

Prepared by The Trust for Public Land  
October 2007



FINAL REPORT  
**OPEN SPACE IMPLEMENTATION STRATEGY**

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FOR THE CITY OF WAUKEGAN, ILLINOIS  
LAKEFRONT-DOWNTOWN MASTER PLAN



THE TRUST *for* PUBLIC LAND

CONSERVING LAND FOR PEOPLE

## **About The Trust for Public Land**

*The Trust for Public Land is a national nonprofit organization that conserves land for people to enjoy as parks, community gardens, historic sites, rural lands, and other natural places. Since 1972, TPL has had an abiding interest in urban areas and the open space needs of urban residents.*

*Working from more than 50 offices nationwide, TPL helps agencies and communities:*

- *Create a vision for conservation;*
- *Raise funds for conservation; and*
- *Complete conservation real estate transactions.*

*TPL works to protect parks in America's cities; working farms; ranches and forests; lands of historical and cultural importance; rivers, streams, coastal areas and watersheds; and lands where all Americans can experience nature close at hand.*

*Since 1999, the Chicago Area office of The Trust for Public Land has protected 36 acres of land at a fair market value of \$21,454,000 for parks and playgrounds in Chicago area neighborhoods. TPL has also protected 978 acres of natural land in Illinois and Indiana at a fair market value of \$12 million, including the 20-acre Grass Lake Road project in Lindenhurst, Illinois. Nationally, since 1972, TPL has completed more than 3,400 projects, conserved more than 2.2 million acres, and helped generate more than \$24 billion in state and local conservation funding. TPL has helped create or refurbish more than 450 city parks, community gardens and playgrounds.*

*This report was prepared by TPL's Chicago Area Office and Center for City Park Excellence, based in Washington, DC.*

*TPL acknowledges the contributions of city leaders, including Mayor Richard Hyde and members of the Waukegan City Council.*

*October, 2007*

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Patrick Needham	Seventh Ward
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## Overview

In 2003 the City of Waukegan approved a visionary *Lakefront – Downtown Master Plan* that has since received awards from the Congress for the New Urbanism and The Metropolitan Planning Council. New streetscaping and other investment downtown has already sparked new housing and restaurants.

In January, 2007, The Trust for Public Land (TPL) was engaged by the City to devise a strategy for implementing the open spaces of the master plan. TPL conducted interviews with local leaders and City of Waukegan staff, reviewed funding options, and identified land control strategies and potential long-term stewards. A computer-based Geographic Information Systems (GIS) mapping model was also used to pinpoint priority properties. **TPL identified the following key conclusions from which to move forward:**

- There is a **high level of support for implementation of the open space** portion of the master plan among government agencies and private property owners;
- As for funding, there are a variety of prospects that could fund both recreation trails, parks and natural areas, including **18 state and federal programs and 20 private foundations or corporations;**
- Waukegan has a **significant advantage** for implementation in that **27 of the 71 properties** subject to planned open space are **already in public ownership**. Nearly half of all the property will involve land exchanges or negotiations between government agencies, or will not need to be transferred at all if the

long-term steward already owns the land;

- Future open spaces will encompass over 700 acres of land. While 70 percent of the properties are under five acres in size, there are several large holdings including the Johns-Manville site which accounts for nearly 300 acres. **Implementation will involve piecing together several properties** to meet the goals of the master plan. Control over much of the land can be obtained through donations, land exchanges, voluntary easements and developer agreements where private property owners own and maintain the land;
- The **focus for long-term stewardship is placed on three government agencies – the City of Waukegan, the Waukegan Park District, and the Lake County Forest Preserve District**. Working together, these three agencies will bring together many different constituencies to lend support for the open space plan. A joint effort will also enhance funding opportunities from each agency, professional expertise for managing the open space and create more grant and private funding opportunities. **The City would also benefit from exploring agreements with developers** for properties where stewardship of the planned open space would be carried out by the developer or financially supported by the developer. In addition, a few of the properties planned for natural areas could be owned and/or maintained by local land conservancies.

## Setting Priorities

Based on a variety of factors, the **highest priority areas for the implementation of open space goals are the City's beach and Ravine areas**, respectively located within the North Harbor and Downtown master

plan districts. Immediate enhancement of these open spaces will attract visitors to these areas and stimulate further investment. Active development proposals within these districts, including their open space components, should be placed on the fast-track for implementation. Open space restoration and enhancement on land currently owned by large-scale property owners within the North Lakefront master plan district, such as the North Shore Sanitary District and Midwest Generation, should also be executed as quickly as possible. **These properties are highly visible large scale properties adjacent to the lakefront. With cooperation of both landowners the open space can be developed rather quickly at potentially no cost to the City in conjunction with work now planned for each property.**

The results of TPL's analysis further indicate that **the highest priority for gaining land control in order to implement open space goals is the area around the mouth of the Waukegan River** located within the South Lakefront master plan district. TPL also recommends that the City intensify its efforts to address land along the South Lakefront and begin implementation within the next year. Looking farther down the line, the Johns-Manville site is planned to be fully remediated within three to five years, presenting a short-term opportunity for applicable parties to negotiate an agreement so that implementation can begin on planned open spaces by that time. For other planned open space developments, such as the Harborfront Park in the Downtown master plan district and Eco-Park in the North Harbor master plan district, the City should move as quickly as capacity allows.

## **Recommended Strategy**

Overall, the shift from planning to implementation will require the City to:

1. **Empower or reaffirm roles of key staff** to lead the open space implementation process;
2. Develop expertise in **identifying and writing grants in-house, or with outside assistance** or in conjunction with other agencies, utilizing their expertise.
3. **Verify ownership, land values and environmental conditions** of properties in the area;
4. **Engage in talks immediately with potential long-term stewards**, starting with the Waukegan Park District and Lake County Forest Preserve District;
5. **Begin negotiations with all landowners**, with emphasis paid to priority areas mentioned above; and
6. Continue to **make the case for parks and open space** as a driver for economic development.

## Why Parks and Open Space Matter: The Link to Economic Benefits

Community leaders across the country are redeveloping both big and small cities using parks and greenspace. Boston's Mayor Tom Menino describes parks as one of his best economic development tools. In Racine, where Mayor Gary Becker sees parks as an "essential service," the city most recently invested over \$3 million for its latest redevelopment of an industrial site into parks, housing and trails. Chicago's Mayor Daley is committing millions to create more neighborhood parks and trails. These mayors understand the link between parks and economic development; and the value of their public investments is attracting millions of new dollars in private investment for their cities.

Often thought of as the venue for 'fun and games,' parks and open space actually play a complex role in an urban environment and spin off enormous economic benefits from air and water quality benefits, property tax enhancement and catalyzing new development activity. Urban open spaces (which broadly include forests to fields and plazas to prairies) significantly define the form and social life of communities. Without them, cities can be unrecognizable and unmemorable collections of buildings and streets.

As noted urban planner Alex Garvin has stated, "A city's parks are the jewels that make a public realm sparkle, and great parks are the pride of any great city." As such, many cities are implementing redevelopment plans that use parks and open space to leverage mixed-use development, brownfield clean-up and waterfront development. Quality of life surveys

consistently show that people want to live close to greenspace, and park development efforts over the last century have proven this true, from the conversion of lakefront industrial sites in Racine and Kenosha, Wisconsin (*see picture*), Erie, Pennsylvania, and Duluth, Minnesota to the revitalizing engine of transforming the Tennessee Riverfront in Chattanooga – all smaller sized cities.

**For many who were interviewed for this project, developing Waukegan's lakefront and downtown into an array of open spaces means recognizing a broader set of community and economic development opportunities.** Urban parks can be part of the economic infrastructure – supporting value creation throughout the city – but the City of Waukegan must fully situate open space investment into its economic development toolbox while implementing its bold master plan.

*(For more information on parks as economic development, see Appendix A for Case Studies on Kenosha and Racine, Wisconsin and Erie, Pennsylvania; and Appendix B for TPL President Will Rogers' speech on Waukegan and other cities making these bold and innovative steps.)*



Kenosha, Wisconsin

## Current Conditions

Adopted in 2003, Waukegan's *Lakefront – Downtown Master Plan* sets a vision for the revitalization of the downtown and lakefront areas, and lays out the guiding framework for development, access, and open space. (See map on page 9 for the *Open Space Framework*.)

Visions for open space include:

- A revitalized Waukegan River ravine;
- A new town square decked over the Amstutz expressway;
- A “near term opportunity” of parks and trails along the South Lakefront;
- A central Harborfront Park seen as Waukegan's new civic garden; and
- A long-term “legacy project” for the North Lakefront to “return it to its former natural magnificence” and provide both new recreational and



Waukegan River Ravine (above)  
and EJ&E tracks on South  
Lakefront (below).

natural areas for environmental and ecological restoration. An "eco-park" will provide a linear parkway, a large lawn and play area, and a “nature park.”

## Properties Planned for Open Space

Below is a summary description of the public and private property that is planned in whole or part as future open spaces per the *Lakefront – Downtown Master Plan*. (See map on page 10.) At the present time, approximately 101 acres of planned open spaces are under public ownership, and 603 acres are privately controlled. (***This is based on the city's maps of the planning area. The numbers referred to below consist of total acreage for district properties which contain some amount of acreage planned for open space. The figures do not reflect net open space acreage for a district..***)

### Waukegan River Ravine – Downtown District

Although there is no land acquisition required to build the proposed decked park over the Amstutz expressway, such projects often entail the necessity of a sale or agreement on the "air rights" above the existing land. The Amstutz expressway (Ill. Route 137, is owned by the State of Illinois.

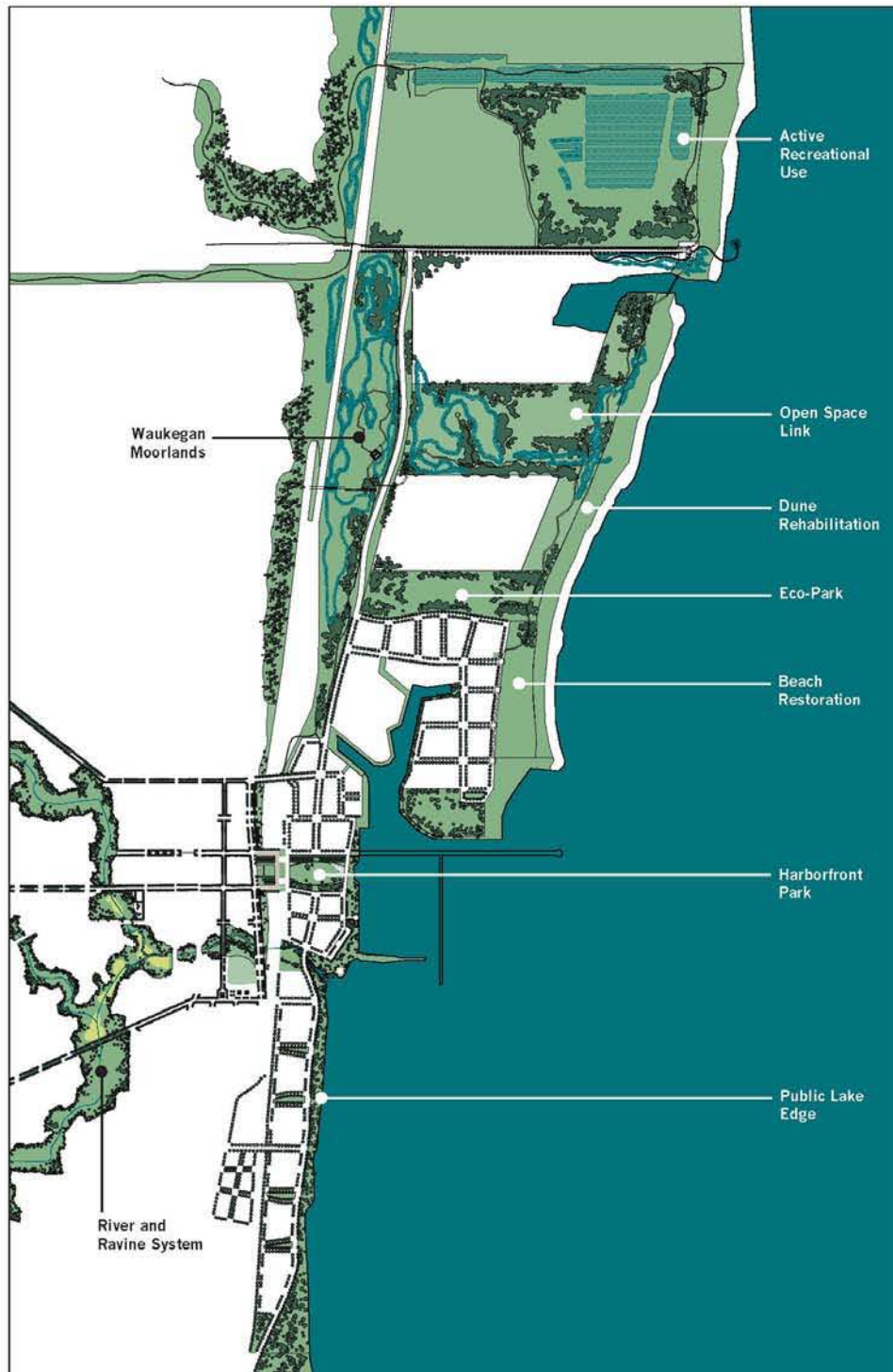
There are 20 properties covering 17 total acres in the Waukegan River Ravine with planned open space components. Ten acres comprising nine properties are already owned by public agencies. Other property owners include Akzo Nobel Aerospace, EJ&E Railroad and Moon Properties.

