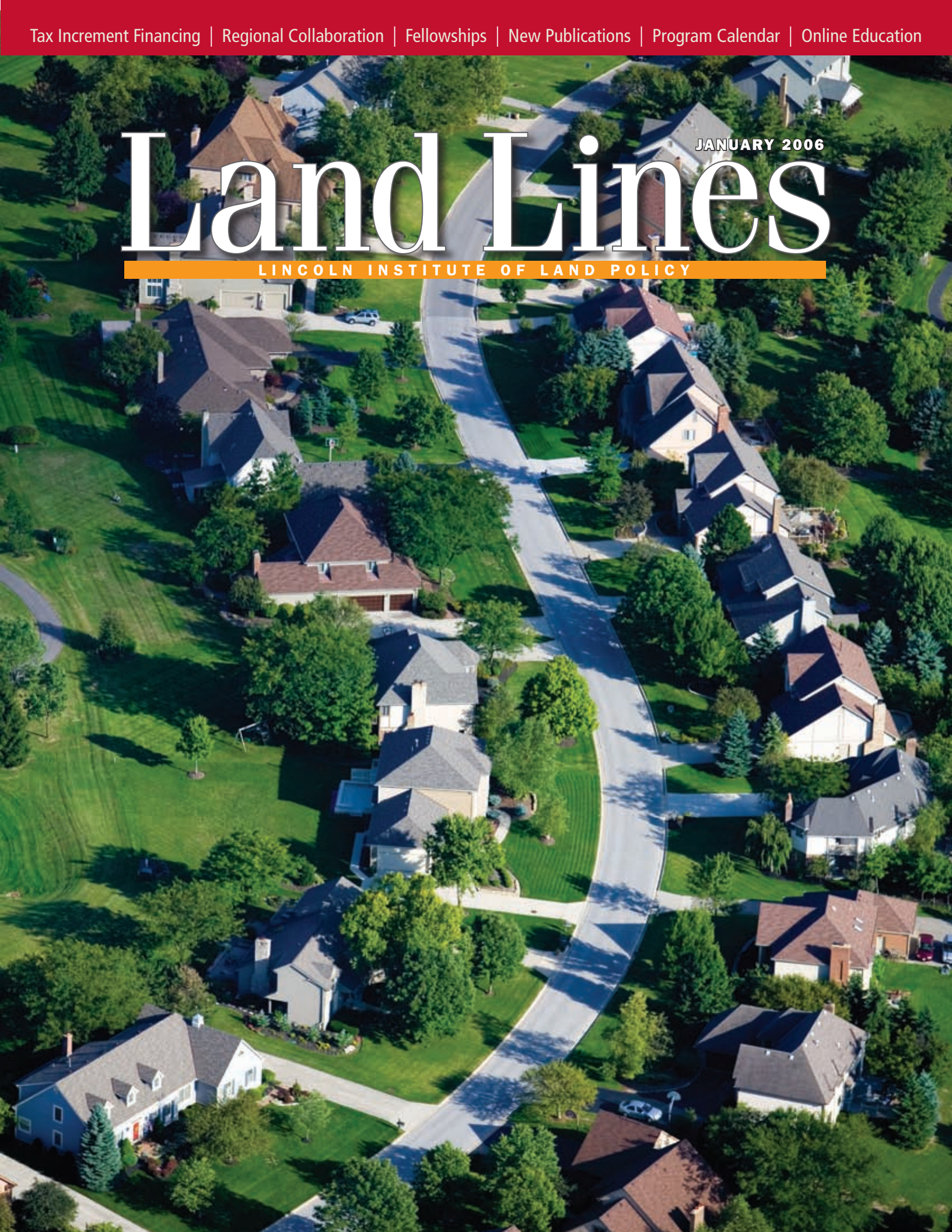


# Land Lines

JANUARY 2006

LINCOLN INSTITUTE OF LAND POLICY



# Land Lines

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Muir Field Village, Columbus, Ohio  
Cover photo: © Alex MacLean/  
Landslides Aerial Photography

## Reinventing Conservation Easements

**In recent decades conservation easements—promises to restrict land development—have become enormously popular, but now they are in trouble.** News reports have created concern that some easements are little more than tax avoidance schemes with no public benefit. In response, the IRS has stepped up audits, and some members of Congress want to curtail deductions for easements, or even eliminate them altogether.

Neither approach is desirable. Tax laws governing easements are so vague that the IRS seldom prevails against abusive appraisals. The meat-axe approach, meanwhile, would eliminate many beneficial easements yet fail to address serious, long-term problems. Fortunately, there are better answers. A set of simple reforms would ensure public accountability in easement creation, appraisal, and enforcement.

Few anticipated today's problems when Congress enacted tax benefits for easements in 1980. Then conservation easements were relatively rare. But today there are more than 1,500 local and regional land trusts holding almost 18,000 easements—double the number of five years ago—covering over five million acres. And that doesn't count thousands of easements held by federal, state, and local governments and by national organizations such as The Nature Conservancy and the American Farmland Trust. The public investment in direct expenditures and in tax deductions is difficult to estimate, but clearly substantial.

Despite this, most states have no standards governing the content of conservation easements. Nobody even knows where all the easements are, let alone their price in lost tax revenue and enforcement costs. Virtually no state ensures that land trusts have the capacity to manage the easements they hold. Few land trusts have the funds to enforce or defend just one easement in court, and challenges are certain to mount as land passes to new owners, economic incentives to develop property grow, and land subject to easements is subdivided.

Almost no states have measures to protect the public interest when land trusts—many created in the last two decades—dissolve, as some inevitably will, or when landown-



Gregory K. Ingram

ers attempt to terminate or amend existing easements. A recent survey by the Land Trust Alliance, a voluntary standard-setting organization, found that an overwhelming majority of land trust representatives fear that the easements they hold may not withstand the test of time.

