20for>.
- 198 State of Vermont Agency of Natural Resources, "Act 171 and Planning for Forest Blocks and Habitat Connectors," available at [https://anr.vermont.gov/act171\\_forestplanning](https://anr.vermont.gov/act171_forestplanning) (last accessed February 2024).
- 199 Logan Christian, "Habitat Connectivity: A Win for Biodiversity," National Caucus of Environmental Legislators, March 12, 2024, available at <https://www.nceleviro.org/articles/habitat-connectivity-a-win-for-biodiversity/>.
- 200 State Farm, "How likely are you to have an animal collision?," available at <https://www.statefarm.com/simple-insights/auto-and-vehicles/how-likely-are-you-to-have-an-animal-collision> (last accessed February 2024); Edwin Viera, "Online tool creates wildlife-vehicle collision database," Public News Service, January 16, 2024, available at <https://www.publicnewsservice.org/2024-01-16/endangered-species-and-wildlife/online-tool-creates-wildlife-vehicle-collision-database/a88237-1>.
- 201 Augusta Free Press, "General Assembly Passes Landmark Wildlife Corridor Legislation," February 25, 2020, available at <https://augustafreepress.com/news/general-assembly-passes-landmark-wildlife-corridor-legislation/>.
- 202 Virginia S.B. 1274, 2021 Session, March 31, 2021, available at <https://lis.virginia.gov/cgi-bin/legp604.exe?211+ful+S B1274&eType=EmailBlastContent&eld=ff5f5225-58c7-4394-82b8-d280b643732e>.



- 203 Virginia Department of Wildlife Resources, "Virginia's Wildlife Corridor Action Plan," available at <https://dwr.virginia.gov/wildlife/corridors/> (last accessed February 2024).
- 204 Wyoming Wildlife Corridors Appropriations, available at <https://www.quorum.us/spreadsheets/external/szxcxjimbQTbwXCSBKCh/> (last accessed March 2024); Amanda Eggert, "Wildlife crossings, the Wyoming way: How a fiscally conservative state with a wildlife-oriented culture has emerged as a leader in efforts to make roads safer for animals and motorists.," *Montana Free Press*, January 18, 2022, available at [https://www.bozemandailychronicle.com/news/environment/wildlife-crossings-the-wyoming-way-how-a-fiscally-conservative-state-with-a-wildlife-oriented-culture/article\\_97b8a07d-28b1-5c1a-a5fe-0bb76806ddb.html](https://www.bozemandailychronicle.com/news/environment/wildlife-crossings-the-wyoming-way-how-a-fiscally-conservative-state-with-a-wildlife-oriented-culture/article_97b8a07d-28b1-5c1a-a5fe-0bb76806ddb.html).
- 205 Wyoming Executive Order 2020-1, 2020, available at <https://wgfd.wyo.gov/getattachment/Habitat/Habitat-Protection-Program/Resources-for-Development-Planning/Migration-Corridor-Executive-Order-2020-01.pdf?lang=en-US>.
- 206 Wyoming H.B. 0039, 2018, available at <https://wyoleg.gov/2018/Engross/HB0039.pdf>.
- 207 Wyoming H.B. 0069, 2020, available at <https://wyoleg.gov/Legislation/2020/HB0069>.
- 208 Florida Wildlife Corridor Foundation, "About the Corridor," available at <https://floridawildlifecorridor.org/about/about-the-corridor/> (last accessed February 2024).
- 209 Florida S.B. 976, 2021, available at <https://www.flsenate.gov/Session/Bill/2021/976/BillText/er/HTML>.
- 210 Florida H.B. 1379, 2023, p. 42, available at <https://flsenate.gov/Session/Bill/2023/1379/?Tab=BillText>.
- 211 Florida S.B. 2500, 2023, p. 488, available at <https://flsenate.gov/Session/Bill/2023/2500/?Tab=BillText>.
- 212 Ibid.
- 213 Florida Wildlife Corridor Foundation, "About the Corridor," available at <https://floridawildlifecorridor.org/about/about-the-corridor/> (last accessed February 2024).