### South Lakefront District

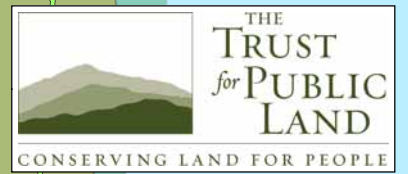
Comprising the area south of the Waukegan River, there are 14 properties covering nearly 50 acres within this master plan district with planned open space components. The EJ&E railroad owns roughly 23 acres of land. Akzo Nobel



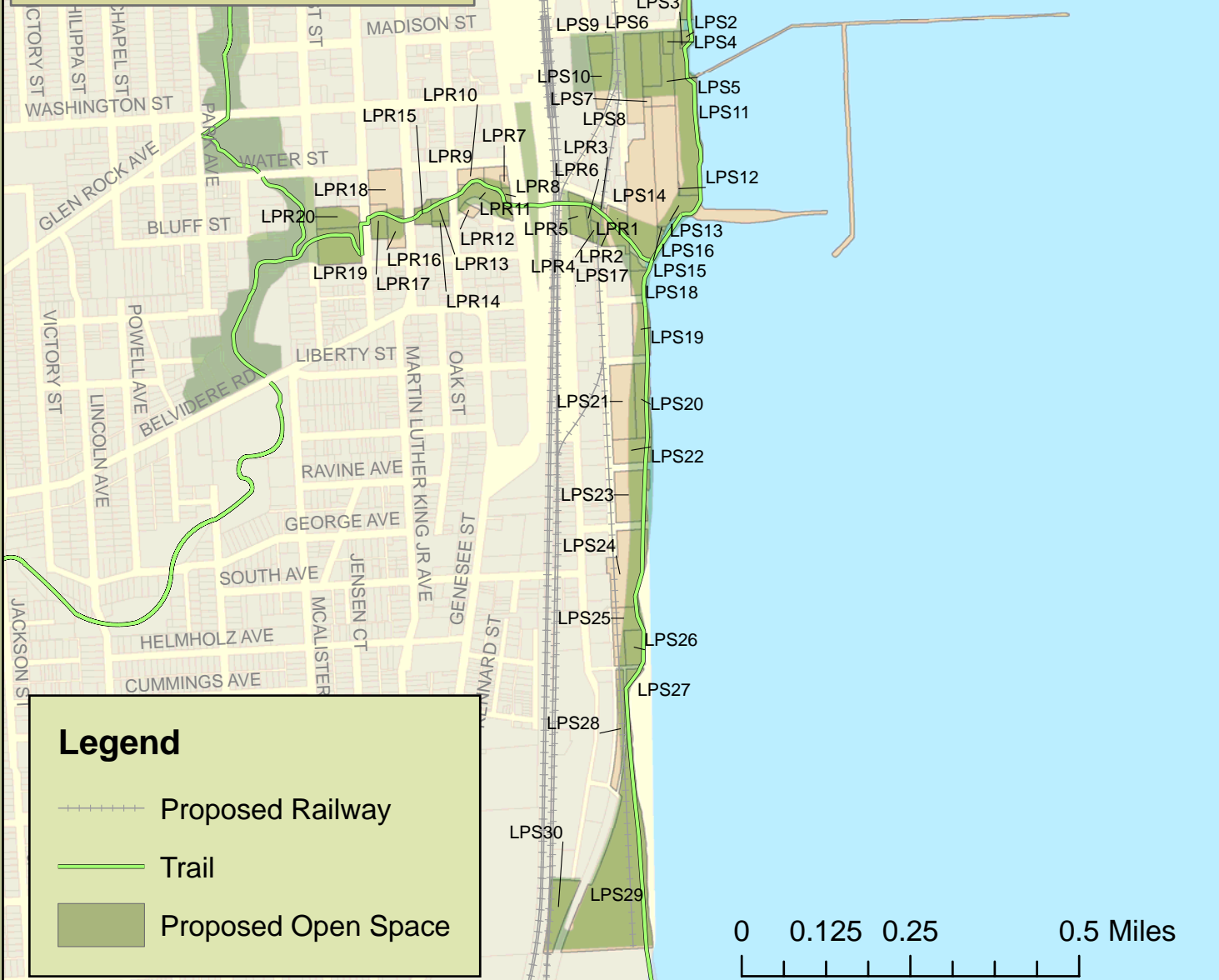
## Open Space Framework



# Waukegan Lakefront Parcels With Planned Open Space

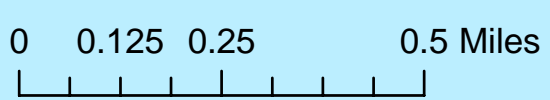


Parcel	Owner	Acres
LPN1	MIDWEST GENERATION LLC	189.5
LPN2	COM ED	8.4
LPN3	COM ED	10.2
LPN4	COMED	54.2
LPN5	ELGIN, JOLIET & EASTERN RAILWAY CO	12
LPN6	ELGIN, JOLIET & EASTERN RAILWAY CO	9.9
LPN7	NORTH SHORE GAS COMPANY	119
LPN8	NORTH SHORE GAS COMPANY	4
LPN9	ELGIN, JOLIET & EASTERN RAILWAY CO	9.9
LPN10	CITY OF WAUKEGAN	3.6
LPN11	ELGIN, JOLIET & EASTERN RAILWAY CO	5.1
LPN12	NORTH SHORE SANITARY DISTRICT	38
LPN13	NORTH SHORE SANITARY DISTRICT	40.4
LPN14	CITY OF WAUKEGAN	38.3
LPN15	CITY OF WAUKEGAN	35.5
LPN16	CITY OF WAUKEGAN	17.6
LPN17	CITY OF WAUKEGAN	0.1
LPN18	WAUKEGAN PARK DISTRICT	2.6
LPN19	CITY OF WAUKEGAN	20.4
LPN20	JOHNS MANVILLE	297.8
LPN21	BOMBARDIER MOTOR CORP OF AMERICA	0.6
LPR1	AKZO NOBEL AEROSPACE COATINGS	0.6
LPR2	ELGIN, JOLIET & EASTERN RAILWAY CO	11
LPR3	ELGIN, JOLIET & EASTERN RAILWAY CO	0.1
LPR4	CHICAGO & NORTHWESTERN TRANSPORTATION C	0.2
LPR5	NORSTATE BANK (BANK OF WAUKEGAN)	1
LPR6	NORSTATE BANK (BANK OF WAUKEGAN)	0.2
LPR7	CITY OF WAUKEGAN	0.1
LPR8	CITY OF WAUKEGAN	0.1
LPR9	CITY OF WAUKEGAN	0.6
LPR10	BANK OF WAUKEGAN TRUST #3469	0.6
LPR11	BLUMBERG	13
LPR12	CITY OF WAUKEGAN	0.2
LPR13	BLUMBERG AND COMPANY TRUST NO 1	0.5
LPR14	CITY OF WAUKEGAN	0.1
LPR15	MOON PROPERTIES, LLC	0.5
LPR16	JEROME P DROBNICK & JOSEPH J DROBNICK, SR	0.7
LPR17	COUNTY OF LAKE	0.8
LPR18	COUNTY OF LAKE	19
LPR19	WAUKEGAN PARK DISTRICT	4.8
LPR20	COUNTY OF LAKE	13
LPS1	DOCKSIDE DOGS C/O NICK'S JOLLY BULL INC	0.6
LPS2	HARBOR HOUSE	0.3
LPS3	UNITED STATES OF AMERICA	0
LPS4	FIRST MATE YACHT DETAILING	0.3
LPS5	WAUKEGAN PORT DISTRICT	14
LPS6	WAUKEGAN PORT DISTRICT	15
LPS7	WAUKEGAN PORT DISTRICT	15
LPS8	WAUKEGAN PORT DISTRICT	2.1
LPS9	CITY OF WAUKEGAN	0.6
LPS10	NORTH SHORE GAS COMPANY	14
LPS11	WAUKEGAN PORT DISTRICT	7.4
LPS12	AKZO NOBEL AEROSPACE COATINGS	0
LPS13	AKZO NOBEL AEROSPACE COATINGS	6.2
LPS14	AKZO NOBEL AEROSPACE COATINGS	5.1
LPS15	NORSTATE BANK (BANK OF WAUKEGAN)	0
LPS16	AKZO NOBEL AEROSPACE COATINGS	6.2
LPS17	AKZO NOBEL AEROSPACE COATINGS	5.1
LPS18	ELGIN, JOLIET & EASTERN RAILWAY CO	3.5
LPS19	ELGIN, JOLIET & EASTERN RAILWAY CO	3.5
LPS20	ELGIN, JOLIET & EASTERN RAILWAY CO	3.5
LPS21	ELGIN, JOLIET & EASTERN RAILWAY COMPANY	5.1
LPS22	ELGIN, JOLIET & EASTERN RAILWAY CO	13
LPS23	ELGIN, JOLIET & EASTERN RAILWAY CO	2.3
LPS24	ELGIN, JOLIET & EASTERN RAILWAY CO	3.3
LPS25	ELGIN, JOLIET & EASTERN RAILWAY CO	15
LPS26	NORSTATE BANK (BANK OF WAUKEGAN)	1
LPS27	SUHADOLNIK	0.4
LPS28	ELGIN, JOLIET & EASTERN RAILWAY COMPANY	3.1
LPS29	ABBOTT LABORATORIES	12.2
LPS30	STATE OF ILLINOIS DEPT OF TRANSPORTATION	18



**Legend**

- +++++ Proposed Railway
- Trail
- Proposed Open Space



Map created by Erica Coslor  
The Trust for Public Land  
on 06 / 28 / 2007

Created in ArcMap 9.1®  
Map Projection:

**Information on this map  
is provided for purposes  
of discussion and  
visualization only.**

Aerospace, an Netherlands-based aerospace coatings company, owns property around the mouth of the Waukegan River. Other owners include NorStates/Bank of Waukegan, Suhadolink, the Illinois Department of Transportation, and Abbott Laboratories, which controls a vacant 12-acre property at the southernmost point.

### **Harborfront District**

Within this master plan district, there are 16 properties covering a total of 17 acres with planned open space components. The Waukegan Port District owns nearly eight acres of land in the vicinity of the proposed harborfront park. Private property in the area is controlled by North Shore Gas, Akzo Nobel and NorStates/Bank of Waukegan.

### **Waukegan Beach - North Harbor District**

Of the 76 acres with planned open space components (i.e. in the area south of the "eco-park") within this master plan district, the majority of the land (approximately 73 acres) is owned by the City of Waukegan. The City currently operates a public beach and band shell in this area.

### **North Lakefront District**

There are 15 properties covering 722 acres in this master plan district with planned open space components. The largest property, with 298 acres at the northernmost part of the planning area, is owned by Johns-Manville. Other private property includes the Midwest Generation power plant and vacant parcels owned by Commonwealth Edison and North Shore Gas (approximately 15 acres). EJ&E also owns land that contains its railroad line to the power plant. The City of Waukegan owns the only public land other than the 80 acres owned by the North Shore Sanitary District, with 42 acres in two parcels.



Waukegan Port District at the central harbor (above) and view of Midwest Generation plant from Johns-Manville site on North Lakefront (below).

The North Lakefront has several properties under environmental remediation. Johns-Manville and North Shore Gas are in the process of remediating their respective sites.

### **Public Agencies Engaged in Open Space**

Several government agencies either own land planned for open spaces within the master plan area or own and operate parks and open spaces in the region. Having public control over these areas will aid in developing the priorities for implementation of the open space plan. Publicly owned properties can be transformed into open space uses sooner and adjacent properties can be targeted for land control strategies. A short summary of each agency as follows.

**Waukegan Park District**

The mission of the Waukegan Park District is to provide parks, facilities and leisure opportunities to a culturally diverse population. According to its 2001 Master Plan, the Park District has 46 park sites and 720 acres, and indicated a need for at least 14.8 additional acres of parkland in the downtown and lakefront areas.

**Waukegan Port District**

Approximately 12 acres of open space are operated by the Waukegan Port District, whose purpose is to operate the Waukegan harbor and regional airport. From April 1 to November 1 each year the Port District operates Silver Park, a lakefront walkway, vendor services, a pier and fishing launch service, and programming, such as a boat show and arts festival.

**City of Waukegan**

The City of Waukegan operates 38.7 acres of parkland, which is all in the downtown and lakefront area. The Waukegan Municipal Beach is located in the North Harbor master plan district and features swimming, volleyball, and a band shell for performances from Memorial Day to Labor Day.

**Lake County Forest Preserve District**

The mission of the Forest Preserve District is “to preserve a dynamic and unique system of diverse natural and cultural resources, and to develop innovative education, recreation and cultural opportunities of regional value, while exercising environmental and fiscal responsibility.” The Forest Preserve District operates over 25,000 acres of natural areas, trails, and golf courses. A portion of the 560-acre Greenbelt Forest Preserve is within Waukegan.

**North Shore Sanitary District**

The mission of the North Shore Sanitary District is to protect the environment and people in the communities it serves through the construction, operation and maintenance of quality waste water treatment facilities. Illinois State law allows the Sanitary District to negotiate easements for public use on its properties. The City can work with the Sanitary District as they plan their proposed infrastructure improvements, resulting in mutually beneficial outcomes for all.

**Illinois Department of Natural Resources – Illinois Beach State Park**

The 4,160-acre park lies just to the north of Waukegan and is home to both natural and recreational areas. Located within the Northeast Region of the Illinois state park system, it contains Illinois' first dedicated nature preserve.

## **Interviews with Interested Parties**

In interviews with interested parties, TPL found a high level of support for implementation of the planned open space as proposed in the *Lakefront – Downtown Master Plan*. Other key observations include: 1) a willingness from property owners to negotiate with the City to meet the plan’s goals; 2) an openness to participation by the Waukegan Park District and Lake County Forest Preserve District; and 3) eagerness by real estate developers to begin projects and work within the plan’s framework.

Major constraints include the following: 1) moving the EJ&E railroad tracks; 2) balancing private interests with plan objectives; 3) engaging the government agencies that own land in the area; 4) ensuring truck/vehicle access where applicable; and 5) defining final designs of open spaces, including specific recreational uses such as where trails and public access will be allowed.

TPL heard the following about specific properties. Akzo Nobel is willing to provide land to address the open space recommendations as part of negotiations to expand its facilities. The company is also concerned about potential residential development closely abutting its property. Johns-Manville is open to a variety of future uses for the eastern half of its site, but would like to realize some economic return (the western half is under negotiation with the Waukegan Park District). Overall, interviews showed the need for an intensified communication effort, including regular meetings with agencies, property owners, and community leaders.

The following is a summary of information communicated by the various interested parties.

### **City of Waukegan**

TPL heard that the City wants to continue to own and operate its beach area and could potentially operate and maintain the Amstutz deck park and central harborfront area.

### **Lake County**

Lake County officials are enthusiastic about the plan. The economic health of downtown Waukegan is important to the County, as many of its employees work downtown.

### **Lake County Forest Preserve District**

The biggest opportunity appears to be integrating the plan’s goals with the connectivity goals of the Forest Preserve District, in particular, connecting Lyons Woods and Greenbelt Park through the ravines and lakefront. Even though the Forest Preserve District maintains a 100-acre minimum threshold for acquisitions, it may allow an exception if there are opportunities for protecting threatened and endangered species or establishing linkages and partnerships. The linkage criteria could also serve as an important element in seeking trail funding.

### **Waukegan Park District**

The Waukegan Park District is open to maintaining planned open space areas, but would need to assess which parcels make sense to operate and how tax-increment financing (TIF) revenue might be available for funding. The Park District is particularly excited about operating recreational fields on the western portion of the Johns-Manville site. The Park District could purchase the land, but of course would prefer a land

donation so that they could use any available funds for safe maintenance of the property and recreational development costs.

### **Waukegan Port District**

The Port District has significant concerns about aspects of the master plan related to waterfront development. Further clarification needs to be provided regarding how to address convenient, nearby parking for boaters and boat trailers, the location of a wintertime boat storage lot, and indoor storage locations for winter and summer land docking. If the land were available, the Port District is open to moving its offices and boat storage across the harbor, west of the water treatment plant. In addition, the Port District would consider being part of any commercial development that brings in revenue for its operations.

### **North Shore Sanitary District**

Agency representatives expressed a willingness and desire to be part of the implementation process for the *Lakefront – Downtown Master Plan* and expressed the following needs to that end. Regarding its lakefront facility, the Sanitary District plans to install odor control measures which will require three years of planning. Additionally, the plant needs access for delivery trucks. While fences cannot be removed for security reasons, representatives indicated that these structures could be relocated to better facilitate access to open space.

## Financing Options

There are a number of potential public funding options that can be stitched together into a “funding quilt” to create, protect or restore open space identified in the City of Waukegan’s *Lakefront – Downtown Master Plan*. (An example of the successful use of a funding quilt is found in the box on page 16.) Because state, federal and private funding often requires a local match, local funding is necessary to achieve conservation objectives over the long-term.

### Local Funding

Local government funding is potentially available through the City of Waukegan, the Waukegan Park District, the Lake County Forest Preserve District, Lake County and the Waukegan Port District.

#### City of Waukegan

The City of Waukegan has committed funds to begin implementation of the plan. Previously, the City established a tax increment financing (TIF) program for the downtown and lakefront areas. Some of these funds can provide financial assistance for the master plan's implementation. The incremental growth in new investment provides a tax base to reimburse the City for its expenditures. In addition, home rule municipalities may levy a sales tax. Waukegan has used this revenue for Lakefront - Downtown economic redevelopment. The City can also raise funds for land acquisition or building construction, through the issuance of general obligation bonds.

#### Waukegan Park District

The Waukegan Park District predicts annual revenue of almost \$17 million for fiscal year 2008, with the largest source being the property tax. Subject to certain limitations, The Park District is able to issue general

obligation bonds to fund capital improvements such as land acquisition or building construction through non-referendum and referendum measures. Bond proceeds for the current year are expected to be \$1.25 million.