The remedy must begin with transparency. Every state should have a comprehensive public registry of easements, and opportunity for public comment on how proposed

easements fit overall developmental policies and priorities. Individual appraisals should be public and subject to closer scrutiny. It also would help to standardize easement terms. Their great variability complicates efforts to value them and to determine whether they merit their public subsidy. States should spell out procedures enforcing easements when land trusts fail, and for ensuring a public voice when landowners or easement holders seek to terminate or amend easements. That's only fair. Conservation easements are financed with public money to achieve a public interest in the long-term preservation of open space. Failure to protect this defeats the very purpose of using public resources to create them in the first place.

These changes may not be politically popular. Some will object to increasing the role of government, and others will protest that transparency may discourage landowners from donating easements. Fortunately, these fears already have been put to an empirical test. Massachusetts has led the nation with a system of mandatory public review and approval of conservation easements at both the state and local levels for nearly four decades. Far from stifling the easement movement, government supervision has strengthened it. In fact, the Bay State has more conservation easements than almost any other state. With easements under close scrutiny in the media and losing support in Congress, this approach offers a model for reform. **L**

**For more background and analysis on this topic, see the recently published Lincoln Institute report, *Reinventing Conservation Easements: A Critical Examination and Ideas for Reform*, by Jeff Pidot (<http://www.lincolnst.edu/pubs/>).**

# TAX INCREMENT FINANCING

## A TOOL FOR LOCAL ECONOMIC DEVELOPMENT

Richard F. Dye and David F. Merriman

**T**ax increment financing (TIF) is an alluring tool that allows municipalities to promote economic development by earmarking property tax revenue from increases in assessed values within a designated TIF district. Proponents point to evidence that assessed property value within TIF districts generally grows much faster than in the rest of the municipality and infer that TIF benefits the entire municipality. Our own empirical analysis, using data from Illinois, suggests to the contrary that the non-TIF areas of municipalities that use TIF grow no more rapidly, and perhaps more slowly, than similar municipalities that do not use TIF. An important finding is that TIF has different impacts when land use is considered. For example, commercial TIF districts tend

to decrease commercial development in the non-TIF portion of the municipality.

### Designating a TIF District

The rules for tax increment financing, and even its name, vary across the 48 states in which the practice is authorized. The designation usually requires a finding that an area is “blighted” or “underdeveloped” and that development would not take place “but for” the public expenditure or subsidy. It is only a bit of an overstatement to characterize the “blight” and “but for” findings as merely *pro forma* exercises, since specialized consultants can produce the needed evidence in almost all cases. In most states, the requirement for these findings does little to restrict the location of TIF districts.

TIF expenditures are often debt financed in anticipation of future tax revenues. The practice

FIGURE 1  
TIF and Non-TIF Areas and Value Components

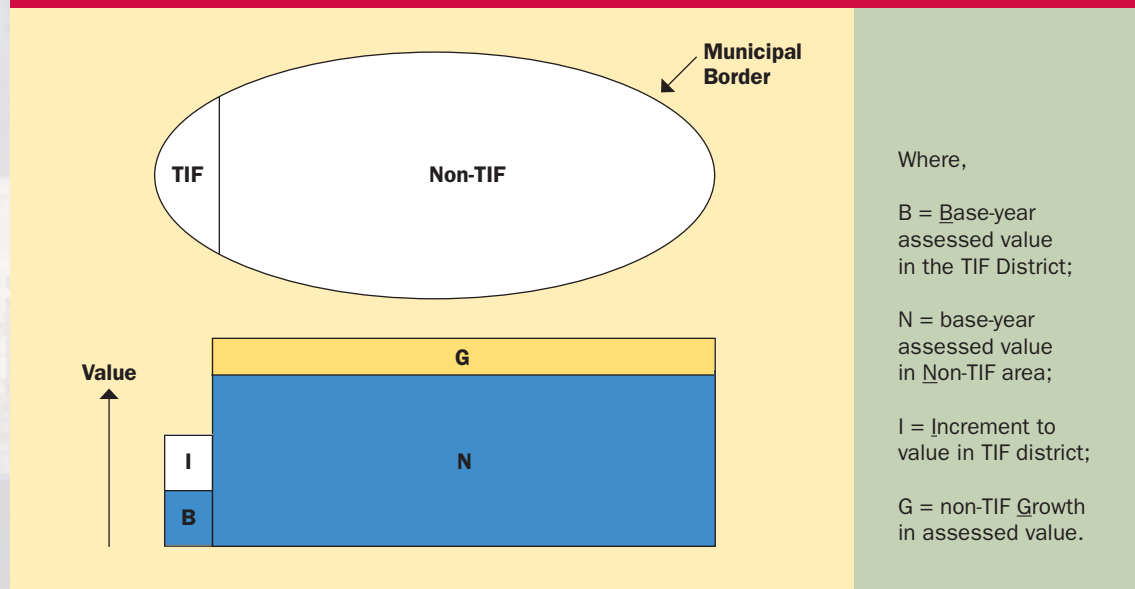




Photo: Sarah E. Newby

**This newly empty lot awaits redevelopment in the Greektown area of Chicago, at the western edge of the Loop.**

dates to California in 1952, where it started as an innovative way of raising local matching funds for federal grants. TIF became increasingly popular in the 1980s and 1990s, when there were declines in subsidies for local economic development from federal grants, state grants, and federal tax subsidies (especially industrial development bonds). In many cases TIF is “the only game in town” for financing local economic development.

The basic rules of the game are illustrated in Figure 1. The top panel shows a land area view of a hypothetical municipality. The area on the western border is designated a TIF district and its assessed value is measured. The lower panel of Figure 1 shows the base-year property values in the TIF (B) and the non-TIF (N) areas. At a later point in time, assessed property values have grown to include the increment (I) in the TIF district and growth (G) in the non-TIF area of the municipality.

Tax increment financing carves out the increment (I) and reserves it for the exclusive use of the economic development authority, while the base-year assessed value (B) stays in the local government tax base. Thus,

- Before-TIF value = before TIF local government tax base = B + N;
- After-TIF value = B + N + I + G;
- After-TIF tax base available to local governments = B + N + G; and
- TIF district authority’s tax base = I.

### Impacts on Overlapping Governments and Non-TIF Areas

The value increment (I) is the tax base of the TIF district. In most states (like Illinois, but unlike Massachusetts) there are multiple overlapping local governments, e.g., the municipality, school district, community college district, county, township, park district, library district, and other special districts.