- 214 For most coverage watersheds, an undisturbed forest buffer of 30 feet and another 20 feet of managed vegetation is required, although larger forested buffers of 100 feet to 200 feet are required in one particularly sensitive watershed. North Carolina Department of Environmental Quality, "Riparian Buffer Rules Education and Outreach," available at <https://www.deq.nc.gov/about/divisions/water-resources/permitting/401-buffer-permitting/riparian-buffer-protection-program/riparian-buffer-rules-education-and-outreach#BrochuresandFactSheetsforPrintingorPosting-3801> (last accessed February 2024).
- 215 Maryland Department of Natural Resources, "The Green Book for the Buffer: An Illustrated Guidebook for Planting at the Shoreline" (Annapolis, MD: 2012), available at [https://dnr.maryland.gov/criticalarea/Documents/Green-Book\\_Buffer.pdf](https://dnr.maryland.gov/criticalarea/Documents/Green-Book_Buffer.pdf).
- 216 Minnesota Board of Water and Soil Resources, "Minnesota Buffer Law," available at <https://bwsr.state.mn.us/minnesota-buffer-law> (last accessed February 2024).
- 217 See, for example, Maine's Mandatory Shoreland Zoning Act, which establishes minimum setback and vegetation requirements for shoreland properties, including coastal, lake, stream, and wetland areas. Maine Department of Environmental Protection, "Mandatory Shoreline Zoning," available at <https://www.maine.gov/dep/land/slz/> (last accessed February 2024).
- 218 Maryland Department of Agriculture, "Maryland's Conservation Buffer Initiative," available at [https://mda.maryland.gov/resource\\_conservation/Pages/conservation-buffer-initiative.aspx](https://mda.maryland.gov/resource_conservation/Pages/conservation-buffer-initiative.aspx) (last accessed February 2024).
- 219 Delaware Department of Natural Resources and Environmental Control, "Forest Buffer Incentive Program in the Chesapeake Bay Watershed," available at <https://dnrec.delaware.gov/watershed-stewardship/nps/forest-buffer-incentives/> (last accessed February 2024).
- 220 U.S. Environmental Protection Agency, "Stormwater Best Management Practice: Riparian/Forested Buffer" (Washington: 2021), available at <https://www.epa.gov/system/files/documents/2021-11/bmp-riparian-forested-buffer.pdf>.
- 221 Environmental Law Institute, "Background on Compensatory Mitigation," available at <https://www.eli.org/compensatory-mitigation/background-compensatory-mitigation> (last accessed February 2024).
- 222 Jessica B. Wilkinson and others, "The Next Generation of Mitigation: Linking Current and Future Mitigation Programs with State Wildlife Action Plans and Other State and Regional Plans" (Arlington, VA: The Nature Conservancy and Washington: Environmental Law Institute, 2009), available at [https://www.eli.org/sites/default/files/eli-pubs/d19\\_08.pdf](https://www.eli.org/sites/default/files/eli-pubs/d19_08.pdf).
- 223 Environmental Law Institute, "Background on Compensatory Mitigation."
- 224 As one example, see Washington's program: State of Washington Department of Ecology, "Wetland mitigation banking," available at <https://ecology.wa.gov/water-shorelines/wetlands/mitigation/wetland-mitigation-banking> (last accessed February 2024).
- 225 For example, see Maine's In Lieu Fee Compensation Program: Maine Department of Environmental Protection, "Maine In Lieu Fee Compensation Program (ILF) and Maine Natural Resource Conservation Program (MNRCP)," available at [https://www.maine.gov/dep/land/nrpa/ILF\\_and\\_NRCP/index.html](https://www.maine.gov/dep/land/nrpa/ILF_and_NRCP/index.html) (last accessed February 2024).
- 226 National Caucus of Environmental Legislators, "Post-Sackett: What Can States Do To Protect Wetlands?," November 30, 2023, available at <https://www.ncele.org/articles/post-sackett-what-can-states-do-to-protect-wetlands/>.