#### Lake County Forest Preserve District

The Lake County Forest Preserve District has an annual operating budget of about \$15 million, largely supported by the property tax levy. In November of 2005, the Board of Commissioners passed a four-year funding program of \$70,000,000 in bond issues for future land acquisitions. The first \$35 million was issued in 2006 and the remaining \$35 million is set for December, 2008. The funding will allow the Forest Preserve District to purchase 1,200 to 1,500 acres of priority land.

#### Lake County

The Lake County Stormwater Management Commission’s newly created wetland restoration fund is a potential funding source for implementation of some of the planned open space for the North Lakefront master plan district.

#### State Funding *(see Appendix D for a detailed description of programs)*

TPL identified four specific state programs that could help fund implementation. The Open Space Lands Acquisition and Development (OSLAD) program traditionally has supported city parks – active and passive recreation and trails. Additionally, the Illinois Trails Grants program can provide funding assistance to acquire, develop and, in some cases, maintain trails for a variety of public recreation uses. Two other programs are better suited for natural areas, including the Natural Areas Acquisition Fund (NAAF) and Conservation 2000 (C-2000).

**Federal Funding** (*see Appendix D for a detailed description of programs*)

There are myriad federal programs that provide conservation funds to local entities. For the purposes of the Waukegan vision we would recommend initial investigation of the programs that relate to: 1) recreational trail development, which are the Transportation Enhancements and Recreation Trails Programs of USDOT; and 2) park and recreation acquisition and development, which are the Land and Water Conservation Fund (LWCF) state grants provided under the OSLAD program. Additionally, to the extent that further due diligence reveals the presence of brownfield redevelopment sites, U.S. EPA's brownfields programs are a potential source of funding.

The State of Illinois is in the process of enrolling in the federal Coastal Zone Management program. Once in the program, Illinois will have access to the Coastal Zone funding and the federal Coastal and Estuarine Land Conservation Program (CELCP), which could provide reasonable funding opportunities for all types of open space lands.

Community Development Block Grants may also be used for parks and recreation projects. These grants can be used to carry out a wide range of community development activities directed toward revitalizing neighborhoods, economic development, and providing improved community facilities and services. Public open space improvements along the ravines and the South Lakefront could provide a stimulus for economic development in the downtown and the revitalization of the south lakefront neighborhood. There may also be a few additional federal programs that could enhance the Waukegan vision by funding, for example, stream restoration along the Waukegan River through the Pittman-Robertson Act or fishing access points through the Dingell-Johnson Act where appropriate. Unfortunately, the federal program that specifically provides funds to cities for park rehabilitation and development (UPARR) has not been funded in the past five years. However, there is a lobbying effort underway by city park agencies to restore this funding source.

**Chattanooga's Riverfront Renaissance: Use of a Funding Quilt**

In 1994, the City of Chattanooga invited TPL to assist the City in assembling land for its growing system of parks and greenways. Since then, TPL has helped create 25 miles of trails and 492 acres connecting neighborhoods to neighborhoods and entertainment/employment centers. In the *next* 10 years, TPL hopes to add an additional 75 miles of trail to the system.

The centerpiece of the project is Riverwalk, a 12-mile linear park along the Tennessee River reconnecting the Tennessee Riverfront to the downtown and community. The result has been several new housing and commercial investments along the river. It is hard to imagine Chattanooga today without its riverfront parks. The Tennessee Riverwalk has become part of Chattanooga's "living room."

TPL played an integral role in assembling the land along the Riverwalk to help transform Chattanooga's waterfront and a local initiative, Rivercity Company, has played the lead role in downtown redevelopment. TPL has raised a little more than \$7 million for the greenway and park related projects from a variety of sources, including federal transportation funding, private foundations, individuals and corporations. For instance, the local Lyndhurst Foundation gave a challenge grant for parks and greenways.



**Private Funding** (see Appendix D for full list of identified sources)

TPL believes the giving guidelines for the sources listed below most closely align with the plan’s funding needs. These prospects present the best opportunity for cultivation (i.e., developing a relationship with the intention of securing an invitation to submit a proposal for funding).

For support of natural areas and trails, TPL has identified: the Grand Victoria Foundation, the Field Foundation of Illinois, the Gaylord and Dorothy Donnelley Foundation, Illinois Clean Energy Community Foundation, the Grace A. Bersted Foundation, and Oberweiler Foundation. Although other areas of the plan may also fit these funders' goals, the north lakefront and Waukegan River ravine seem most in line with their funding guidelines.

For support of more active, developed parkland, including trails, TPL has identified Abbott Labs (corporate giving), Midwest Generation (corporate giving), Esper A. Petersen Foundation, United Conveyor Foundation and the Allen and Meline Pickus Foundation. Areas of the plan best suited to these potential funders include the south lakefront, harbor area and trails, whether they pass through natural areas or more developed parks.

Aside from foundation and corporate giving, private property owners may also pay for the development of open spaces on their properties. For example, in Minneapolis, Excel Energy developed and pays the Minneapolis Park & Recreation Board \$20,000 per year to maintain a new 2-acre park at the foot of the St. Anthony Falls. In addition, private housing and commercial developers can agree to pay for development and contribute to maintenance of open spaces through development agreements

with the City. Thus, all private property owners can be considered potential sources for funding development and maintenance of parks and open spaces. (See below inset.)

**Land Conservancies & The Trust for Public Land**

There are several non-profit land conservancies that include Waukegan as part of their service area, including the Liberty Prairie Conservancy, The Land Conservancy of Lake County and CorLands, an affiliate of Openlands. Each organization has separate and distinct missions and relies on public and private funding to support their work. (In the event that they choose not to work on this project, a new conservancy

**Private Ownership and Stewardship of Property**

One tool available to the City is to obtain donations of land as a part of private development. For example, the City can require that certain properties be dedicated as open space. Title can be transferred, an easement can be obtained for a trail, or a conservation easement can be donated or adopted and recorded in a specific city ordinance. Property owners may retain title to the land but agree to retain certain portions of their property according to the master plan and maintain a portion of land as open space. In this case, these private owners may also be the long-term stewards of such property.

In a similar fashion, agreements could be negotiated whereby a private property owner could agree to some form of permanent set-aside and maintenance of its properties along the principles set forth in the Lakefront – Downtown Master Plan.

could be established whose targeted mission is Waukegan's downtown and lakefront open space.) These organizations could assist Waukegan in identifying and pursuing both private and public funding for the work. They also could serve as long-term stewards for land under private ownership or undertake direct ownership of certain properties. As part of the implementation process, Waukegan needs to meet with these groups and pursue their interest.

TPL also works with land owners and local governments to acquire open space and then convey it to an ultimate long-term steward. While it is not a land conservancy (i.e. it is not a long-term steward), TPL can negotiate acquisitions and complete the necessary due diligence for each property, including title, survey, appraisal and environmental assessments as well as to assist in seeking funding for projects. TPL can negotiate easements, land swaps and can also serve as an independent short-term land holding intermediary between the land owners and the local agency. TPL has also acted as project manager on design and construction of open space on a fee-for-service basis. Working with its own consultants, TPL does provide oversight for the development of the open space.

## Open Space Development & Implementation

The initial step in implementing the open space plan is to identify the proposed use, which has already been provided by the *Lakefront – Downtown Master Plan*. Open space development should be implemented as soon as possible on land already under control of the City and when a long-term steward is identified and already owns the land.

On land not under control of a proposed long-term steward of open space, discussions must be held with each property owner to identify the best technique of obtaining the land or an agreement that ensures the open space will be maintained or developed according to the master plan. A long-term steward must be identified that fits the goals of the master plan. Careful consideration must be paid to the selection and recruitment of long-term stewards. Private land owner and agency needs and resources must be assessed to determine the best match between potential stewards and each parcel. This is particularly important given the master plan's recommendations for a variety of open space uses, including active and passive recreation, protection of natural areas, public access and entertainment areas. Based on these considerations, TPL identified the following parties as potential stewards: the City of Waukegan; Waukegan Park District; Lake County Forest Preserve District; Waukegan Port District; North Shore Sanitary District; local land trusts; and private landowners.

### Setting Priorities

Through computerized-based GIS, TPL created a set of mapped priorities for implementation based on factors that allow for a more systematic combination of

multiple objectives and complement more opportunistic activities. The prioritization is based on the following variables: 1) proximity to development properties; 2) master planning goals; 3) public ownership; 4) environmental conditions as provided by the City; 5) land control strategy and opportunity; and 6) funding opportunities. These variables are rated numerically and then combined to get an overall point score for the implementation priority, which can be changed as necessary in the future. (*A full description of this methodology is available in Appendix E.*) The goal of the model is to represent numerically the decision-making priorities in the project in a systematic fashion.

Based on the analysis, the highest priority properties are those around the City's beach area and the Waukegan River ravine. (*See Map on Page 20 for a map showing the priorities and maps for different areas in Appendix E.*) Recommendations on these priorities are shown below in ranking order, from highest to lowest, accompanied by options on land control and stewardship.

**Waukegan Beach - North Harbor District).** TPL recommends that the beach area already owned by the City should be developed and revamped according to the master plan. Plans for restoration and protection of the area should be prepared and funding sought to implement those plans. A revitalized beach front will attract visitors and stimulate development nearby. Natural areas as well as a public swimming beach along Lake Michigan are amenities that other communities in Illinois lack and ones that Waukegan should leverage.

- **Land Control.** An agency transfer may be necessary to give ownership to the long-term steward; and

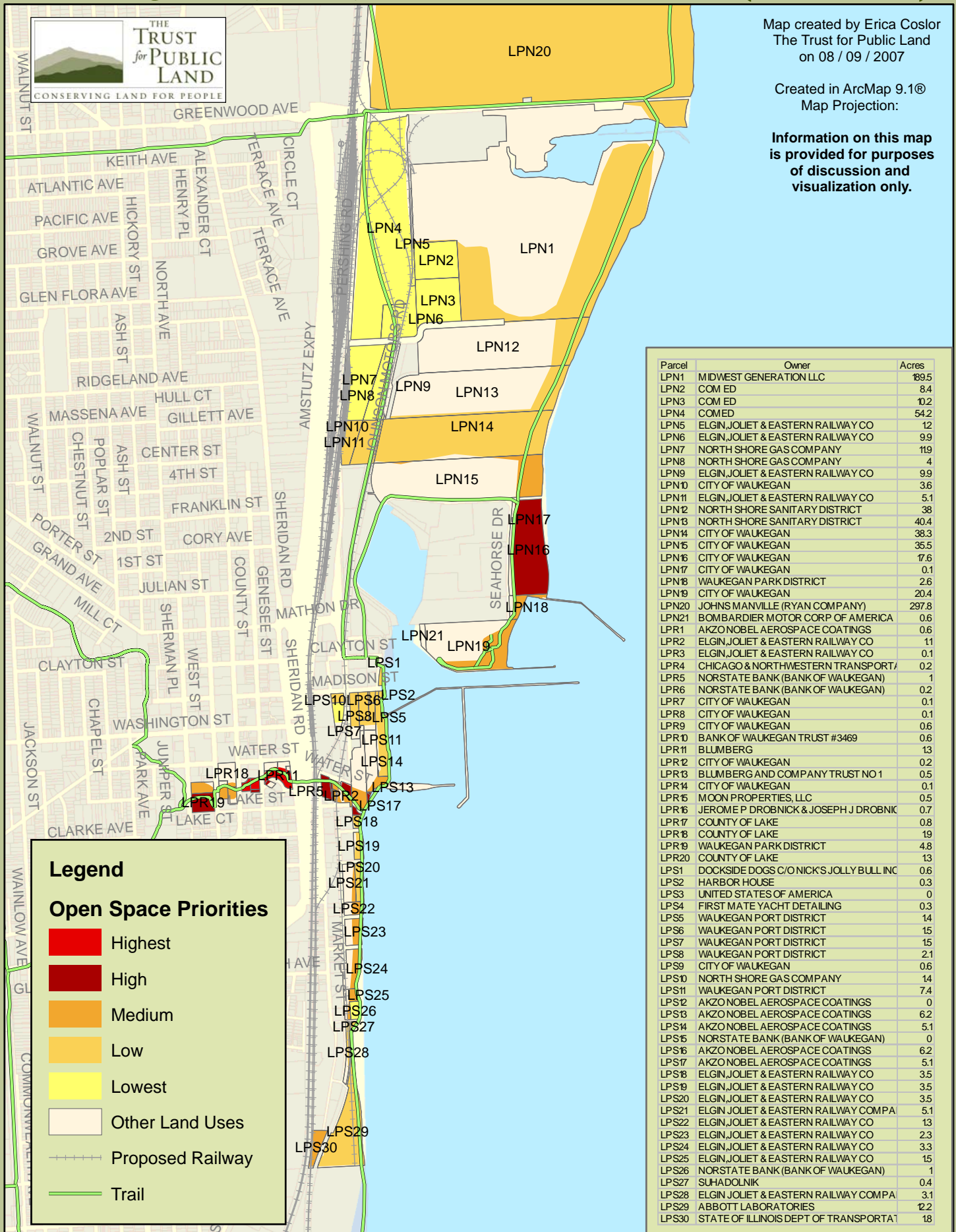
# Waukegan Open Space Parcel Priorities (Overview)



Map created by Erica Coslor  
The Trust for Public Land  
on 08 / 09 / 2007

Created in ArcMap 9.1®  
Map Projection:

Information on this map  
is provided for purposes  
of discussion and  
visualization only.



- **Long-term Stewardship.** The City of Waukegan currently owns and plans to continue managing the municipal beach area.

**Waukegan River Ravine - Downtown District.** The City is currently reviewing development proposals for property along the Ravine. As part of that review, the landowners should be encouraged to develop the Ravine as open space for their properties. This can be done in conjunction with work each is planning. Controls should be adopted to preserve and protect the open space along the Ravine. Those plans should be developed in conjunction with development of land the City owns and other public land along the downtown Waukegan River Ravine.

- **Land Control.** TPL recommends that government property be transferred to whatever agency is selected as the long-term steward in the area. For the private properties along the ravine, easements or some other reservation of land for open space can be negotiated to meet the plan's goals (*see inset on page 17, Private Developers and Property Owners*); and
- **Long-term Stewardship.** Both the Waukegan Park District and Lake County Forest Preserve District are well-equipped to own and manage the trails and parkland planned for the Waukegan River ravine, either jointly or individually. In addition, certain private property owners may be willing to grant a conservation or trail easement, and maintain or partly maintain the property under such an agreement with the City or long-term steward of the surrounding property. Both the City or Waukegan Park District are well suited to serve as managers of both the Downtown open space and the Amstutz deck park.

Mouth of the Waukegan River (top); Waukegan River Ravine in downtown (middle); and Waukegan River looking towards downtown (bottom).



**North Lakefront District.** The City should meet with the North Shore Sanitary District and Midwest Generation to develop a plan for open space on their properties in conjunction with the work they are now proposing to do. The plans could provide for the development of natural areas that serve

as habitat for native species as well as an effective buffer to these industrial uses. Public access to areas around these properties should be limited because of security concerns. Additionally, the City should discuss natural restoration and a trail along the lakefront.

- **Land Control.** TPL recommends that the western half of the Johns-Manville site be donated to or acquired by the Waukegan Park District. If the City cannot fund acquisition of the eastern half or make arrangements to have it privately maintained according to the master plan, an alternative scenario could be for the State of Illinois to enlarge the Illinois Beach State Park and use the site for viewing the Nature Preserve and hiking. The North Shore Gas and EJ&E properties are planned for acquisition or donation. TPL or local land trusts could play an integral role in negotiating these transactions and finding the appropriate long-term stewards. Conservation easements (or a similar form of agreement that sets the land aside according to the master plan) are the primary land control strategy for remaining property, including that of the North Shore Sanitary District and Midwest Generation; and
- **Long-term Stewardship.** The Waukegan Park District or Lake County Forest Preserve District could own and operate the Eco-Park. One or the other could also manage a trail through the North Shore Sanitary District and Midwest Generation properties if an easement or buffer can be obtained. The Com Ed & North Shore Gas properties can be acquired by the Lake County Forest Preserve District or City of Waukegan; however, stewardship by a local land trust interested in conserving natural areas would also work quite well

for these sites. In accordance with the land acquisition strategy mentioned earlier, the Waukegan Park District is the most logical steward for the western portion. The eastern portion is well situated for additional recreational opportunities – a fee-generating use may help alleviate the costs of acquisition. Management of the area could be contracted to a private company. Alternatively, trails and natural area observatories would fit well as a piece of the adjacent Illinois Beach State Park, run by the Illinois Department of Natural Resources.