**FIGURE 2**  
**TIF Areas with Overlapping Governments**

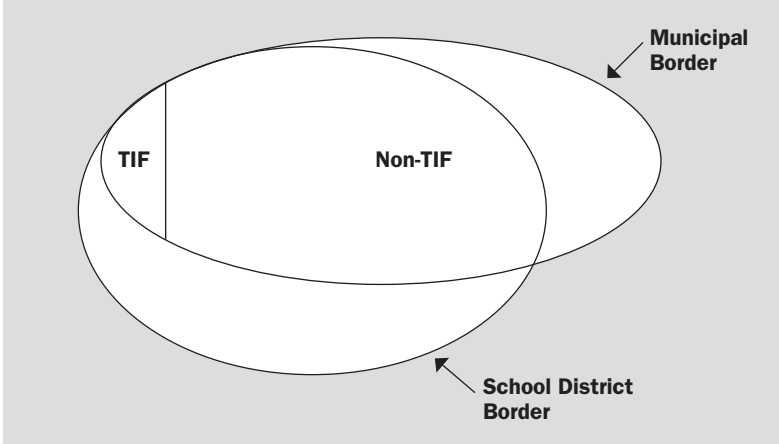


Figure 2 illustrates this situation with the school district representing all the nonmunicipal governments. To understand the economics and politics of TIF, it is crucial to note that while the municipality makes the TIF adoption decision, the TIF area value is part of the tax base of the school district and other local governments as well. Moreover, the TIF district gets revenues from the increment times the combined tax rate for all local governments together. The following hypothetical tax rates for a group of local governments overlapping a TIF district are close to the average proportions in Illinois.

Municipal tax rate	0.15 %
School district tax rate	0.60 %
Other governments' tax rate	0.25 %
Combined tax rate	1.00 %

For each 15 cents of its own would-be tax revenues the municipality puts on the line, the school district and other local governments contribute another 85 cents. Thus, there may be an incentive for municipalities to “capture” revenue from growth that would have occurred in the absence of TIF (to collect taxes that would have gone to school districts). Or, municipal decision makers may favor inefficient economic development strategies that do not result in public benefits worth the full cost, since their own cost is only 15 cents on the dollar. TIF proponents would counter that nothing is captured, because the increment to the tax base would not exist “but for” the TIF authority expenditure. That argument, of course, turns on what would have happened to property values in the absence of TIF.

If, as municipalities are often required to assert when they adopt TIF, all of the increment is attributable to the activities of the TIF development authority, then TIF is fair, in that the school district is not giving up any would-be revenues. If, as critics of TIF sometimes assert or assume, none of the increment is attributable to the TIF and all of the new property value growth would have occurred anyway, then the result is just a reallocation of tax revenues by which municipalities win and school districts lose.

The impact of TIF on growth in property values requires a careful reading of the evidence. It is wrong, as those who look only at growth within the TIF district in effect do, to assume to know the answer. Part of the solution is to use appropriate tools to statistically control for other determinants of growth.

It is also necessary to take into account the potential for reverse causality. We want to know the extent to which TIF adoption causes growth. But the causation could go the other way; anticipated growth in property values could lead to TIF adoption if municipalities attempt to capture revenues from overlapping governments. Or there could be reverse causation bias if TIF is adopted in desperation by municipal decision makers in areas where low growth is anticipated. Either way we should ask: Are the municipalities that adopt TIF systematically different from those that do not? If the municipalities are systematically different, we must statistically disentangle the effect of that difference from the effect of the TIF using a technique that corrects for what economists call “sample selection bias.”

**Impacts on Growth and Property Values**

There are two sides to any government budget: revenues and expenditures. As a revenue-side mechanism, TIF is a way of earmarking tax revenues for a particular purpose, in this case local economic development. The effectiveness of economic development expenditures depends on opportunities, incentives, and planning skills that are specific to each local area and each project. By combining data from a large number of TIF and non-TIF municipalities, we can ask: On average and overall, is TIF adoption associated with increased growth in municipal property values? We have addressed this question in two research studies, both of which use statistical controls for the other determinants of growth

and for reverse causation due to sample selection bias.

The first study (Dye and Merriman 2000) uses data from 235 Chicago area municipalities and covers preadoption, TIF adoption (or not), and postadoption time periods. We control for the selection bias (reverse causation) problem by first predicting which municipalities adopt TIF and then using that information (a statistic called the inverse Mills ratio) when estimating the effect of TIF adoption on property values in a second stage. Use of selection bias correction was first applied to the study of TIF by John Anderson (1990) and is now standard practice.

Our estimates of the impact of TIF have a number of additional variables controlling for home-rule status, the combined tax rate, population, income per capita, poverty rate, nonresidential share of equalized assessed value (EAV), EAV per square mile, distance to the Chicago loop, and county of location. We found that property values in TIF-adopting municipalities grew at the same rate as or even less rapidly than in nonadopting municipalities. The study design did not get at this directly, but the offset seemed to come from smaller growth in non-TIF area of the municipality (lower G).

Our findings were a surprise to those, especially nonacademics, who naively had inferred TIF caused growth by observing growth within a TIF district (I) without any statistical controls for the other determinants of growth (in I or G). Our findings were quite threatening to those with an interest in TIF, such as local economic development officers who spend the earmarked funds or TIF consultants who are paid for documenting findings of “blight” or “but for.” Our findings were also at odds with an Indiana study that found a positive effect of TIF adoption on housing values (Man and Rosentraub 1998).