- 227 James McElfish, "State Protection of Nonfederal Waters: Turbidity Continues," *Environmental Law Reporter* 52 (9) (2022): 10679-10692, available at <https://www.eli.org/sites/default/files/files-pdf/52.10679.pdf>.
- 228 North Carolina Gov. Roy Cooper, "Executive Order No. 305: An Order to Protect and Restore North Carolina's Critical Natural and Working Lands."
- 229 Ibid.
- 230 Ibid.
- 231 Amanda DeMarco, "Accelerating advanced mitigation in California," Conservation Strategy Group, February 9, 2024, available at <https://www.csgcalifornia.com/blog/accelerating-advance-mitigation-in-california/>; California Department of Fish and Wildlife, "Regional Conservation Investment Strategies Program," available at <https://wildlife.ca.gov/Conservation/Planning/Regional-Conservation> (last accessed February 2024).
- 232 California Department of Fish and Wildlife, "Wildlife Connectivity Advance Mitigation," available at <https://wildlife.ca.gov/Conservation/Planning/Connectivity> (last accessed February 2024).

- 233 Colorado Department of Natural Resources, "Colorado Oil & Gas Conservation Commission Unanimously Adopts SB 19-181 New Mission Change Rules, Alternative Location Analysis and Cumulative Impacts," Press release, November 23, 2020, available at <https://dnr.colorado.gov/press-release/colorado-oil-gas-conservation-commission-unanimously-adopts-sb-19-181-new-mission>.
- 234 Jesse Paul, "Gov. Polis signs Democrats' sweeping oil and gas bill into law, marking major shift in regulatory authority over drilling," *The Colorado Sun*, April 16, 2019, available at <https://coloradosun.com/2019/04/16/senate-bill-181-oil-gas-law-colorado-signed/>.
- 235 Colorado Department of Natural Resources, "Colorado Oil & Gas Conservation Commission Unanimously Adopts SB 19-181 New Mission Change Rules, Alternative Location Analysis and Cumulative Impacts."
- 236 Barb Sheedlo, "A Step Forward for Responsible Oil and Gas Development," Colorado River Headwaters Chapter of Trout Unlimited, available at <https://www.coheadwaters.org/oilandwildlife> (last accessed March 2024).
- 237 U.S. Department of the Interior, "Historic Conservation Campaign Protects Greater Sage-Grouse," Press release, September 22, 2015, available at <https://www.doi.gov/pressreleases/historic-conservation-campaign-protects-greater-sage-grouse>.
- 238 State of Nevada Sagebrush Ecosystem Program, "Nevada Conservation Credit System," available at <https://sagebrushco.nv.gov/CCS/ConservationCreditSystem/> (last accessed March 2024).
- 239 Nevada Conservation Credit System, "State of Nevada Conservation Credit System: 2023 Performance Report" (Carson City, NV: 2023), available at <https://sagebrush-co.nv.gov/uploadedFiles/sagebrushconvgov/content/Meetings/2023/2023%20Performance%20Report.pdf>.
- 240 Montana Sage Grouse Habitat Conservation Program, "Quick Facts: Stewardship Account Grants & Mitigation" (Helena, MT: 2022), available at [https://sagegrouse.mt.gov/documents/GrantInfo\\_FAQ\\_Stewardship\\_Grants\\_Mitigation\\_9-8-20.pdf](https://sagegrouse.mt.gov/documents/GrantInfo_FAQ_Stewardship_Grants_Mitigation_9-8-20.pdf).
- 241 Montana Sage Grouse Habitat Conservation Program, "Montana Sage Grouse Habitat Conservation Program: 2015-2020 Achievements" (Helena, MT), available at [https://sagegrouse.mt.gov/documents/Program\\_Resources\\_Sage-Grouse-Program\\_2015-2020\\_FINAL.pdf](https://sagegrouse.mt.gov/documents/Program_Resources_Sage-Grouse-Program_2015-2020_FINAL.pdf) (last accessed March 2024).