**South Lakefront District.** Negotiations with EJ&E are crucial to this area's development. When acquisition of the EJ&E properties is complete, the city should have plans in place for trail development and arrangements with private developers for the area.

- **Land Control.** TPL has identified the EJ&E property along the South Lakefront for acquisition, the Akzo Nobel properties for land exchange or donation, and the Abbott property for a trail easement. (The city is already moving towards acquisition with EJ&E, and Akzo Nobel and Abbott have expressed willingness to negotiate.) TPL recommends that all government property be transferred to whatever agency is selected as the long-term steward for the area; and
- **Long-term Stewardship.** Stewardship of the trails and recreational areas along the South Lakefront are best suited for the Waukegan Park District or Lake County Forest Preserve District, perhaps in a partnership and consistent with stewardship of the Waukegan River Ravine. While the lakefront trail can be managed by these government

agencies, other open spaces in the area, particularly those immediately adjacent to development, can be developed and maintained by developers or a master home owners association as part of an agreement with the city when development occurs.

**Harborfront District.** Development of the harborfront park will be a major undertaking, with agency transfers and acquisitions, building removal and construction of this centerpiece park. Although the area ranks lower in terms of immediate priorities, initial conversations should begin with the Waukegan Port District, which owns much of the land, on how to approach the area.

- **Land Control.** Because this area will be a central focus of the completed master plan and could provide significant public access to the lakefront, public ownership of the area is recommended; and
- **Long-term Stewardship.** As the centerpiece of the new lakefront, the City of Waukegan has an opportunity to manage and showcase this area, but the Waukegan Park District is also well-suited to manage the area's recreational nature. Because there are existing and potential fee/concessionaire generated revenue in and around this park, a detailed review of these existing and potential sources would shed light on how the area should be managed, particularly the potential for the Waukegan Port District.

## Conclusion

Waukegan is at an exciting stage in its history and development. The Lakefront – Downtown Master Plan sets forth a bold vision for creating a new public realm around which the City will grow. This report outlines an implementation strategy for that public realm through setting out options for funding, land acquisition and control mechanisms, long-term stewardship options and a prioritization of key parcels. Now, "moving the dirt" and placing the seeds for economic renewal along the lakefront and its multiplier effect throughout the city requires continued leadership by the City of Waukegan.

As TPL's President Will Rogers has said, "Leadership is essential to shape public support and awareness of how a parks investment can spur economic investment – and even reposition a city's 'brand.' Certainly the business, nonprofit and philanthropic communities all have essential leadership roles to play – and may actually drive the vision at the outset – but it is the city – led

by the mayor – that will develop, own and care for these new assets."

In Waukegan, this means empowering key staff to lead implementation and negotiations, engaging in serious conversations about long-term stewardship with the Waukegan Park District and Lake County Forest Preserve District, and intensifying negotiations with landowners and developers – working with these private developers to carve out space for parkland and stewardship responsibilities.

Lastly, TPL recommends that the City continue to make the case for parks and open spaces as a driver for economic development in order to build broad public support. The case studies shown within this report provide the evidence. Implementing an initial small open space project along the lakefront will indicate that the City is following through on its award-winning plan. The ripple effect of such a move would spark excitement among the community to fully complete what would be a national example of community revitalization.



## Appendix A: Case Studies

The below case studies provide a summary of how other mid-size, Great Lakes cities are redeveloping their lakefronts and revitalizing their communities through a place-based approach to economic development.

### Kenosha, WI

Kenosha was foresighted enough to have set aside a large amount of its lakefront years ago for parks. Now, it has recently moved to redevelop its former industrial central harbor area into a new Harbor Park, with housing, commercial facilities and even a trolley line.<sup>1</sup>

Table 1. Kenosha by the Numbers

Population (U.S. Census, 2005)	95,240
Miles of Lakefront	5
No. of Lakefront Parks	8
Acres of Lakefront Parks	225

When the 70-acre American Motors manufacturing site closed in 1987, then-owner Chrysler demolished the buildings and completed some cleanup. In 1991 the city unveiled the Kenosha Downtown Plan, which proposed a mixture of uses. The City purchased the site in 1994 for one dollar and in 1996 the Urban Land Institute created a development strategy. A year later, LDR International, the firm known for its work on the Baltimore, Md. Inner Harbor, helped create a Harbor Park Master Plan.

The site was extensively remediated, including the removal of nearly 6,000 cubic yards of contaminated soil, removal of contaminated groundwater, and placement of a pavement and soil cap that incorporated redevelopment features.<sup>2</sup> Recreational amenities include the 12-acre Harbor Park, a lakefront promenade and bike trails linking to the city's other lakefront parkland.

In addition to city funding of more than \$15 million, more than \$2.5 million in state and federal funds, including an \$850,000 brownfields grant from the state and \$880,000 in U.S. EPA brownfields grants helped fund the project. Property values at the site increased by \$50 million from 1989 to 2003, resulting in an increase of property taxes by nearly \$900,000 in 2003. The city operates and maintains all of its lakefront parks through its Parks Department.

### Racine, WI

According to County Public Works Director Glen Lampark, many people attribute the revitalization of Racine's downtown to the lakefront park and marina investments. The city and county of Racine have both worked for the past thirty years to reinvent the city's central lakefront area to add to its lakefront open spaces.

Table 1. Racine by the Numbers

Population (U.S. Census, 2005)	79,392
Miles of Lakefront	3.2
No. of Lakefront Parks	15
Acres of Lakefront Parks	164

In 1961 the city developed a former landfill into the 37-acre Pershing Park. In 1974, the city purchased an abandoned downtown industrial property adjacent to Pershing. By 1987, \$25

<sup>1</sup> Phone Interview with Kenosha City Planner Zoarab Kahagian. March 23, 2007.

<sup>2</sup> Kenosha Harbor Redevelopment. November, 2006. Wisconsin Department of Natural Resources. PUB-RR-762. Madison, Wisconsin.

million was spent to construct a new marina and a 6-acre Festival Park at the site, which sparked a \$16 million condominium tower and \$78 million retail complex.<sup>3</sup>

Racine County has also contributed to harbor development. In 1986 it opened another marina and a small harbor park by filling in an area with dredged material and reconstructing the harbor’s breakwaters. The County contracts out the marina’s operations, and proceeds are marked for a “harbor fund,” that supports maintenance of the park.

Mayor Gary Becker, who considers parks and recreation an essential service,<sup>4</sup> is leading an effort to redevelop the former Walker Manufacturing into Pointe Blue, a mixed-use, lakefront development at the mouth of the Root River that will feature condos, retail and a public trail/walkway along the water. The project has received a \$750,000 Wisconsin brownfields grant to help pay for the \$3 million remediation, and another \$200,000 from the state for park development.

### Erie, PA

In 1986, Erie realized its industrial waterfront was no longer economically practical and approved a master plan focused on residential and recreational development. The major component of the lakefront rebirth was an innovative and broadened role for the Erie-Western Pennsylvania Port Authority. Traditionally a group that managed shipping activity, the Port expanded its philosophy to increase the economic viability of the community.<sup>5</sup>

Population (U.S Census, 2005)	102,612
Miles of Lakefront*	6.3
No. of Lakefront Parks	6
Acres of Lakefront Parks*	100
*Presque Isle State Park is a peninsula arching from the city that contains an additional 3,200 acres and 14 miles of total lakeshore.	

By the early 1990s, the Port entered into a private-public partnership to redevelop GPU Energy's Front Street Station, a coal-fired power plant at the main harbor area. Through land exchanges and environmental remediation, the area now hosts the 92,000-square foot Erie Maritime Museum, Erie County Public Library, and the 8.5-acre Liberty Park with walking and biking trails, playgrounds and a 150-seat dockside amphitheater. The Port has relied on approximately \$2 million in annual funding from the state for capital and operations, but also uses its own marina revenue to fund operations and maintenance and event programming staff.<sup>6</sup> The Port even has a campground manager.

The Port Authority credits success to developing a really good waterfront plan - and then being prepared to implement it in stages. Embarking on the next stage, the Port is developing another master plan to further guide lakefront development in and around the harbor.

In addition to the Port’s parks, the city operates some parkland along the lakefront, including the William Scott Park and Ravine Park. The State also operates Presque Isle State Park, across the Presque Isle Bay and central Erie harbor and within the city limits of Erie.

<sup>3</sup> Guy, Andy. July 29, 2005. Will \$20 Billion plan Trigger Cleanup or Brush-Off? Great Lakes Bulletin News Service. Accessed at: mlui.org (Michigan Land Use Institute)

<sup>4</sup> Phone Interview with Jack Schumann, Manager of Parks, City of Racine. Racine, Wisc.

<sup>5</sup> Livingston, Sandra. October 5, 2003. *The Cleveland Plain Dealer*. Cleveland, Ohio.

<sup>6</sup> Phone Interview with Doug Pomorski, Director of Operations and Harbormaster, Erie-Western Penn. Port Authority. Erie, Penn.

## **Appendix B: Urban Parks – the New Return on Investment**

### **Speech by Will Rogers for Lambda Alpha, Chicago, Ill. May 16, 2007**

I think that those of us who live and work and believe in cities set a high standard. It's not enough for a city to "work" – and many don't. It's not enough for a city to be "livable" and many aren't. What we really want are lovable cities – cities that when they come up in a conversation, people say – "that's a great place to live." All of us who work in cities and try to help shape the urban fabric know that creating a truly lovable city often seems like pure alchemy. And if I've learned anything about what makes vital, healthy and wonderful cities it's the presence of a broad set of attributes and investments that when put together, sing.

We need all the pieces - cultural institutions, housing, retail, economic vitality, transit, parks and the public realm, public safety, and basic infrastructure. But I'm a parks guy – an undeveloper – focused on the outdoor public realm and nature in the city. And you simply can't have a great or a lovable city without a great parks system. So let's talk about parks, gardens, plazas, and trails – or as some call it (and probably not the marketers...) "Green Infrastructure". I'd like to share with you how cities are leading with public realm investments to become more competitive, to attract the right demographics and to achieve their economic development and quality of life goals. This is a trend that may seem counterintuitive to those who see parks and green infrastructure solely as amenities with programming, maintenance and safety concerns. For that reason maybe I should have titled this talk – "Urban parks and the public realm – no longer just another pretty face!"

I won't reminisce about the Olmsted-era or the 'city beautiful' movement of the early 1900's and how civic leadership of that time understood the essential role of parks and nature in urban life. Or how we forgot those important lessons in the mid-twentieth century as Americans chased the American dream to the suburbs and newer cities came up short on the public realm and parks. I'm going to focus on the present and recent past.

It's no coincidence that cities are rediscovering parks as people are rediscovering and moving back to our cities. Urban populations are once again on the rise and the "young and the restless", the creative class, empty nesters – are bringing more than good economics back to the city – they are also bringing their quality of life expectations downtown. How have cities been responding? When it comes to parks, principally through two investment strategies: restoring our legacy parks, and creating new downtown signature parks. I'll talk for a moment about each strategy and then highlight a third that is just beginning to take hold in a number of cities and which holds great promise for the future – the focus on neighborhoods and on a parks system that serves all urban residents.

Cities have been actively restoring their legacy parks for the past quarter century: renewing run down but venerable urban parks after years of disinvestment. Central Park with its Central Park Conservancy friends group is a well-known example. In partnership with the City, the Conservancy led a \$200 million private renovation effort and provides ongoing financial and volunteer support for maintenance. But there are plenty of examples: Forest park in St. Louis, Piedmont Park in Atlanta, or the Emerald Necklace in Boston have similar stories where public attention and significant private resources went into turning around years of deferred

maintenance and neglect. Bryant Park, behind the New York Public Library was long a victim of neglect and its own design – but here again, a facelift, programming, greater security, visitor serving retail – all come together to make this a cherished public space in the heart of Manhattan. All these investments have led to greater civic pride and changed perceptions from residents and visitors, alike, about the health of the city and its commitment to quality of life.

The learning here should be obvious – it makes no sense to have important civic assets and let them deteriorate: you negate all their benefits and create problems rather than opportunities.

The restoration strategy renewed existing parks. But as cities have outgrown their parks, many have turned to the second strategy of creating new signature parks in the downtown to change perceptions and attract investment. This is where most of the parks action is today. These new parks often provide more active entertainment and are often the setting for cultural institutions and other public realm benefits. Here are a few cities that can claim these investments have led to real transformation and significant returns in tourism and economic development:

- Chattanooga rediscovered its Tennessee River shoreline and has created a destination waterfront presence with parks, trails and cultural institutions that have helped lead a complete transformation of the city;
- In the 1990's Providence made a similar commitment to a long neglected and paved over Providence River by daylighting the river and creating Waterplace Park. The Park has helped transform and entice investment into a downtown that used to be cut off by highways and rail lines. One writer called the new Providence just a latte away from being the next Seattle;
- In 1994 Boston performed a stunning and self-financing transformation of Post Office Square – formerly a victim of parking blight. The parking is still there, but now it's below grade. Here's a quote from a review of the park by Boston Globe architecture critic Robert Campbell: "Post Office Square has changed Boston forever. The business district used to be an unfathomable maze of street and building without a center. The park provides that center, and all around it as if by magic and magnetism, the whole downtown suddenly seems gathered in an orderly array. It's as if the buildings were pulling up to the park like campers around a bonfire;"
- In 1996 Centennial Olympic Park in Atlanta leveraged the Olympics as many cities have and created a park and plaza designed to enhance downtown commercial and residential development, attract tourism and shoppers, and link with Atlanta's MARTA transit system;
- On the Seattle waterfront near Pike's Place Market, a former UNOCAL tank farm and brownfield has become a wonderful public sculpture garden thanks to the City and the Seattle Art Museum. It opened in January;
- The Platte River Greenway in Denver provides a green spine to the cities park system – (and – like San Antonio's River Walk, provides important flood control benefits);
- The final completed park I'll mention is one no list would be complete without – Chicago's Millennium Park. It is certainly both a new signature park and a remarkable public/private effort that has garnered international attention. The city has transformed old rail yards and surface parking to a destination park with gardens, plazas, band shell and public art on top of underground parking. It's a wonderful place to visit – and that

wonderfulness is projected to pay off: Aside from the perception, image, and quality of life benefits, the park is expected to bring to Chicago over the next 10 years \$1.4 billion in enhanced property values, roughly \$2 billion in tourism, and hundreds of millions more in increased retail and business enhancement.

This trend of new high profile signature parks is still gathering steam: Here are a few examples of what's on the drawing boards for up and coming investments:

- Dallas is still smarting from losing Boeing to Chicago. The message was clear and Dallas learned the hard way that you need more than a healthy business environment to beat the competition. Dallas is now working hard and investing to create a “sense of place”. They are using the overlooked Trinity River corridor and combining transportation and flood control with parks, open space and livability. The sizzle and post card opportunities will come from three Santiago Calatrava-designed bridges that will span the Trinity River. Dallas is also converting parking lots to parks in its downtown, recognizing that quality of life for new downtown residents in the Arts District and redevelopments by Forest City and others will require more parks and open space;
- The Big Dig, with its big price tag has buried Boston's central artery and will dramatically change the city's downtown when the new parks are in place, reconnecting neighborhoods with each other and with the waterfront;
- **And there are plenty of smaller cities using the same strategy. Up Lake Michigan in Waukegan, parks and open space are a major component of Waukegan's bold Lakefront Downtown Master Plan.** The city is in the process of transforming its once industrial lakefront into over 600 acres of parks, playing fields, trails and natural areas. TPL is helping out with an implementation strategy for the city, precisely because we know this approach can work – creating a wonderful public realm for Waukegan residents and also providing a big payback in the economic revitalization for Waukegan's lakefront and downtown. In a sense Waukegan -- and any city that leads with this kind of investment – is following the example of Charleston's inspirational long-time mayor Joe Riley. Riley fought the pressure to privatize Charleston's waterfront and says, “Don't be afraid to hold onto your best land for the public! Create a great public realm -- the private development will soon follow.”