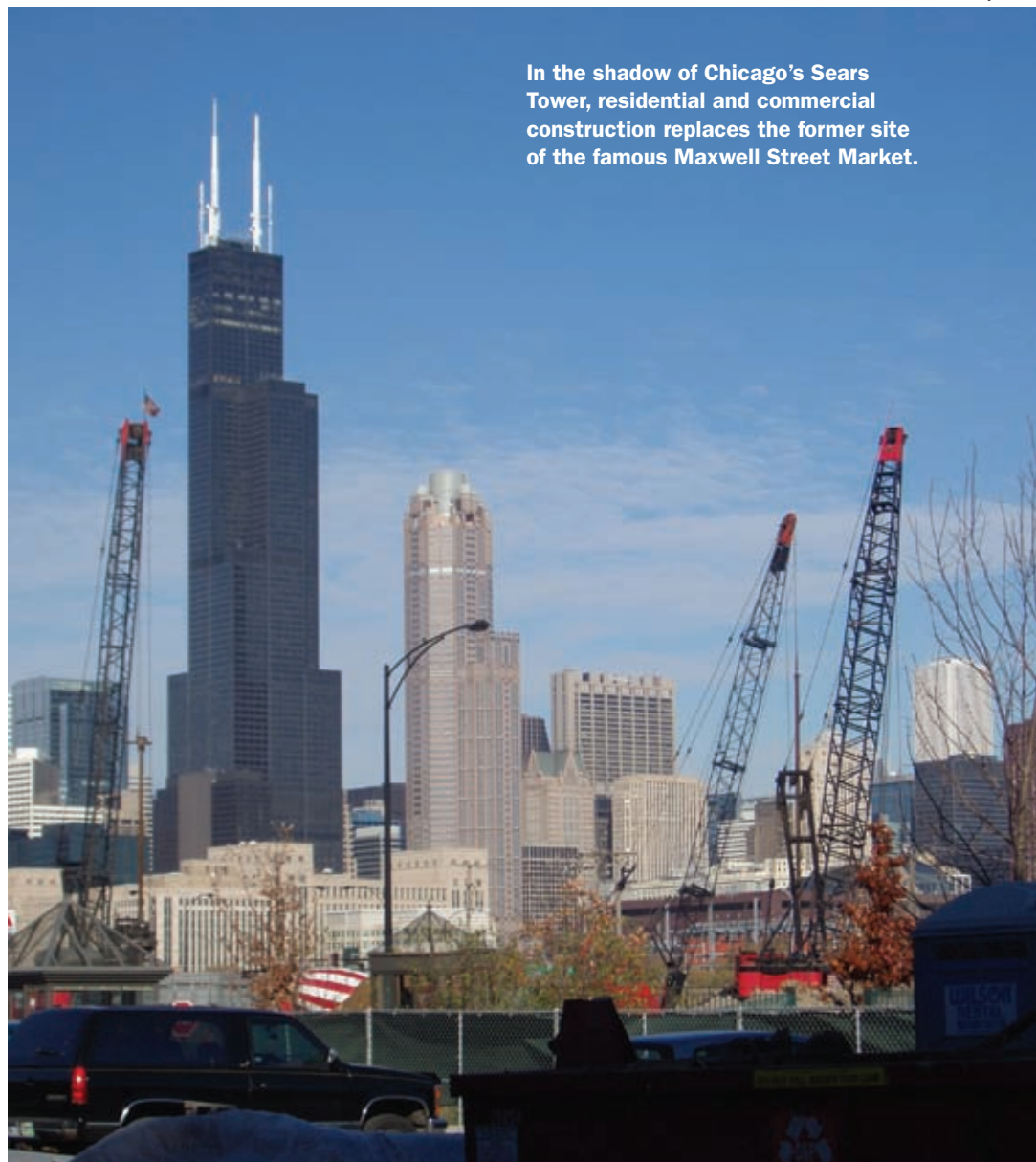
Because our findings were controversial, because the effect of TIF was unsettled in the academic literature, and particularly because we wanted to pursue the possibility of a negative cross relationship between growth in

the TIF district (I) and growth outside the TIF district (G), we undertook a second study (Dye and Merriman 2003). In addition we wanted to look at whether there are different TIF effects when more municipalities are included and different types of land uses are considered. We used three different data sets: property value data for 246 municipalities in the six-county Chicago area; less complete property value data for 1,242 municipalities in all 102 Illinois counties; and property value data for 247 TIF districts in the six-county Chicago area.

For the six-county sample (similar to our earlier study, but with more years and more municipalities), Table 1 presents the pre- and postadoption growth rates for the TIF-adopting and nonadopting municipalities. These calculations are from

**We found that property value in TIF-adopting municipalities grew at the same rate as or even less rapidly than in non-adopting municipalities.**

Photo: Sarah E. Newby



**In the shadow of Chicago's Sears Tower, residential and commercial construction replaces the former site of the famous Maxwell Street Market.**

raw data, before any statistical controls for other growth determinants or corrections for selection bias. The first row compares EAV growth rates of the TIF-adopting and nonadopting municipalities in the period before any of them adopted TIF. EAV grew slightly faster for municipalities that would later adopt TIF.

The second row shows that in the period after TIF adoptions took place, gross-of-TIF EAV grew less rapidly for TIF adopters. The last row shows that the net-of-TIF EAV growth rate for TIF adopters was even lower, suggesting that growth (I) in the TIF district may come at the expense of property values outside the development area (G). In summary, if we make no statistical adjustment for the effects of other determinants, TIF adopters grew more slowly than nonadopters.

When we use the more recent six-county data in a multivariate regression model with statistical

controls for local characteristics and sample selection, we no longer get the earlier provocative result of a significantly negative impact of TIF adoption on growth, but we still find no positive impact of TIF adoption on the growth in citywide property values. Any growth in the TIF district is offset by declines elsewhere.

The second study was designed with particular attention to land use. The property value data is broken into three land use types: residential, commercial, and industrial. Each TIF district also is identified by one of five development purpose types: central business district (CBD), commercial, industrial, housing, and other or mixed purpose. Thus, we can look separately at growth in municipal EAV by type of land use and type of TIF. Unfortunately, the data do not record EAV by land use within TIF districts, so we must settle for the growth in the tax base that is available to local govern-

ments. Most of the estimates of effects by land use type are not significantly different than zero. However, commercial and industrial TIF districts both show a significantly negative impact on growth in commercial assessed values outside the district.

The second study also extends the analysis to all 102 Illinois counties, which results in a much larger sample of municipalities (see Table 2). The TIF-base EAV (B) is unavailable, so we look at growth in available EAV. The simple means from the larger sample again suggest a negative effect of TIF on growth in property values. When we use this all-county sample to estimate the impact of TIF in a multivariate regression with statistical controls for other growth determinants and for TIF selection, there is a significantly negative impact of TIF adoption on growth in overall available (non-TIF) property values. This revives the earlier hypothesis that TIF adoption actually reduces property values in the larger community.