- 242 Patrick Lane and Carrie Sandstedt, "To Protect and Restore Rivers, States Can Use 'Outstanding' Policy Designation," The Pew Charitable Trusts, June 9, 2022, available at <https://www.pewtrusts.org/en/research-and-analysis/articles/2022/06/09/to-protect-and-restore-rivers-states-can-use-outstanding-policy-designation>.
- 243 New Mexico Environment Department, "Outstanding National Resource Waters," available at <https://www.env.nm.gov/surface-water-quality/onrws/> (last accessed February 2024).
- 244 Colorado Trout Unlimited, "New Water Quality Protection Secured for 25 Southwest Colorado Streams," July 6, 2022, available at <https://coloradotru.org/blog/2022/7/new-water-quality-protection-secured-for-25-southwest-colorado-streams>.
- 245 Our New Mexico Waters, "Local Communities Applaud Lujan Grisham Administration's Support for Water Protections for Northern New Mexico Streams," available at <https://ournmwaters.com/local-communities-applaud-lujan-grisham/> (last accessed February 2024); Sara Berghold, "Recent Outstanding National Resource Waters Designations a Huge Win For Watershed & Water Quality Protection in Northern NMI", *New Mexico Wild*, September 29, 2022, available at <https://www.nmwild.org/2022/09/29/recent-outstanding-national-resource-waters-designations-a-huge-win-for-watershed-water-quality-protection-in-northern-nm/>.
- 246 Brett Swift, "Washington State Protects Some of Its Most 'Outstanding Waters'," The Pew Charitable Trusts, December 18, 2023, available at <https://www.pewtrusts.org/en/research-and-analysis/articles/2023/12/18/washington-state-protects-some-of-its-most-outstanding-waters>; Washington Wild, "Washingtonians Cheer WA Department of Ecology for Protecting Outstanding Rivers," December 18, 2023, available at <https://wawild.org/washingtonians-cheer-wa-department-of-ecology-for-protecting-outstanding-rivers/>.
- 247 Wyoming and West Virginia are the lone exceptions. Alejandro Camacho and others, "Assessing State Laws and Resources for Endangered Species Protection," *Environmental Law Reporter* 47 (10) (2017): 10837-10844, available at <https://www.law.uci.edu/centers/cleanr/news-pdfs/cleanr-esa-report-final.pdf>.
- 248 Ibid.
- 249 National Caucus of Environmental Legislators, "A Natural Legacy for the Future: State Laws for Endangered and Threatened Species" (Washington: 2023), available at <https://www.nceleviro.org/resources/a-natural-legacy-for-the-future-state-laws-for-endangered-and-threatened-species/>.
- 250 Jeff Mapes, "Oregon's unique growth rules have preserved open space but also led to new fights," Oregon Public Broadcasting, August 19, 2022, available at <https://www.opb.org/article/2022/08/19/oregon-land-use-laws-urban-growth-management-system-portland-conservation/>; John Tibbetts, "Open Space Conservation: Investing in Your Community's Economic Health" (Cambridge, MA: Lincoln Institute of Land Policy, 1998), available at <https://www.lincolninst.edu/sites/default/files/pubfiles/open-space-conservation-full.pdf>.
- 251 Vermont Natural Resources Council, "Community Planning Toolbox: Comprehensive Planning," available at <https://vnrc.org/community-planning-toolbox/issues/comprehensive-planning/> (last accessed February 2024).
- 252 Surfrider Foundation, "Beach Access," available at <https://www.surfrider.org/initiatives/beach-access> (last accessed February 2024); Kat So, Miriam Goldstein, and Shanna Edberg, "How To Fix Americans' Diminishing Access to the Coasts," Center for American Progress, October 4, 2022, available at <https://www.americanprogress.org/article/how-to-fix-americans-diminishing-access-to-the-coasts/>.
- 253 So, Goldstein, and Edberg, "How To Fix Americans' Diminishing Access to the Coasts."
- 254 Ibid.