And that brings us to a third approach where a number of cities have made the strategic leap beyond the downtown parks, and are investing at the neighborhood level. The efforts are varied and shaped heavily by a city's geography and history but have in common the commitment to a wonderful city-wide parks system that includes both downtown gems and neighborhood parks, gardens and trails – often including green, community accessible school yards.

Unfortunately the need is enormous. Here's a layered GIS map TPL created to show precisely where parks are most needed in LA's San Fernando Valley. The map looks at park access for the most economically challenged communities with the highest number of children. Red is not good – I think of these as maps of endangered children's habitat. When you graph where kids have the least access, the results are shocking! Despite its new downtown parks and other public realm investments, two thirds of children under 18 living in Los Angeles do not have a nearby park or garden or safe place to play. And some cities are worse than that (Chicago is in the top third).

Boston, which does pretty well, still has its pockets of need. TPL's Center for City Park Excellence is working with a number of cities to identify these needs and opportunities.

So what does it mean to invest in the parks system? Knowing where the gaps are helps. Measurable standards also help. Denver's system sets a distance of no more than six blocks from a park for every resident – and they are 90% of the way there. Mayor Bloomberg recently announced far-reaching goals for NYC including both sustainability and parks accessibility. New York has a good ways to go: its population has increased by 650,000 since the last census and 1.1 million children attending 1200 schools in New York City don't have playgrounds at their schools. This is the kind of neighborhood before and after New York needs more of.

Maywood, LA is trying to tackle its neighborhood deficits – and to those of us in the neighborhood parks business, locations like this former superfund site looked to us like a great opportunity. It's now a seven-acre park along the Los Angeles River – doubling the parks for this very dense and low income neighborhood. Clearly land recycling is key!

Chicago has always had a strong park system but it gets weaker as you move west from Lake Michigan. Beyond its downtown and lakefront parks, Chicago has identified its neediest communities where families don't have places to play and is working to address the deficits. The city is in the process of and expanding parks by buying adjacent buildings or recycling brownfields as in this park in Logan Square. Like several other cities, Chicago is also repositioning schools as centers of community with what Mayor Daley calls "Schoolyard Campus Parks."

Another example of neighborhood investment at scale is the Bloomingdale Trail – the planned conversion of the abandoned and weed choked Canadian Pacific right-of-way above Bloomingdale Avenue to an elevated "rail trail," that could become a three-mile, leafy, linear link through Bucktown, Wicker Park, and Humboldt Park, on viaducts over Daniel Burnham's Humboldt Boulevard and 37 other streets, from Ashland to Ridgeway avenues. The trail eventually could link to trails heading north to Ravenswood and south to the Loop. It's a big, exciting idea that definitely speaks to a vision for a wonderful neighborhood park system. Studies are under way and a first parcel that would provide both access and serve as a much-needed local park for Logan Square has already been acquired.

Lest the Bloomingdale Trail seem overly ambitious, let me use as my last example, the Atlanta Beltline, both because it combines a lot of the key ingredients of a successful investment in the "parks system" and also provides a good segue into how cities are managing to pull off these big investments.

Atlanta has never been a beacon of smart growth success or investment in parks and open space. But change is in the wind in the form of a \$2.5 billion investment - not in highways, bricks and mortar, another sports stadium or the usual infrastructure – but in a greenway and major expansion of the city's park system. Called the Atlanta Beltline, the project involves the conversion to a greenway of a 22 mile loop of largely abandoned rail corridor that circles the city only a stone's throw from downtown and that passes through 47 separate and very economically diverse neighborhoods.

What began as an engineering student's graduate thesis for a transit loop around Atlanta, became a robust and elaborate plan for a greenway with a whole host of new parks intended to provide neighborhood quality of life and spur residential, retail and commercial development along the rail corridor – an “Emerald Necklace” for Atlanta.

18 months ago, elected officials in Atlanta, its school district, and surrounding Fulton County approved a \$2 billion Tax Assessment District, or TAD, that will fund the Beltline vision through tax increment financing. The funds will go to land acquisition and capital improvements for the greenway corridor and over 1,000 acres of new parks all along the Beltline. (This is a 200 acre quarry site that will become a destination park with a large potential water feature that could also provide Atlanta with three weeks of emergency water supplies.) There will be funds for low and moderate-income housing and for new infrastructure for neglected neighborhoods where private investment is already beginning to accelerate. It may also fund some form of light rail transit along the Beltline if it pencils out. In that case more funding would need to come from the Federal government.

TPL's work beyond commissioning the greenway plan, involves working closely with the city of Atlanta to get out ahead of the development community to buy up the properties the city will need for the new or expanded parks. We're already sitting on \$25 million in key properties around the Beltline. If developers investing cold hard cash is any measure, then the Beltline vision is catching on. There isn't a landowner we visit with a key property who hasn't already been visited by a handful of developers! Once the TAD funds start flowing, we'll sell our assemblage to the city and put our funds back into more parkland. But in the meanwhile we are getting out ahead of the land rush to make sure that the Atlanta Beltline will become the backbone of a connected neighborhood park system, a green infra-structure upon which Atlanta can build for decades to come.

Based on TPL's urban parks work in cities around the country, I can tell you that there is no more ambitious and potentially transformative parks-making and city-building activity going on anywhere.

Let me finish by talking about money – because it's essential to making any of the investments our cities need in QOL. And there's no point talking about money without talking about what attracts it: vision and leadership. If we had to pick from our experience the two key success factors, they would be vision and leadership. The money will follow if these two are in place. The exact nature of the vision will be shaped by a city's history, geography and culture, but when I use the word “vision,” I mean an ambitious idea for what a city could become, and I often quote Chicagoan Daniel Burnham and his admonition to “Make no little plans...”

A big vision without champions won't get far. Leadership is essential to shape public support and awareness of how a parks investment can spur economic investment – and even reposition a city's “brand.” Certainly the business, nonprofit and philanthropic communities all have essential leadership roles to play – and may actually drive the vision at the outset - but it is the city – led by its mayor - that will develop, own and care for these new assets. Chicago is lucky to have a mayor who understands this issue. Atlanta mayor Shirley Franklin chose the Beltline as the

primary issue in her re-election campaign. But there was also leadership from the city's philanthropists, corporate citizens, and community-based organizations.

The money does follow. But there are caveats. Timing is critical. During mayor Franklin's first term in Atlanta there was a major problem with the city's sewer and water system. So the Beltline had to wait in line for the right moment. It's also important to make the case to the public for the investment pay-off. But as you can see, there are an increasing number of compelling examples out there.

I'm sure you are familiar with the financing tools and structures: Many of the cases I've cited were done with some or a lot of tax increment financing. Parking revenues from new underground parking are often part of the funding package. Impact fees are available in many cities. Business improvement districts, like the one used to redesign, renovate, program, police and maintain Bryant Park behind the New York Public Library are increasingly popular. Voter-approved public funding initiatives are becoming more prevalent – and not just in counties where high growth is making conservation essential. TPL's conservation finance group has been working extensively with municipalities to help with the creation of billions for parks over the past eight years.

And we are beginning to see more multi-jurisdictional approaches: To finance the Confluence Greenway, which includes the urban St. Louis waterfront and the confluence of the Missouri and Mississippi Rivers, two states, four counties, and one city all worked together to create and fund joint regional park districts over a span of 40 miles on both sides of the Mississippi River.

How was Millennium Park financed? The city's financing package included \$175 million in bonds serviced by parking revenues and \$95 million in tax increment financing. (There was also the novel approach of dedicating bus stop ad revenue to help cover maintenance.) Private support was an important part of the mix: over \$240 million from Chicago's corporate and philanthropic communities. I mentioned the Central Park Conservancy raised \$200 million and virtually every major effort across the country has private investment. People are excited about making those investments in their cities! It's a combination of civic pride and good business. In the Bay Area a number of local corporations are hoping to raise \$1 million each for a major initial investment in urban parks in Bay Area Cities.

And Atlanta's Beltline will tap into nearly \$2 billion of tax increment financing and up to \$100M of private support. So the money is there if the vision, the leadership and the timing are, too.

In closing, let me return to the theme of why using these parks and public realm investment strategies is becoming the norm. I think it is the undeniable combination of good politics, good government and good business. It's all about health in the broadest sense of the word – physical human health, community health, environmental health, and economic health – the key ingredients for healthy human habitat.

In the end, cities are all about people – and parks and nature in the cities would not contribute economic value, if they didn't contribute human value. And taking off my green eyeshade and speaking to the heart of the matter, the public realm and the opportunity that nature in the city



gives us to connect with nature, with other people and with ourselves is priceless. It is part of what we need to be fully developed humans.

And for our children who risk growing up without those connections, parks can help turn some of our neighborhoods from troubled pockets of endangered children's habitat to communities where every child has easy access to safe places to play. Our children don't need Gameboys or X-boxes to flex their imagination and sense of wonder. Nature can provide a wealth of those experiences – and close to home. Local places where we can get in touch with nature are an antidote to what author Richard Louv calls “Nature Deficit Disorder”, and they are what author Robert Michael Pyle describes as “Places of initiation, where the boundaries between ourselves and other creatures break down; where dirt gets under our finger nails and a sense of place gets under our skin.” And if our children don't make that connection, their lives will be the lesser for it and so will our planet. Pyle also says of that connection: “Those who care, conserve. Those who don't know, don't care. What's the extinction of the condor the a child who has never known a wren?”

Ultimately, parks help make our cities not just livable, but lovable. Our cities will, of necessity, become denser over time. Parks and close to home nature help that density work. That was the lesson of the Olmsted era and the city beautiful movement. Former Seattle Mayor James T. Ronald got it right back in 1892, “Parks are the breathing lungs and beating hearts of all great cities and from them come whispers of peace and joy.” As a nation, we forgot that truth for more than a half-century. In city after city and community after community across America, we are rediscovering the value of the public realm. The new news is that cities are using parks systems as problem solvers to help drive competitive advantage and the urban economic bottom line. But they parks still do what they have always done – provide the beautiful and healthy places that can help make and keep their cities lovable.

## **Appendix C: List of Interested Parties Interviewed by TPL**

Dale Johnson, Abbott Laboratories  
Michael Flora, Akzo Nobel Aerospace Coatings  
Tim O'Leary, Ampsky, LLC  
Fred Abdula, Bank of Waukegan  
Diane Emerson, Exelon Energy  
Denny Clinton, Johns-Manville  
Larry Brewer, Lafarge Corporation  
Kathy, Brian, Doug & Lori Larsen, Larsen Marine  
Charlie Parnell, Midwest Generation  
Kent Moon, Moon Properties  
Steve Rogers, National Gypsum  
Steven Matuszak, North Shore Gas Company  
Barry Burton, Lake County Administration  
Suzi Schmidt, Lake County Board  
Thomas Hahn, Lake County Forest Preserve District  
Joe Hmieleski, Lake Cty. Storm Water Mgmt Comm.  
Brian Jensen, North Shore Sanitary District  
Greg Petry, Waukegan Park District  
Duncan Henderson, Waukegan Port District  
Richard Hyde, Mayor, City of Waukegan  
Ray Vukovich, Director of Governmental Services, City of Waukegan  
Robin Schabes, Director of Lakefront & Downtown Redevelopment, City of Waukegan  
Brianna Johnson, Northwestern University Public Interest Fellow, City of Waukegan  
Russ Tomlin, Directory of Planning and Zoning, City of Waukegan  
Noelle Kischer, Senior Planner, City of Waukegan  
John Moore, City Engineer, City of Waukegan  
Susie Schreiber, Waukegan Harbor Citizens Advisory Group  
Gary Deigan, Deigan & Associates  
Jeff Jeep, Jeep and Blazer, LLC  
Alderman Cunningham, City of Waukegan  
Alderman Figueroa, City of Waukegan  
Alderman TenPas, City of Waukegan  
George Ranney, Metropolis 2020  
Deborah Stone, Deputy Director, Illinois Dept. of Natural Resources  
Larry Krueger, Private Developer

## Appendix D: List of State, Federal & Private Funding Sources

### State Funding

#### Open Space Lands Acquisition and Development

(OSLAD) <http://dnr.state.il.us/OCD/newoslad1.htm>

Initiated in 1986, OSLAD focuses on providing basic, close-to-home outdoor recreation opportunities, including land for parks and facilities such as ball fields and playgrounds. The program matches funds provided by park districts, municipalities, forest preserve districts and other local government entities, providing up to 50 percent of the funding. Grant awards up to \$750,000 are available for acquisition projects (grant award maximum in Chicago is \$1.15 million), while development/renovation projects are limited to a \$400,000 grant maximum. By 2004 the fund had provided more than \$194 million to more than 800 local park development projects and nearly 180 park/open space acquisition projects.<sup>49</sup> More than 70 projects were supported in 2005, ranging from \$383,900 to acquire 4.5 acres of land for a neighborhood park in Carol Stream to \$128,000 to develop a 3.3 acres neighborhood park site in the City of Yorkville. In 2006, \$32.9 million supported 101 projects throughout the state including the Kane County Forest Preserve District, \$750,000 to acquire a 160-acre parcel and in the City of Effingham, \$574,100 to acquire 16.3 acres.

#### Natural Areas Acquisition Fund (NAAF)

<http://dnr.state.il.us/>

NAAF was created by the General Assembly in 1989 for “the acquisition, preservation and stewardship of natural areas, including habitat for endangered and threatened species, high quality natural communities, wetlands and other areas with unique or unusual natural heritage qualities.” 21,700 acres of woods, prairies and wetlands have been acquired to date with the fund, scattered around the state at 64 different natural areas. NAAF also includes a stewardship component: 10 percent of the land acquisition fund is set aside each year to pay for stewardship projects on natural areas and nature preserves, including exotic species removal, prescribed burning in the prairies and hydrologic restoration in wetlands and streams. This fund is administered by IDNR and is usually reserved for State projects.

#### Conservation 2000 (C2000)

<http://dnr.state.il.us/orep/nrrc/epr.htm>

In 1995, the state legislature passed Conservation 2000, a program designed to promote ecosystem-based management of privately held land in a public-private partnership. The C2000 Program funds nine programs across three state natural agencies. C2000 devotes most of its funding to planning and management activities, but a portion of its funds go to acquisition. C2000 also invests in conservation easements and other mechanisms to help privately held land become high quality habitat. The C2000 program sponsors 41 Ecosystem Partnerships—coalitions of local stakeholders such as private landowners, businesses, scientists, environmental organizations, recreational enthusiasts and policy makers—covering 85 percent of Illinois. C2000 was originally a six-year, \$100 million program, but has been extended through 2009. Though funding for C2000 was taken from OSLAD appropriations in 2007, the program has been slated for full funding for FY08-09 at \$14 million from its traditional revenue source, the General Revenue Fund. The program may also be renamed. By 2005, ecosystem partnership

members raised approximately \$29 million to match \$28 million in project grants, protecting nearly 5,000 acres through acquisition or conservation easements and restoring more than 60,000 acres. The lakefront is served by the Lake Michigan Watershed partnership.