When we run separate regressions for available EAV growth by type of land use for the all-county sample, we see more evidence of a zero or negative impact of TIF on property value growth. Again, there is a significant

**TABLE 1**  
Mean Annualized Percentage Growth Rates in Municipal EAV for Preadoption and Postadoption Periods by TIF Adoption Status for the New Six-County Sample

Period	Dependent Variable	TIF Status Group	
		TIF Adopters (N=100)	Nonadopters (N=146)
	Growth in		
Preadoption (1980–1984)	Gross EAV = (I + G) / (B + N)	4.66	4.41
Postadoption (1995–1998)	Gross EAV = (I + G) / (B + N)	5.20	6.46
Postadoption (1995–1998)	Net EAV = G / N	5.06	

Source: Dye and Merriman (2003).

Note: These are raw group means with no statistical controls for other determinants of growth.

**TABLE 2**  
Mean Annualized Percentage Growth Rates in Municipal EAV for Preadoption and Postadoption Periods by TIF Adoption Status for the 102-County Sample

Period	Dependent Variable	TIF Status Group	
		TIF Adopters (N=205)	Nonadopters (N=1037)
	Growth in		
Preadoption (1980–1984)	Gross EAV = (I + G) / (B + N)	3.31	1.86
Postadoption (1995–1998)	Gross EAV = (I + G) / (B + N)	6.27	7.60
Postadoption (1995–1998)	Available EAV = G / (B + N)	5.19	

Source: Dye and Merriman (2003).

Note: These are raw group means with no statistical controls for other determinants of growth.



“cannibalization” of commercial EAV outside the TIF district from commercial development within the TIF district.


The TIF district sample of the second study includes 247 TIF districts in 100 different municipalities in the six-county Chicago area. We match TIF base (B) and TIF increment (I) in each year to information for the host municipality. The key results are:

- Enormous variation in TIF district size, with an average base of around \$11 million.
- Enormous variation in TIF district EAV growth rates around an average of 24 percent growth per year.
- TIF districts that start with a smaller base tend to have higher rates of growth.
- Most of the TIF growth occurs in the first several years, and growth rates decline an average of about 1 percent per year after the initial surge.
- Growth rates in the host municipalities are generally much smaller in the TIF district (an average of 3 percent compared to the TIF average of 24 percent).
- The estimated relationship between TIF growth and city growth is U-shaped; starting from zero, higher growth in the host city means lower growth in the TIF district, but the relationship turns positive at a host city growth level of about 6 percent.

## Conclusion

Tax increment financing is an alluring tool. TIF districts grow much faster than other areas in their host municipalities. TIF boosters or naive analysts might point to this as evidence of the success of tax increment financing, but they would be wrong. Observing high growth in an area targeted for development is unremarkable. The issues we have studied are (1) whether the targeting causes the growth or merely signals that growth is coming; and (2) whether the growth in the targeted area comes at the expense of other parts of the same municipality. We find evidence that the non-TIF areas of municipalities that use TIF grow no more rapidly, and perhaps more slowly, than similar municipalities that do not use TIF.

Policy makers should use TIF with caution. It is, after all, merely a way of financing economic development and does not change the opportunities for development or the skills of those doing the development planning. Moreover, policy

makers should pay careful attention to land use when TIF is being considered. Our evidence shows that commercial TIF districts reduce commercial property value growth in the non-TIF part of the same municipality. This is not terribly surprising, given that much of commercial property is retailing and most retail trade needs to be located close to its customer base. That is, if you subsidize a store in one location there will be less demand to have a store in a nearby location. Industrial land use, in theory, is different. Industrial goods are mostly exported and sold outside the local area, so a local offset would not be expected. Our evidence is generally consistent with this prediction of no offset in industrial property growth in non-TIF areas of the same city. 

**Commercial and industrial TIF districts both show a significantly negative impact on growth in commercial assessed values outside the district.**

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# LEARNING TO THINK

*Matthew McKinney and Kevin Essington*

**T**he Pawcatuck Borderlands illustrates what is fast becoming one of the major puzzles in land use policy—how to plan across boundaries (see page 9). Countless examples across the country (and arguably the world) demonstrate two fundamental points (Foster 2001; Porter and Wallis 2002; McKinney et al. 2002).

**At its core, regional land use is a sociopolitical challenge.**

First, the territory of many land use problems transcends the legal and geographic reach of existing jurisdictions and institutions (public, private, and other). In the Borderlands area, the spatial dimension of the problems created by increasing population growth and demand for municipal services cuts across multiple jurisdictions.

This mismatch between the geography of the problem and the geography of existing institutions leads to the second point: the people affected by such problems have interdependent interests, which means that none of them have sufficient power or authority to adequately address the problems on their own, yet self-interest often impedes cooperation.

These observations are not new. The history of regionalism in America dates back to at least the mid-nineteenth century and the writing of John Wesley Powell (McKinney et al. 2004). As we move into the twenty-first century, there seem to be two basic responses to this planning puzzle. The first is to create new regional institutions or realign existing institutions to correspond to the territory of the problem, and the second is to start with more informal, ad hoc regional forums.

Some of the more notable examples of regional land use institutions include the Lake Tahoe Regional Planning Authority (1969), Adirondack Park Agency (1971), New Jersey Pinelands Commission (1979), and the Cape Cod Commission (1990). The impetus to establish such entities requires a significant amount of political commitment upfront, or sometimes legal pressure from influential court cases. Once the regional organizations are

established, they tend to require a great deal of effort to sustain. This largely explains why there have been so few proposals to create such institutions in the past few decades (see Jensen 1965; Derthick 1974; Robbins et al. 1983; and Calthorpe and Fulton 2001).

Rather than create new institutions, leaders in more than 450 regions across the country have realigned existing institutions to form regional councils, which generally do not have the authority to make and impose decisions per se, but are designed to foster regional cooperation and the delivery of services. In New England, these organizations have evolved to fill the vacuum left by weak county government, and their boundaries often follow county boundaries, which may or may not correspond to the territory of the problem.