- 255 Texas A&M AgriLife Extension, "Rolling Easements & the Texas Open Beaches Act," available at [https://coastal-resilience.tamu.edu/home/wetland-protection/policy-framework/bay-and-ocean-side-submerged-lands-some-fundamental-differences-in-law-and-management/the-texas-open-beaches-act-an-exceptional-example-of-a-rolling-easement/#:~:text=The%20Texas%20Open%20Beaches%20Act%20\(TOBA\)%20was%20passed%20in%201959,the%20mean%20low%20tide%20line](https://coastal-resilience.tamu.edu/home/wetland-protection/policy-framework/bay-and-ocean-side-submerged-lands-some-fundamental-differences-in-law-and-management/the-texas-open-beaches-act-an-exceptional-example-of-a-rolling-easement/#:~:text=The%20Texas%20Open%20Beaches%20Act%20(TOBA)%20was%20passed%20in%201959,the%20mean%20low%20tide%20line) (last accessed December 2023); Natural Resources Code, Title 2. Public Domain, Subtitle E. Beaches and Dunes, Chapter 61. Use and Maintenance of Public Beaches, available at <https://statutes.capitol.texas.gov/Docs/NR/htm/NR.61.htm> (last accessed March 2024); Oregon Department of Land Conservation and Development, "Public Access to the Coast," available at <https://www.oregon.gov/lcd/OCMP/Pages/Public-Access.aspx> (last accessed December 2023); Department of Land Conservation and Development, "Oregon's Statewide Planning Goals & Guidelines," August 20, 1999, available at <https://www.oregon.gov/lcd/OP/Documents/goal17.pdf>; California Legislature, "California Coastal Act of 1976," available at <https://www.coastal.ca.gov/coastact.pdf>.
- 256 Casey Hedrick, William Millhouser, and Jennifer Lukens, "State, Territory, and Commonwealth Beach Nourishment Programs: A National Overview" (Washington: U.S. Department of Commerce, 2000), available at <https://coast.noaa.gov/data/czm/media/finalbeach.pdf>.
- 257 Pennsylvania Department of Conservation and Natural Resources, "Conservation Landscapes," available at <https://www.dcnr.pa.gov/Communities/Conservation-Landscapes/Pages/default.aspx> (last accessed February 2024).
- 258 Pennsylvania Department of Conservation and Natural Resources, "Pennsylvania Conservation Collaboratives: Models of Successful Collaboration" (Harrisburg, PA: 2019), available at [https://elibrary.dcnr.pa.gov/GetDocument?docId=1750563&DocName=PA\\_Conservation\\_Landscapes\\_Report2019.pdf](https://elibrary.dcnr.pa.gov/GetDocument?docId=1750563&DocName=PA_Conservation_Landscapes_Report2019.pdf).
- 259 Southeast Conservation Adaptation Strategy, "About SECAS," available at <https://secassoutheast.org/about> (last accessed February 2024); Association of Fish and Wildlife Agencies, "State Fish and Wildlife Agency Approaches to Landscape-Scale Conservation" (Washington: 2017), available at [https://www.fishwildlife.org/application/files/9815/1855/4798/State\\_F\\_and\\_W\\_Agency\\_Perspectives.pdf](https://www.fishwildlife.org/application/files/9815/1855/4798/State_F_and_W_Agency_Perspectives.pdf).
- 260 Southeast Conservation Adaptation Strategy, "The Southeast Conservation Blueprint," available at <https://secassoutheast.org/blueprint> (last accessed February 2024).
- 261 As one additional example, the U.S. Fish and Wildlife Service took 21 species off the Endangered Species List in October 2023 due to their extinction. U.S. Fish and Wildlife Service, "21 Species Delisted from the Endangered Species Act due to Extinction," Press release, October 16, 2023, available at <https://www.fws.gov/press-release/2023-10/21-species-delisted-endangered-species-act-due-extinction>.



[americanprogress.org](http://americanprogress.org)

1333 H Street, NW, 10th Floor, Washington, DC 20005 • Tel: 202-682-1611 • Fax: 202-682-1867