### **Trails Grant Programs**

The Illinois Department of Natural Resources (IDNR) administers five (5) grant programs that can provide funding assistance to acquire, develop and, in some cases, maintain trails for a variety of public recreation uses. These programs can also restore areas damaged by unauthorized trail use activity. The programs are:

- Bike Path Program;
- Local Government Snowmobile Program;
- Snowmobile Trail Establishment Fund (STEF) Program;
- Off-Highway Vehicle (OHV) Program; and
- Federal Recreational Trails Program (RTP).

These programs provide grant assistance on a wide variety of trail related projects in the state. Each program operates on an annual recurring grant cycle with funds awarded on the basis of a review and prioritization of written applications submitted to the IDNR. Projects are evaluated according to established trail objectives and priorities. The director of the IDNR, in consultation with staff and the Illinois Natural Resources Advisory Board, the Illinois Greenways & Trails Council and the Illinois Off-Highway Vehicle Trails Advisory Board, as appropriate, has sole authority and responsibility for approving grants through these programs.

Funds awarded and disbursed under these programs are on a reimbursement basis. This means that once a project proposal is submitted to the IDNR and approved for grant funding, the project sponsor is responsible for successfully completing the project and initially financing the entire project cost. Actual disbursement of grant funds to the project sponsor is made after the approved project is satisfactorily completed and a final project billing statement, verifying project costs, is submitted to the IDNR for reimbursement. Forty-five (45) days should be allowed after submittal of an acceptable billing request to the IDNR for receipt of actual grant reimbursement payment.

### **Federal Funding**

Below are federal programs selected as possible sources of funding for Waukegan. Where available, specific examples of funded projects are given.

#### **Coastal and Estuarine Land Conservation Program (CELCP)**

##### ***National Oceanic and Atmospheric Administration (NOAA)***

<http://coastalmanagement.noaa.gov/land/welcome.html>

CELCP funds pass-through grants to states and local governments for land or easement acquisition in a state's coastal zone, and/or as provided for in a state's coastal conservation plan. Illinois, the only state currently not participating in the federal Coastal Zone Management Program, has undertaken the initial steps to begin participating, and will therefore soon be able to partake in the CELCP program. CELCP was created in order to "protect those coastal and estuarine areas with significant conservation, recreation, ecological, historical or aesthetic

values, or those that are threatened by conversion from their natural state to other uses," and lands purchased through this program must generally be maintained or restored to their natural state. Public access is general requirement, and the program requires a 1:1 non-federal match, which can be in many forms, including restoration and land value donation. CELCP is administered through NOAA. The state will first create a statewide priority list, NOAA will create a national ranking, and Congress will make the final decision on what projects to fund.

Program Example: In 2006, using \$310,000 in CELCP funds, TPL helped conserve shoreline along the Grand River in Painesville, Ohio to provide 3,300 feet of public access to the water.

### **Land and Water Conservation Fund (LWCF)**

#### ***Department of the Interior (varies by agency)***

Created in 1965, the Land and Water Conservation Fund (LWCF) is the largest source of federal money for park, wildlife, and open space land acquisition. Specifically, the LWCF provides funding to assist in the acquiring, preserving, developing and assuring accessibility to outdoor recreation resources, including but not limited to open space, parks, trails, wildlife lands and other lands and facilities desirable for individual active participation. The program's funding comes primarily from offshore oil and gas drilling receipts, with an authorized expenditure of \$900 million each year, while federal recreation fees, sales of federal surplus real property, and federal motorboat fuel taxes fund also contribute to the LWCF. Under this program, a portion of the money is intended to go to federal land purchases and a portion to the states as matching grants for land protection projects.

#### **LWCF – Federal (*Department of the Interior*)**

The federal side of the Land and Water Conservation Fund provides funding for federal agencies (Fish and Wildlife Service, National Forest Service, National Park Service, and the Bureau of Land Management) to add land to existing recreation areas, parks, forests, refuges and other federal units. LWCF funding provides the bulk of the money available for this purpose.

Currently, there are no federally designated public land units in Waukegan that would be eligible for this funding.

#### **LWCF – Stateside (*National Park Service through Illinois Department of Natural Resources*)**

The stateside LWCF program provides a 50 percent match to states for planning, developing and acquiring land and water areas for natural resource protection and recreation enhancement.

Funds are distributed to states based on population and need. Once the funds are distributed to the states, it is up to each state to choose the projects, though the National Park Service has final approval. Eligible grant recipients include municipal subdivisions, state agencies and tribal governments, each of whom must provide at least 50 percent matching funds in either cash or in-kind contributions and a detailed plan for the proposed project. Grant applications are evaluated based on the technical merits of the project, the public/private partnerships, and how the project addresses the identified needs and priorities of a statewide comprehensive plan.

Annual appropriations to the fund have ranged from a high of \$369 million in 1979 to four years of zero funding between 1996 and 1999. In FY 2006 and FY 2007, \$27.9 million was provided for stateside grants in each year. In Illinois, the program is administered by the Illinois Department of Natural Resources, which received \$982,020 in Fiscal Years 2006 and 2007. In

the past, Waukegan has received LWCF grants for park and recreation projects.

Program Example: Waukegan Yorkhouse Park acquisition in 1978, and the Clearview Fields development in 1978.

### **Community Development Block Grants (CDBG)**

#### ***Federal Department of Housing and Urban Development***

<http://www.hud.gov/offices/cpd/communitydevelopment/programs/entitlement/>

The Department of Housing and Urban Development provides Entitlement Communities Grants for the principal cities of Metropolitan Statistical Areas (MSAs), other metropolitan cities with populations of at least 50,000; and qualified urban counties with populations of at least 200,000 (excluding the population of entitled cities). CDBG funds may be used for activities that include, but are not limited to acquisition of real property; relocation and demolition; and construction of public facilities and improvements, such as water and sewer facilities, streets, neighborhood centers, and the conversion of school buildings for eligible purposes.

The City of Waukegan is an entitlement community under the CDBG program.

Program Example: Salem, Oregon used \$155,000 for improvement of a 7.4 acre neighborhood park and the City of Ossining N.Y. used \$195,000 to assist in development of a public square.

### **National Fish Habitat Action Plan (NFHAP)**

#### ***U.S. Fish and Wildlife Service***

[www.fishhabitat.org](http://www.fishhabitat.org)

The National Fish Habitat Action Plan was started in 2001 when a group supported by the Sport Fishing and Boating Partnership Council proposed developing a partnership effort for fish similar to what was done for waterfowl in the 1980s through the North American Waterfowl Management Act (NAWCA). To date there are five locally-driven efforts that build private and public partnerships to improve fish habitat. Project recommendations and funding requests come to the USFWS and NOAA from local partnerships and joint ventures.

One program under NFHAP, the Midwest Driftless Area Restoration Effort works to protect, enhance, and restore unique brook trout riparian and aquatic habitats throughout 24,000 square miles in portions of Minnesota, Wisconsin, Iowa, and Illinois (Waukegan is not in this area).

Given this allocation of funds to a project in Illinois, further research would be needed to determine the chance of further funding in another area of the state.

### **Cooperative Endangered Species Conservation Fund:**

#### **Recovery Land Acquisition Grants**

#### ***U.S. Fish and Wildlife Service***

<http://www.fws.gov/endangered/grants/index.html>

Grants offered through the Cooperative Endangered Species Conservation Fund (authorized under [section 6 of the Endangered Species Act](#)) fund participation in a wide array of voluntary conservation projects for candidate, proposed and listed species. Recovery Land Acquisition (RLA) Grants provide funds to States for the acquisition of habitat, through both fee and easement, for federally-listed threatened and endangered species in support of approved recovery plans. These funds must contribute to the implementation of a finalized and approved recovery

plan for at least one listed species. The State of Illinois last received an RLA grant in FY 2003 for the protection of the eastern prairie fringed orchid, a federally listed threatened plant species.

Program Example: Almost \$200,000 was awarded to acquire an easement in Illinois within the Hildy Prairie for eastern prairie fringed orchid conservation. In 2007, San Diego County received a \$1.37 million grant to help assist in the protection of 571 acres of Laguna Mountainsskipper and San Bernardino bluegrass habitat.

### **Federal Aid in Sport Fish Restoration (Dingell-Johnson Act)**

*U.S. Fish and Wildlife Service*

<http://federalasst.fws.gov/sfr/fasfr.html>

The Federal Aid in Sport Fish Restoration Act, commonly referred to as the Dingell-Johnson Act, was approved in 1950 to create a program for the management, conservation, and restoration of fishery resources, including access points. The program is funded by revenues collected from an excise tax paid by the manufacturers of fishing equipment. The state fish and wildlife agencies are the only entities eligible to receive these grants and funds are apportioned to each state on a formula based on the percentage of licensed anglers in the state and the percentage of the states' land and water area.

The program is a cost-reimbursement program, where the state covers the full amount of an approved project then applies for reimbursement through Federal Aid for up to 75 percent of the project expenses. The state must provide at least 25 percent of the project costs from a non-federal source. In 2006 and 2007, Illinois received \$11.8 million in through this program.

### **Federal Aid in Wildlife Restoration (Pittman-Robertson Act)**

*U.S. Fish and Wildlife Service*

<http://federalasst.fws.gov/wr/fawr.html>

Implemented in 1938, the Federal Aid in Wildlife Restoration Act, more commonly known as the Pittman-Robertson Act, provides funding from the Department of the Interior for the selection, restoration, rehabilitation, and improvement of wildlife habitat, wildlife management research, and the distribution of information produced by the projects. Funds are derived from an 11 percent excise tax on sporting arms, ammunition, and archery equipment and a 10 percent tax on handguns. Funds are apportioned to the state fish and wildlife agencies on a formula based on the total area of the state and the number of licensed hunters in the state.

The program is a cost-reimbursement program in which the state applies for repayment of up to 75 percent of approved project expenses. The state must provide at least 25 percent of the project costs from non-federal sources. In 2006 and 2007, Illinois received an estimated \$8 million in funding through this program.

### **National Coastal Wetlands Conservation Grants**

*U.S. Fish and Wildlife Service*

[http://ecos.fws.gov/coastal\\_grants/viewContent.do?viewPage=home](http://ecos.fws.gov/coastal_grants/viewContent.do?viewPage=home)

Established by the Coastal Wetlands Planning, Protection, and Restoration Act of 1990, the National Coastal Wetlands Conservation Grant Program is a matching grant program administered by the U.S. Fish and Wildlife Service to acquire, restore, and enhance the wetland

ecosystems of coastal states and territories. Projects in states bordering the Atlantic, Gulf of Mexico, Pacific, and Great Lakes are eligible for funding. The one exception is the state of Louisiana, which has its own coastal wetland program administered under the Act. Projects are given priority if consistent with the criteria and considerations outlined in the National Wetlands Priority Conservation Plan; are located in states with dedicated funding programs to acquire coastal wetlands and open spaces; are located in maritime forests on barrier islands; benefit endangered species; encourage cooperative efforts among diverse partnerships; and benefit other ongoing conservation efforts.

To date, about \$165 million in grant funding has been awarded to 25 coastal states and one territory to acquire, protect or restore over 200,000 acres of coastal wetland ecosystems across the country. Illinois has been the recipient of two grants totaling a \$1.1 million over the last two years from this program.

Program Example: A \$357,000 grant was awarded for invasive species removal along Illinois' Northern Coastal Area on 240 acres of dune and swale communities within the ecological wetlands complex of Illinois Beach State Park and Spring Bluff Nature Preserve. A second grant of \$750,000 was awarded for the Hegewisch Marsh Restoration Project within the Calumet Open Space Reserve in South Chicago.

### **National Fish and Wildlife Foundation- General Matching Grant Program & Special Grants Programs**

#### ***National Fish and Wildlife Foundation***

<http://www.nfwf.org/programs.cfm>

In 1984, Congress created the National Fish and Wildlife Federation to benefit the conservation of fish, wildlife, plants, and the habitat on which they depend by attracting diverse investments to conservation and encouraging locally supported stewardship on private and public lands. NFWF funds projects to conserve and restore fish, wildlife, and native plants through matching grant programs. The Foundation awards matching grants to projects that address priority actions promoting fish and wildlife conservation and the habitats on which they depend, work proactively to involve other conservation and community interests, leverage Foundation-provided funding, serve multiple objectives, involve strong partnerships, and fit into a larger ecosystem approach to conservation. The most successful applications will display the long-term environmental benefits of a project that yield high quality conservation returns.

Eligible grantees include federal, tribal, state, and local governments, educational institutions, and non-profit conservation organizations. Grants typically range from \$10,000 to \$150,000, based upon need. As a policy, the foundation seeks to achieve at least a 2:1 return on its project portfolio, or \$2 raised in matching funds to every federal dollar awarded.

In addition to the general matching grant program, the Foundation administers a variety of special grant programs with specific conservation objectives, programmatic guidelines and time-lines. (*See the Foundation's website for more information on these numerous grant opportunities or call NFWF's Central Partnership Office at (612) 713-5173.*)



## **The North American Wetlands Conservation Act (NAWCA)**

### ***U.S. Fish and Wildlife Service***

<http://www.fws.gov/birdhabitat/Grants/NAWCA/Standard/US/index.shtm>

The North American Wetlands Conservation Act (NAWCA) was passed in 1989 to provide matching grants for the acquisition, restoration, and enhancement of wetland ecosystems for the benefit of waterfowl and other wetland dependent migratory species. Administered by the U.S. Fish and Wildlife Service, grants are available to nonprofit organizations, state and local agencies, tribes, and private individuals in the U.S., Canada, and Mexico. Two types of grants are awarded; small grants for up to \$75,000 and standard grants for up to \$1 million. There is a 1:1 non-federal match requirement for each grant.

The NAWCA matching grant program has grown steadily from \$15 million in FY 2000 to over \$66 million in FY 2006. In October 2006, in an effort reflecting public and Congressional commitment to the goals of the Act, Congress reauthorized appropriations for the Act through FY 2012 at \$75 million per year. Since 1990, over 2,500 partners have been involved in over 1,200 NAWCA Standard grant projects, affecting 23 million acres of wetlands and associated uplands. In 2004 and 2005 projects in Illinois received two grants totaling \$1.7 million in NAWCA funds.

Program Example: In 2004, \$1 million was awarded for acquisition and restoration within the Emiquon National Wildlife Refuge. In 2005, over \$700,000 was awarded to the Middle Mississippi Rover Ecosystem Project for the acquisition of 500 acres of wetland habitat. In 2007, a \$1 million grant was awarded to partners for the South San Francisco Bay Wetlands Restoration Project. Project partners will focus their restoration efforts in the South San Francisco Bay. Restoration activities include reestablishing tidal hydrology and connectivity between the breached ponds and the adjacent tidal sloughs and open bay.

## **Emergency Watershed Protection (EWP)**

### ***Natural Resource Conservation Service (NRCS)***

<http://www.nrcs.usda.gov/Programs/ewp/>

The Emergency Watershed Protection (EWP) program undertakes emergency measures, including the purchase of floodplain easements, for runoff retardation and soil erosion prevention to safeguard lives and property from floods, drought, and the products of erosion on any watershed whenever fire, flood or any other natural occurrence is causing or has caused a sudden impairment of the watershed.

The NRCS may purchase EWP easements from willing landowners on any floodplain lands that have been impaired within the last 12 months or that have a history of repeated flooding (i.e., flooded at least two times during the past 10 years). Purchases are based upon established priorities but landowner applications for the program far exceed funding.

Project Example: The City of Hallock, Minn. received \$135,000 to assist in stream stabilization.

## **Recreational Trails Grants Program**

### ***US Department of Transportation & Illinois Department of Natural Resources***

<http://www.fhwa.dot.gov/environment/rectrails/index.htm>

<http://www.dnr.state.il.us/orep/planning/>

The Recreation Trails Program is a federal transportation program that provides monies for the maintenance, development, acquisition and construction of new and existing trail facilities for both motorized and non-motorized recreational trail uses. Funds are distributed to the states according to a formula. Eligible applicants include non-profit organizations, municipal agencies, state agencies, federal government agencies and other government entities (regional governments, port districts, etc.). Eligible projects include (1) maintenance and restoration of existing trails, (2) development and rehabilitation of existing trails, (3) construction of new recreation trails, and (4) acquisition of easements and fee simple title to property. Grants are distributed annually and require a twenty percent match.