The second response, which is more common these days, is to bring together the “right” people with the best available information in tailor-made, ad hoc forums. This approach, which might be termed “regional network governance,” is more bottom-up than top-down, and depends largely on the ability of the participants to build and sustain informal networks to get things done. In some cases these ad hoc forums lay the groundwork to create more formal regional institutions in the future.

## **Obstacles to Regional Networks**

Of course, building and sustaining regional networks is easier said than done. Our research and experience suggest there are four primary obstacles to planning across boundaries. First, the very nature of thinking and acting like a region raises questions about the participants and scope of the problem: Who should take the lead in organizing and convening regional conversations, and who else should be involved? What issues should be on the agenda? How should the region be defined? How can multiple parties—public, private, and nonprofit—share the responsibilities and costs to achieve identified goals? Even where regional planning councils exist, the rules governing or guiding such efforts are not clear.

# AND ACT LIKE A REGION



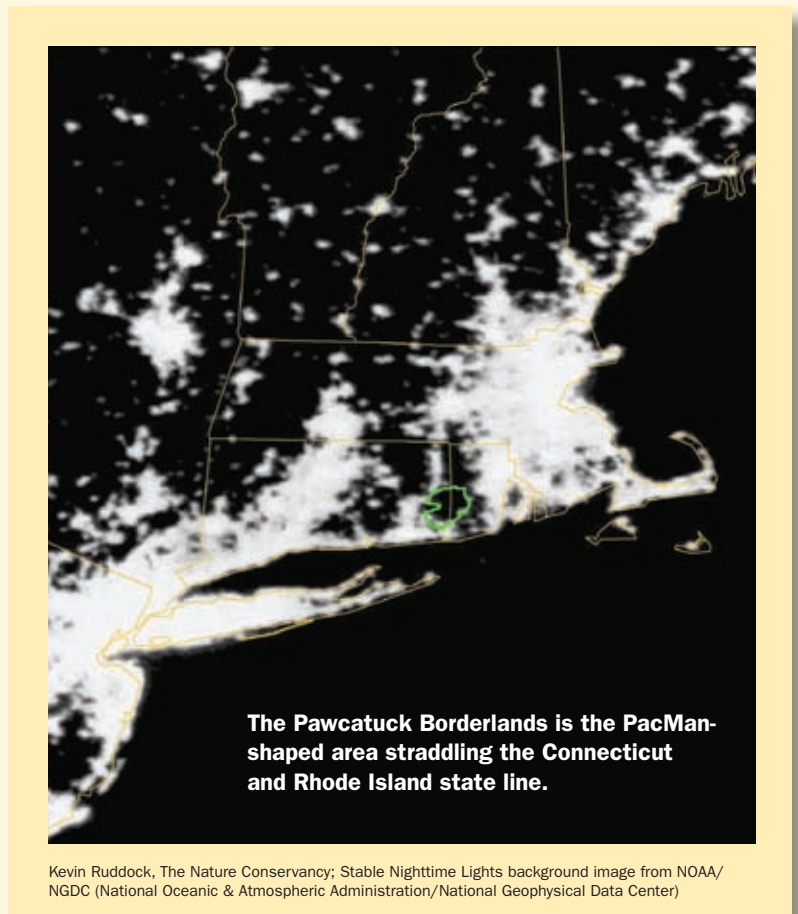
Photo: Courtesy of The Nature Conservancy

## THE PAWCATUCK BORDERLANDS

**T**he Pawcatuck Borderlands on the Connecticut and Rhode Island state line is part of a largely undeveloped region within the megalopolis that stretches from Boston to Washington, DC. This landscape is one of the largest intact, forested areas in southern New England, and its abundant wildlife ranges from bears to songbirds. The remarkable diversity of the Borderlands includes hardwood forests, pitch-pine woodlands, wetlands, lakes, and rivers, as well as numerous small, rural communities where people have lived and worked for centuries.

Nearly 40 percent of the Borderlands is protected by the Pachaug State Forest and the Arcadia Management Area, and the relatively undisturbed natural character of the region creates a high quality of life for its residents. However, this open space in the heart of the northeastern megalopolis is also popular with visitors for its recreational opportunities and world-class tourist attractions. Located between Providence and Hartford, the Borderlands faces increasing demands for housing, roads, and shopping centers. Unlike many other rural areas, the opportunities for employment and investment

CONTINUED ON PAGE 10



**The Pawcatuck Borderlands is the PacMan-shaped area straddling the Connecticut and Rhode Island state line.**

Kevin Ruddock, The Nature Conservancy; Stable Nighttime Lights background image from NOAA/NGDC (National Oceanic & Atmospheric Administration/National Geophysical Data Center)



CONTINUED  
FROM PAGE 9

are good, making this a financially attractive location for families and businesses.

Between 1960 and 2000, the population of

Borderlands towns grew by more than 95 percent. Traffic is escalating on local roads and highways, and finite water resources are being over-used, impacting both the quality and quantity of water in local watersheds. This increasing activity is eroding the existing infrastructure and requiring local residents to pay for additional roads, schools, and other essential services. All of these trends threaten longstanding social, historic, and environmental values.

Choices about the rate and pattern of future land conservation and development in the Borderlands must be addressed by decision makers in two states and ten towns. As in much of New England, each town retains land use authority and is governed through town meetings and the decisions of numerous local commissions and boards. Each of these jurisdictions has historically tackled land use issues independently, but the nature of existing trends and emerging challenges calls out for a different approach.

Photos: Courtesy of The Nature Conservancy



Second, the value of working together is not always apparent or shared. As with other forms of multiparty negotiation, it is difficult to mobilize and engage people unless and until they believe that they are more likely to achieve their objectives through regional collaboration than by acting independently. Public officials may be reluctant to engage for fear that such efforts will undermine their authority, and business leaders and real estate developers may view collaboration as something not worth their time. Local citizens often cringe at the idea of regional planning, thinking that someone who does not live in the local area will be making decisions about their land. Other stakeholders may simply have different priorities or a better alternative to satisfy their interests.