Program Example: In FY 2007, Illinois received an apportionment of \$1,945,540. In Lake County, funding from this program has been used for trail improvements on the Chain O'Lakes Trail, the Oakridge Marsh Trail, and trails in Illinois Beach State Park.

### **Urban Park and Recreation Recovery Program (UPARR)**

*National Park Service*

<http://www.nps.gov/uprr/>

The Urban Park and Recreation Recovery Program was developed as the urban component to the Land and Water Conservation Fund in 1978. UPARR grants are given to eligible cities and counties and are meant to assist disadvantaged areas. The grants fund rehabilitation (capital funding for renovation or redesign of existing facilities), innovation (funding aimed to support specific activities that either increase recreation programs or improve the efficiency of the local government to operate recreation programs), and planning (funding for development of recovery action program plans) for recreational services in urban areas. From the program's inception in 1978 to 2002, it has distributed approximately \$272 million for 1,461 grants to local jurisdictions in 43 states, the District of Columbia and Puerto Rico. A local match of at least 30 percent is required for most grants. This program, however, has not been funded for the past five fiscal years and is not included in the most recent President's budget proposal for fiscal year 2008.

Program Example: In The Trust for Public Land and the city of Oakland received a \$500,000 grant from the National Park Service (NPS) for a park rehabilitation project.

### **Transportation Enhancements (TE)**

*US Department of Transportation & Illinois Department of Transportation*

[www.enhancements.org](http://www.enhancements.org)

<http://www.dot.il.gov/opp/itep.html>

The federal transportation program provides states with funding for transportation projects. States are allocated funds based on a combination of population, transportation systems, miles of roads and other factors. Each state must reserve at least 10% of its Surface Transportation Program dollars for transportation enhancement activities. These enhancement projects include historic preservation, rails to trails programs, easement and land acquisition, transportation museums, water pollution mitigation, wildlife connectivity, and scenic beautification. All projects must be related, in some way, to transportation. In each state, TE projects are selected through a competitive process. Applications are submitted by local government entities, often in partnership with nonprofit organizations. The federal government provides 80 percent of the

funds and the municipalities need to contribute a 20 percent match. The federal government gives final approval to the projects and distributes the funds directly to the municipalities or nonprofits on a reimbursement basis. In recent years, Illinois's annual allocation for transportation enhancements has been approximately \$25.5 million.

Program Example: \$1.5 million for a pedestrian and bike bridge in the village of Bridgeview and \$218,000 for bikeways in the village of Brookfield.

## **U.S. Army Corps of Engineers Civil Works Programs**

### ***Department of Defense***

The U.S. Army Corps of Engineers has both military and civilian responsibilities. Under its civil works program, the Corps plans, constructs, operates, and maintains a wide range of water projects, headed by a civilian Assistant Secretary of the Army for Civil Works. A military Chief of Engineers oversees the Corps' civil and military operations and reports on civil works matters to the Assistant Secretary for Civil Works. Projects generally originate with a request for assistance from a community or local government entity. A study of the project is often in order, allowing the Corps to investigate a problem and determine if there is a federal interest in proceeding further. The study must be authorized by Congress, usually in the biennial Water Resources Development Act (WRDA), and must be funded through the annual Energy and Water Appropriations bill.

Program Example: The Corps has been involved in managing the Passaic River in Newark, N.J.. In 1992 and 1996, Congress authorized the Corps and other agencies and partners to construct a park corridor on the Passaic for flood and erosion control, wetlands restoration, water quality improvement, and parks for recreation.

Congress also provides authorizations and appropriations to the Corps for the Continuing Authorities Programs (CAP). Two programs, Section 1135 and Section 206 are of special interest. Section 1135 provides authority for the Corps to investigate, study, modify, and construct projects for the restoration of fish and wildlife habitats where degradation is attributable to water resource projects previously constructed by the Corps. Project modifications are limited to a Federal cost of \$5 million per project. The program limit for Section 1135 is \$25 million.

Aquatic Ecosystem Restoration (WRDA Section 206) provides authority for the Corps of Engineers to carry out aquatic ecosystem restoration and protection projects if the project will improve the quality of the environment, is in the public interest, and is cost effective. Each project is limited to a Federal cost of \$5,000,000. The total program limit is \$25 million.

## **Brownfields Program**

### ***U.S. Environmental Protection Agency (EPA)***

<http://www.epa.gov/brownfields/applicat.htm>

If a property identified for acquisition or redevelopment is or might be a "brownfields" site, there are many programs and other benefits at the local, state and federal levels that encourage its redevelopment. One such program is run through the U.S. Environmental Protection Agency. EPA's Brownfields Program provides direct funding for brownfields assessment, cleanup,

revolving loans, and environmental job training. In addition, legislation signed into law in 2001 limits the liability of certain contiguous property owners and prospective purchasers of brownfields properties, and innocent landowner are also afforded liability benefits to encourage revitalization and reuse of brownfield sites. EPA's brownfields program provides several types of grants:

- **Assessment Grants** provide funding for a grant recipient to inventory, characterize, assess, and conduct cleanup and redevelopment planning and community involvement related to brownfield sites. \$200,000 grants (or to \$350,000 with a waiver).
- **Remediation grants** are available for remediation of brownfield sites. These grants are limited to \$200,000 per site, with no more than three applications per entity. There is a 20 percent cost-share. NGOs are eligible to apply, but must have site control of the property.
- **Revolving Loan Fund grants (RLF)** provide funding for a grant recipient to capitalize a revolving loan fund to provide sub grants to carry out cleanup activities at brownfields sites. \$1 million per eligible entity, with a 20 percent cost share.

Program Example: TPL received an EPA brownfields grant to assist in the capping of a landfill in Providence, R.I. on a 1.5 acre property that is now part of the Woonasquatucket Greenway. Also, see the case study on Kenosha, Wisconsin in Appendix A for an example.

## **Private Funding**

TPL has identified this list of prospects for private funding sources that either have a history of funding conservation or environmental projects in the area or which could potentially have an interest in supporting the Lakefront Downtown Master Plan. Likely Prospects should be explored first while the others require research before considering application.

*(See next page for table.)*

<b>Likely Prospects</b>	
<p><b>Grand Victoria Foundation</b> (natural areas/trail) 230 W. Monroe St., Ste. 2530 Chicago, IL 60606 (312) 609-0200 www.grandvictoriafdn.org</p> <p><b>Field Foundation of Illinois (natural areas/trails)</b> 200 South Wacker Drive, Suite 3860 Chicago, IL 60606 (312) 831-0910 www.fieldfoundation.org</p> <p><b>Gaylord and Dorothy Donnelley Foundation (natural areas/trails)</b> 35 E. Wacker Drive, Suite 2600 Chicago, IL 60601 (312) 977-2700 www.gddf.org</p> <p><b>Illinois Clean Energy Community Foundation (natural areas/trails)</b> 2 N. LaSalle Street Chicago, IL 60602 (312) 372-5191 www.illinoiscleanenergy.org</p> <p><b>Grace A. Bersted Foundation (natural areas/trails)</b> c/o Bank of America 231 S. LaSalle Street Chicago, IL 60697 (312) 828-1785</p> <p><b>Oberweiler Foundation (land trusts)</b> 1250 S Grove Avenue Barrington, IL (847) 277-7443</p>	<p><b>Abbott Labs (recreational/trails)</b> 100 Abbott Park Road Abbott Park, Illinois 60064-3500 (847) 937-6100 <a href="http://www.abbott.com">www.abbott.com</a></p> <p><b>Midwest Generation (recreational/trails)</b> One Financial Place 440 S. LaSalle St., Suite 3500 Chicago, IL 60605 (312) 583-6000 <a href="http://www.edison.com/ourcompany/mwg.asp">www.edison.com/ourcompany/mwg.asp</a></p> <p><b>Esper A. Petersen Foundation (recreational/trails)</b> 3535 Washington Street Gurnee, IL 60031</p> <p><b>United Conveyor Foundation (active/trails)</b> 2100 Norman Drive West Waukegan, IL 60085 Attn: Gloria A. Smiley (847) 475-5900</p> <p><b>Allen &amp; Meline Pickus Foundation active/trails</b> 2110 Miraflores Drive Waukegan, IL 60087 (847) 336-5490</p> <p><b>Boeing Corporation</b> Ms. Nora Moreno Cargie, Global Corporate Citizenship 100 N. Riverside Plaza MC 5002-8450 Chicago, IL 60606 312-544-2281</p>
<p>Bank of America <a href="http://www.bankofamerica.com/foundation/index.cfm?template=overview&amp;statecheck=IL">http://www.bankofamerica.com/foundation/index.cfm?template=overview&amp;statecheck=IL</a></p> <p>Bank One Corporation or Chase Bank <a href="http://www.jpmorgan.com/pages/jpmorgan/about">http://www.jpmorgan.com/pages/jpmorgan/about</a></p> <p>William Blair and Company Foundation <a href="http://www.williamblair.com/careers/altcommunity.asp">http://www.williamblair.com/careers/altcommunity.asp</a></p> <p>Helen Brach Foundation <a href="http://www.activistcash.com/foundation.cfm?did=120">http://www.activistcash.com/foundation.cfm?did=120</a></p> <p>Union Pacific Foundation <a href="http://www.up.com/found">http://www.up.com/found</a></p>	<p>The Brunswick Foundation, Inc <a href="http://www.brunswick.com/company/community/brunswickfoundation.php">http://www.brunswick.com/company/community/brunswickfoundation.php</a></p> <p>Chicago Board of Trade Foundation <a href="http://www.cbot.com/cbot/pub/page/0,3181,948,00.html">http://www.cbot.com/cbot/pub/page/0,3181,948,00.html</a></p> <p>FMC Foundation <a href="http://www.nahealth.com/pp_fmc/dept_services/foundation/fmc_foundation.htm">http://www.nahealth.com/pp_fmc/dept_services/foundation/fmc_foundation.htm</a></p> <p>GATX Corporation <a href="http://www.gatx.com">www.gatx.com</a></p>

## **Appendix E: Prioritization Decision Model Methodology & Maps**

The GIS-based prioritization for open space implementation is based on a set of goals and parameters which are highlighted in the map. Using a decision model allows for a more systematic combination of the multiple objectives, and can provide a roadmap to help complement more opportunistic activities.

The initial decision map is based on six variables that encompass a variety of factors, including the environmental condition, proximity to development, current ownership, priorities set out in the master plan, the type of open space control strategies, and potential funding sources. These variables are rated numerically and then added up to get an overall point score for the priority.

As this is a decision model, rather than a scientific formula, it is open to iterative change and interpretation. Variables can be added or subtracted, or the weights of the individual variables in the model changed. The goal of the model is to numerically represent the decision-making priorities in the project in a systematic fashion, so that the City has a ranked list of priorities.

### **Variable 1: Proximity to Development Properties**

If a property is under development or to be developed, or if it is next to a development property with the same owner, this will have the highest priority for action. Development-adjacent properties with different owners have the next highest priority. (Development properties come from a list provided by the city.)

1. Property is under development or to be developed, or if it is adjacent to a development area and has same owner.
2. Property is adjacent to a development area.
3. All other properties.

### **Variable 2: Master Plan Priorities**

Based on the development goals of the master plan, properties with “1” reflect the highest priority.

1. Downtown/Ravine.
2. Areas where the Waukegan River intersects the lakefront.
3. South lakefront area.
4. Harborfront/North Harbor.
5. Remaining North Lakefront areas.

### **Variable 3: Public Ownership**

If the property is already owned by a public agency, it is assumed that implementation can begin more quickly, recognizing that some public properties may continue in their current use.

1. City of Waukegan, Park District or IDOT ownership.
2. Port Authority, Sanitary District, or Lake County ownership.
3. All other properties.

#### **Variable 4: Environmental Conditions**

The more pristine the property, the higher priority for open space control it will receive, with the caveat that remediation of the properties may speed up the process of open space conversion even if it is not reflected in this description.

#### **Variable 5: Land Control Strategy**

Open space may be controlled by purchase, easement or stewardship. (Because it is already held by a public agency, public land is not a priority for acquisition.)

1. Private – Likely Land Swap or Donation.
2. Private – Possible Easement.
3. Private – Possible Sale of Land.
4. Publicly-owned land.

#### **Variable 6: Funding Potential for Restoration, Development or Acquisition**

Properties that are likely to be funded by the landowner are rated at level 1. For those properties requiring external funding, various criteria were taken into account. Properties that are adjacent to existing open space or waterways have higher funding priorities under grant programs. In addition, those that lend themselves to ecosystem restoration relating to watersheds or Lake Michigan rated higher than other projects, so that the projects along the lake and ravine have greater chance of funding. For trail funds, the key is to link new trails to existing trails. OSLAD funds are based on a need for recreation in the current location.

1. Landowner likely to undertake restoration or development of parcel, or parcel is at desired level.
2. Very high potential to capture funding for restoration, development of open space or acquisition.
3. Funding for restoration, development of open space or acquisition is likely.
4. Funding has a medium likelihood.

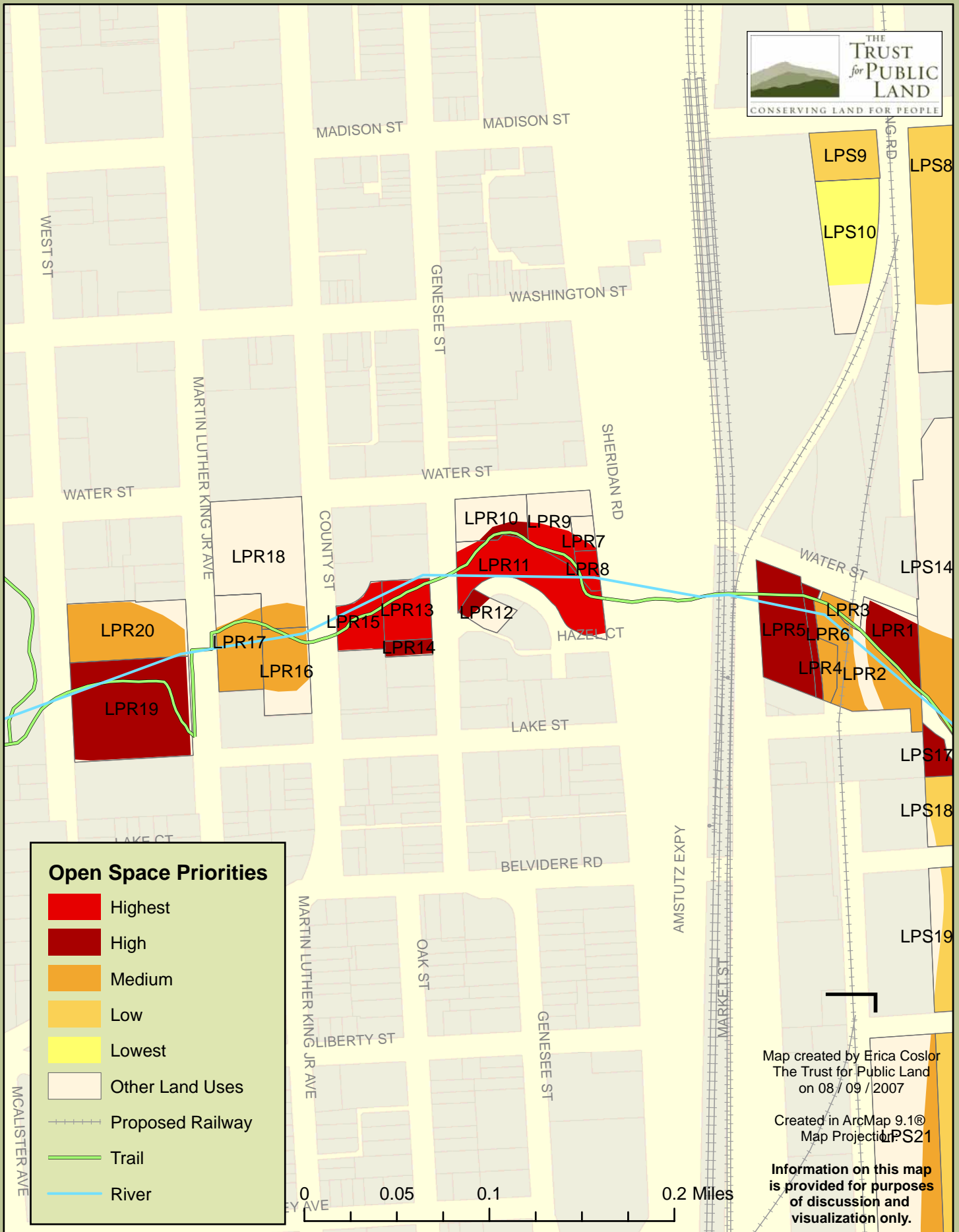
#### **Explanation for Combining The Variables**