Third, many people are unfamiliar with the process of regional collaboration, and that uncertainty makes them feel uncomfortable and reluctant. In addition, people may lack the skills to organize and represent their constituency, deal with scientifically complex issues, and negotiate effectively in a multiparty setting. Others may be uneasy with the organic nature of ad hoc regional forums, and how they should be linked to formal decision-making processes.

Even if participants can overcome these obstacles, their effectiveness at regional collaboration is often limited by a fourth factor: lack of resources. In an assessment of about 75 established regional initiatives in the West, nearly all participants said that “limited resources” was the primary obstacle to more effective collaboration (McKinney 2002). Among the resources cited were time, money, information, and knowledge. People trying to initiate and support regional land use projects in three recent projects (in the San Luis Valley in south-central Colorado, the Flathead Valley in northwestern Montana, and the Upper Delaware River Basin) reported struggling due to a lack of financial resources and staffing capabilities.

In sum, the challenge of addressing multijurisdictional land use issues is not primarily a scientific or technical challenge, nor is it simply about managing land use more effectively and efficiently. At its core, regional land use is a sociopolitical challenge. It is a question of whether we can integrate the needs, interests, and visions of multiple jurisdictions, sectors, and interests. It is also a question of how society addresses shared and competing interests—in this case, land use.

## An Emerging Framework

During the past few years, the Lincoln Institute has taken a leadership role in studying and evaluating regional collaboration on land use issues through policy and research reports, educational programs, and regional land use clinics. This collective body of work suggests at least three overarching lessons.

First, regional initiatives vary greatly in terms of who leads the project, as well as its scale, purpose, issues, activities, and structure, including funding and time frame. While some initiatives augment existing government institutions, others are more ad hoc in nature, filling gaps in governance at different levels. Whether formal or ad hoc, regional initiatives create public opportunities that would not otherwise exist to address land use issues that cut across multiple jurisdictions.

Second, regional collaboration includes both a procedural element (how to plan across boundaries) and a substantive element (policies, programs, activities, and other outcomes to address a particular regional land use issue). The Lincoln Institute's work on the procedural aspects of regional collaboration complements and builds on its land use dispute resolution program, although it is different in two fundamental ways: regional collaboration deals primarily with multiple jurisdictions, which raises the key question of convening diverse stakeholders; and it has more to do with designing new systems of governance (both formal and informal) than with resolving disputes per se.

Third, there is no single model for planning across boundaries, but rather a set of principles to guide regional collaboration (see Figure 1). This "theory of change" posits that the implementation of something like this set of principles leads to better informed, more widely supported, and more effective solutions to multijurisdictional land use issues (see [www.umtpr.org](http://www.umtpr.org)).

## Some Outstanding Questions

### ***Who should take the lead in organizing and convening regional conversations?***

In many professional circles there is an ongoing debate about the role and ability of government to convene effective collaborative processes. Many people argue that government cannot successfully organize and convene such efforts given its built-in institutional resistance and lack of responsiveness. Citizens, by contrast, often can provide more effective forums through organic, grassroots initiatives. Throughout the West, there is a growing movement

where citizens, frustrated by government's lack of responsiveness, are convening place-based groups to address a variety of land use issues—ranging from growth management to endangered species to water allocation (Kemmis 2001). In the Northeast, citizens in adjacent towns and states are rec-

**FIGURE 1**  
**Guiding Principles for Regional Collaboration**

*Focus on a compelling purpose*  
*Mobilize and engage the "right" people*  
*Define regional boundaries based on people's interests*  
*Jointly name and frame issues*  
*Deliberate and make collaborative decisions*  
*Take strategic action*  
*Be flexible and adaptive to sustain regional collaboration*

ognizing their shared resources, values, threats, and opportunities. They are committing to joint planning projects, regional economic development campaigns, and applications for official designation for their regions.

Recent studies indicate, however, that participation by one or more levels of government is essential to the effectiveness of the more ad hoc, citizen-driven processes (Kenney 2000; Susskind et al. 1999; Susskind et al. 2000). Governments not only provide financial and technical assistance, but also become critically important if the intent of a regional initiative is to shape or influence land use policy. Official government institutions, after all, constitute the formal public decision-making processes in our society.

Neither top-down nor bottom-up approaches are inherently superior, and in the final analysis the two ends of the spectrum need to come together to facilitate positive change. Whether a regional initiative is catalyzed and convened by citizens, non-governmental organizations, businesses, or public officials, it is most effective when the people initiating the process exercise collaborative leadership. Such leaders facilitate development of a shared vision by crossing jurisdictional and cultural boundaries; forging coalitions among people with diverse interests and viewpoints; mobilizing the people, ideas, and resources needed to move in the desired direction; and sustaining networks of relationships. In this respect, regional collaboration is more like organizing a political campaign than preparing a regional plan.



**Regional collaboration is an essential component of land policy and planning in the twenty-first century.**

Three vignettes—the first two based on regional clinics sponsored by the Lincoln Institute—illustrate the need to have the right convener

and to employ the characteristics of collaborative leadership. In the Upper Delaware River Basin, two government agencies initiated a regional conversation, but they framed the problems and solutions prior to consulting with other stakeholders or citizens. Not surprisingly, many people who were not part of the initial process criticized both the definition of the region and the scope of the project.

In the San Luis Valley in Colorado, citizens and interest groups tried to organize a regional land use planning effort, but the local elected officials dragged their feet and characterized the participants as “rabble rousers.” This experience shows what can happen when citizens get ahead of decision makers, that is, when civic will outpaces political and institutional will.

On a more encouraging note, leaders from the public, private, and nonprofit sectors, as well as academics, the media, and others, have jointly convened *Billings on the Move*—a conversation on what is needed to promote and sustain the economic vitality of the region in and around Billings, Montana. One of the primary reasons for this project’s success is that all of the key stakeholders

bought into the project from the beginning, and they jointly identified problems and framed solutions.