In applying this model, we will assign a priority ranking to each property, which can then be used to color code the priorities on the map. This ranking is likely to be a number that will vary from 1 to 20, with 20 being the lowest priority (due to highest priority factors being rated a 1). The equation will look like this:

Variable 1 + Variable 2 + Variable 3 + Variable 4 + Variable 5 = Total priority points

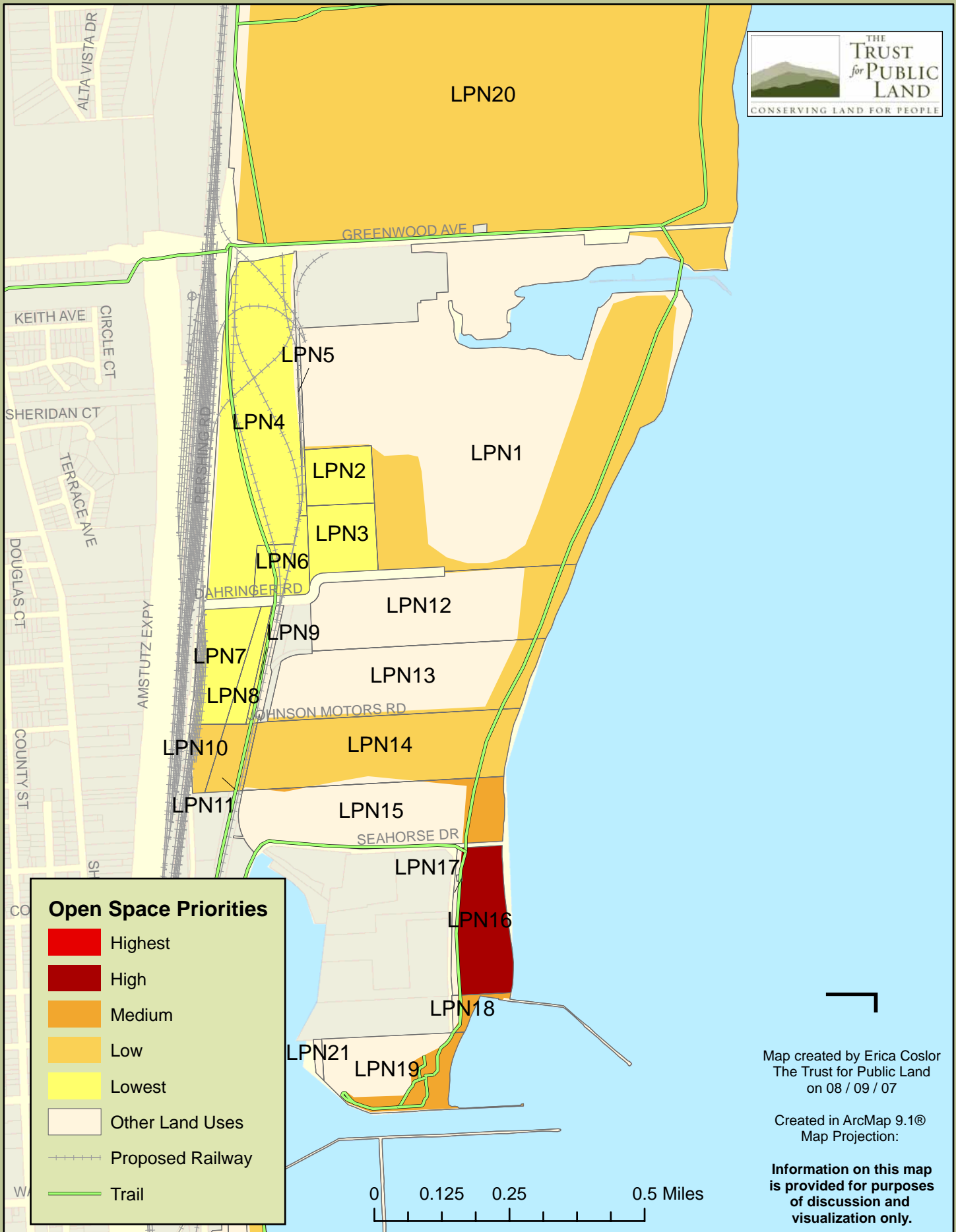
Although it is possible to then weight some of the variables more strongly than others, for this version we will choose to have them each rate as equally important, even though we recognize that some of the goals take precedence over the others.

# Waukegan Ravine Area Open Space Priorities

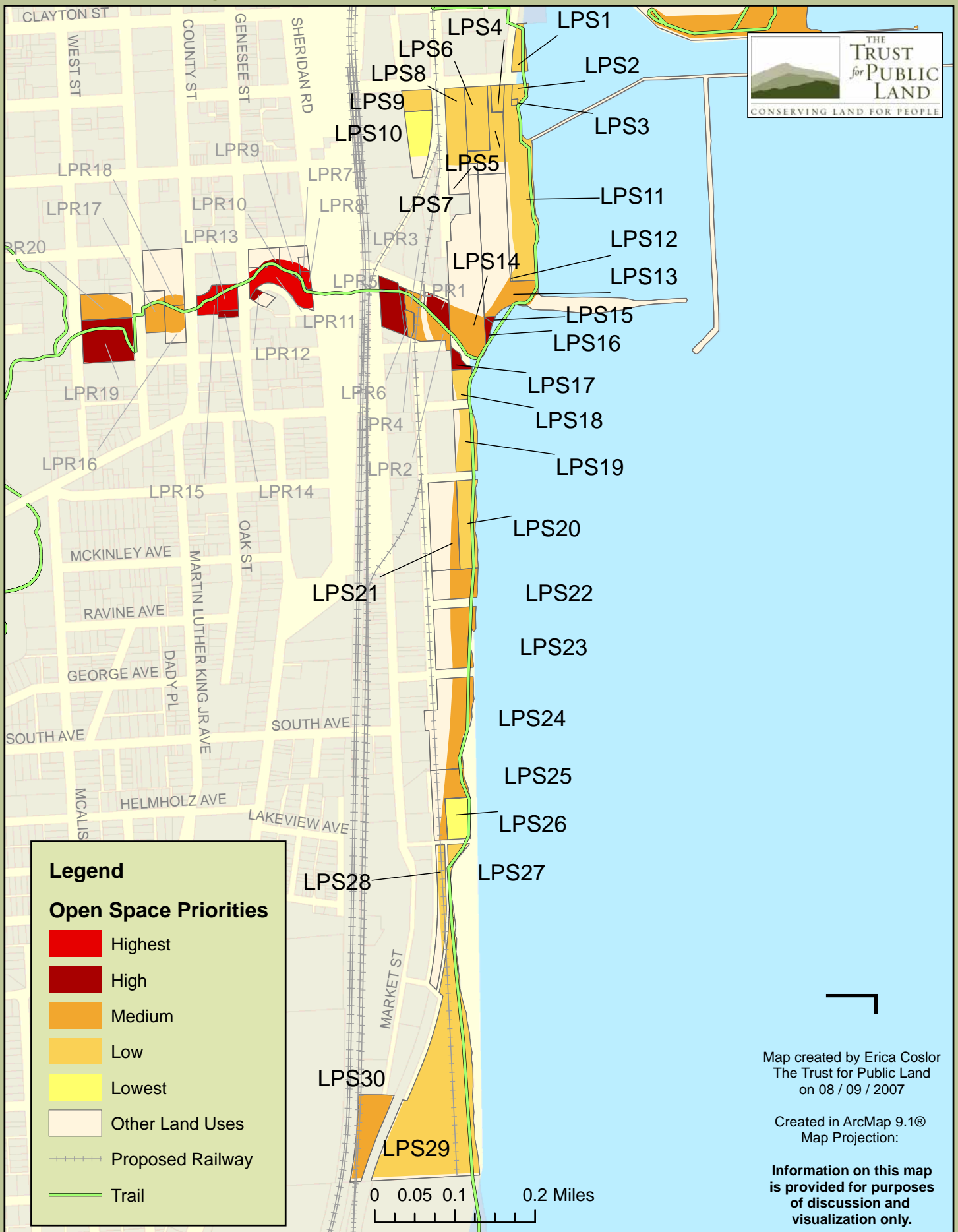




# Waukegan North Area Open Space Priorities



# Waukegan South Area Open Space Priorities



**Legend**

**Open Space Priorities**

- Highest
- High
- Medium
- Low
- Lowest
- Other Land Uses
- Proposed Railway
- Trail

Map created by Erica Coslor  
The Trust for Public Land  
on 08 / 09 / 2007

Created in ArcMap 9.1®  
Map Projection:

**Information on this map  
is provided for purposes  
of discussion and  
visualization only.**

## **Appendix F: Land Control & Acquisition Strategies – Title and Interest**

*(See tables on following pages.)*

## WAYS TITLE CAN BE ACQUIRED

<b>Technique</b>	<b>Explanation</b>	<b>Advantages</b>	<b>Disadvantages</b>
<b>Fair market value</b>	Land is sold at its value based upon highest and best use.*	<ul style="list-style-type: none"> <li>▪Highest sales income to seller</li> </ul>	<ul style="list-style-type: none"> <li>▪Can be expensive</li> </ul>
<b>Bargain sale</b>	Part donation/part sale – property is sold at less than fair market value.*	<ul style="list-style-type: none"> <li>▪Often the landowner is eligible for a tax deduction for the difference between the sale price and the fair market value.</li> </ul>	<ul style="list-style-type: none"> <li>▪Seller must be will- to sell at less than fair market value. Can be expensive.</li> </ul>
<b>Outright donation</b>	A donation by landowner of all interest in property.*	<ul style="list-style-type: none"> <li>▪Allows for permanent protect- without direct public expenditure- ture.</li> <li>▪Tax benefits to seller-property’s fair market value is considered a charitable contribution.</li> </ul>	<ul style="list-style-type: none"> <li>▪Very few landowners willing to consider.</li> </ul>
<b>Bequest</b>	Landowner retains ownership until death.*	<ul style="list-style-type: none"> <li>▪Management responsibility usually deferred until donor’s death.</li> </ul>	<ul style="list-style-type: none"> <li>▪Uncertain date of acqui- sition.</li> <li>▪Donor does not benefit from income tax deduction.</li> <li>▪Landowner can change will.</li> </ul>

<b>Technique</b>	<b>Explanation</b>	<b>Advantages</b>	<b>Disadvantages</b>
<b>Donation with reserved life estate</b>	Landowner donates during lifetime but has lifetime access.	<ul style="list-style-type: none"> <li>▪Landowner retains use and receives tax benefits from donations.</li> </ul>	<ul style="list-style-type: none"> <li>▪Uncertain date of acquisition.</li> </ul>
<b>Land exchange</b>	Exchange of developable land for land with high conservation value.	<ul style="list-style-type: none"> <li>▪Minimal or no government funds required.</li> <li>▪Landowner may defer capital gain recognition.</li> </ul>	<ul style="list-style-type: none"> <li>▪Properties must be of comparable value.</li> <li>▪Complicated and time consuming.</li> </ul>
<b>Eminent domain</b>	The right of the government to take private property for public purposes upon payment of just compensation.*	<ul style="list-style-type: none"> <li>▪Provides government with a tool to acquire desired properties if other acquisition techniques are not viable.</li> </ul>	<ul style="list-style-type: none"> <li>▪Landowner and public opposition.</li> <li>▪Can result in speculation on targeted properties.</li> <li>▪Potentially expensive and time-consuming litigation.</li> </ul>
<b>Tax foreclosure</b>	Government acquires land by tax payment default.	<ul style="list-style-type: none"> <li>▪Limited expenditure. Land might not be appropriate for public open space, but can be sold to provide funds for open space acquisition.</li> </ul>	<ul style="list-style-type: none"> <li>▪Cumbersome process</li> </ul>

<b><u>Technique</u></b>	<b><u>Explanation</u></b>	<b><u>Advantages</u></b>	<b><u>Disadvantages</u></b>
<b>Agency transfer</b>	Certain government agencies may have surplus property inappropriate for their needs that could be transferred to a parks agency for public use.	▪ Limited expenditure	▪ Surplus property available may not be appropriate for park use or the owning agency may want to sell to a private party to generate revenues.

*\*Conservation easements can also be obtained by these means.*

## RIGHTS AND INTEREST IN LAND THAT CAN BE ACQUIRED

Method	Definition	Pros	Cons
<b>Fee simple ownership</b>	Obtaining full ownership of the land.	<ul style="list-style-type: none"> <li>▪Gives full access to the property.</li> <li>▪Guarantees permanent protection.</li> </ul>	<ul style="list-style-type: none"> <li>▪Expensive</li> <li>▪Usually removes land from tax base.</li> <li>▪Ownership responsibility includes liability and maintenance.</li> </ul>
<b>Conservation easement/ Development rights</b>	Legal agreement a property owner makes to restrict the type and amount of development that may take place on his or her property. A partial interest in the property is transferred to an appropriate nonprofit or governmental entity by gift or purchase. As ownership changes, the land remains subject to the easement restrictions.	<ul style="list-style-type: none"> <li>▪Less expensive than fee simple.</li> <li>▪Tailored to the protection requirements of the land-owners and property.</li> <li>▪Property owner retains ownership and property remains on the tax rolls, often at a lower rate because of restricted use.</li> <li>▪Potential income and estate tax benefits from donation.</li> <li>▪More permanent and often more restrictive than land use regulations, which often change with the political climate.</li> </ul>	<ul style="list-style-type: none"> <li>▪Public access may not be required.</li> <li>▪Easement must be enforced.</li> <li>▪Restricted use may lower resale value.</li> </ul>

<b>Method</b>	<b>Definition</b>	<b>Pros</b>	<b>Cons</b>
<b>Purchase of land with lease-back</b>	As part of purchase contract, city/county agrees to lease land back to the seller, subject to restrictions.	<ul style="list-style-type: none"> <li>▪Income through lease-back.</li> <li>▪Liability and management responsibilities assigned to lease.</li> </ul>	<ul style="list-style-type: none"> <li>▪Public access may not be available.</li> <li>▪Must be appropriate use for lease-back.</li> </ul>
<b>Lease</b>	Short-or long term rental of land.	<ul style="list-style-type: none"> <li>▪Low cost for use of land.</li> <li>▪Landowner receives income and retains control of property.</li> </ul>	<ul style="list-style-type: none"> <li>▪Does not provide equity and affords only limited control of property.</li> <li>▪Temporary</li> </ul>





*The Trust for Public Land  
conserves land for people to enjoy  
as parks, gardens, and other natural  
places, ensuring livable communities  
for generations to come.*

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