***Is it possible to mobilize and engage people “upstream” in a proactive, preventive way, rather than “downstream” after a crisis, threat, or regional land use dispute has emerged?***

In the San Luis Valley, citizens and leaders from all walks of life came together some years ago to fight and defeat a proposal to export precious groundwater out of the valley. This effort clearly demonstrated sufficient civic will and political capacity to organize regionally in response to a real external threat. However, the same people are now struggling to organize around land use issues when there is no immediate crisis. Some observers believe that if they do not act soon, however, the valley will eventually become another expensive tourist destination like Aspen, Sun Valley, or Jackson Hole.

In response, we are working with the Orton Foundation to determine if the use of technology—in particular the visualization and scenario-building software known as Community Viz—may provide the necessary leverage to mobilize and engage people, to help them see what is at stake, and to evaluate how regional collaboration can help to address issues of common interest. The challenge here is not only to focus on a tangible problem, but also to build the social and political capacity of the region to think and act more proactively.

### ***How do we measure the success of regional collaboration?***

The question of what criteria or metrics should be used to evaluate efforts to plan across boundaries takes us back to the distinction between the procedural and substantive aspects of regional collaboration. If one agrees with this distinction, then any framework to evaluate success should include metrics that focus on both process and outcomes.

A recent study evaluated the success of 50 community-based collaborative initiatives in the Rocky Mountain West that were regional in nature, encompassing two or more jurisdictions (McKinney and Field 2005). Twenty-seven indicators measured participants' satisfaction with the substantive outcome of the effort, its effect on working relationships, and the quality of the process itself. The evaluation framework also allowed participants to reflect on the value of community-based collaboration relative to other alternatives.

The people who responded to the survey were generally satisfied with the use of community-based collaboration to address issues related to federal lands and resources. Seventy percent of the respondents said that all 27 indicators were important contributors to their satisfaction with both the process and its outcomes. Eighty-six percent of participants stated they would recommend a community or regional process to address a similar issue in the future.

Participants tended to rank "working relationships" and "quality of the process" as more important than "outcomes," suggesting that people are at least as interested in opportunities for meaningful civic engagement and deliberative dialogue as in achieving a preconceived outcome. These results also support the value of community-based or regional collaboration—particularly when compared to other forums to shape land use policy and resolve land use disputes. Future evaluation research is necessary to affirm or refine these findings, and to clarify the impact of regional collaboration on various social, economic, and environmental objectives.

### **Conclusion**

Planning across boundaries—or regional collaboration—is slowly emerging as an essential component of land policy and planning in the twenty-first century. For example, the 2005 White House Conference on Cooperative Conservation—only the fourth White House conference ever held on

conservation—convened several sessions on reaching across boundaries to promote shared governance. Whether the issues to be addressed in such forums focus on rapid growth and its consequences or the need to retain and expand the local economic base, these problems are often best addressed by planning across the boundaries created by government jurisdictions, economic sectors, and academic disciplines. In many cases, this is the only way these problems will be resolved effectively. **L**

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## Diego Alfonso Erba

**LAND LINES:** *What is a territorial cadastre?*

**DIEGO ERBA:** The institution of a territorial cadastre does not exist in the United States, at least not in the same way as in many countries around the world. Although the term “cadastre” has more than one meaning, in general there is consensus that it comes from the Greek *catastichon*, which can be translated as “a list of parcels for taxation.”

This kind of list exists in the U.S., but the profile of the institutions that manage the data are different from those in Latin America and in many European and African countries, where the territorial cadastre encompasses economic, geometrical, and legal data on land parcels and data on the owners or occupants. The institutions that manage this data, also often named territorial cadastres, are closely connected with the Registry of Deeds or Register of Land Titles because their data complements each other and guarantees land property rights. These longstanding connections reflect the cadastral heritage of Roman and Napoleonic legal systems.

**LAND LINES:** *Why do urban public administrators need to know about territorial cadastres?*

**DIEGO ERBA:** The cadastre and the register should be connected for legal reasons, if not for practical reasons, and there are many models of how cadastres could or should relate to public institutions. Unfortunately, the norm is still an isolated or nonintegrated cadastre, which dramatically reduces its potential usefulness as a tool for urban planning and land policy.

For example, irregular settlements (slums) are generally developed on public or environmentally protected areas, or even on private parcels, and are neither taxed nor registered in territorial cadastre databases. These areas are represented in cadastral cartography as “blank polygons” as if nothing happened inside them. The paradox is that data and cartography about irregular settlements normally exist, but that information is often in institutions that are not related to the cadastre and consequently are not registered.

There is a growing perception of the cadastre’s importance as a multipurpose information system serving not only the legal and financial sectors of cities, but also all of the institutions that make up the “urban reality,” including public services agencies, utilities, and even certain private providers of urban services. The move to this new concept and improved urban information systems has not been easy or without resistance in developing countries, however.

**LAND LINES:** *Why is a multipurpose cadastre so difficult to establish and use?*

**DIEGO ERBA:** The implementation of a multipurpose cadastre typically requires administrations to allow for more horizontal exchanges of information. It also frequently requires changes in the legal framework and the establishment of more fluid relationships between the public and private agents to share standardized data and ensure continuous investments to keep the databases and cartography up-to-date.

This sounds like a simple process, but in practice it is not easy because many administrators still consider that “the data is mine,” and they are not ready to collaborate. At the same time, some overly zealous administrators convinced of the potential value of a multipurpose cadastre may skip stages and jump from a traditional cadastre to a multipurpose model without due attention to effectively implementing the exchanges of information.

Even when operated privately, territorial cadastres are treated as a public service, which means they depend on public funding and political decisions for approval to update the land valuation system or the cartography. At the same time, this kind of public service is not visible and therefore is not as interesting for the politicians who wish to demonstrate their accomplishments through more tangible projects such as a new bridge or school.

The updating of cadastral data impacts land value and consequently the



amount of property taxes, which is not popular with voters. Nevertheless, new government administrators who seek to improve their jurisdiction's fiscal status may decide to update the cadastre in an attempt to increase property taxation revenues. This has a strong political impact at the beginning of the official's term, but the data on property value may not

**The updating of cadastral data impacts land value and consequently the amount of property taxes, which is not popular with voters. Nevertheless, new government administrators who seek to improve their jurisdiction's fiscal status may decide to update the cadastre in an attempt to increase property taxation revenues.**

be touched for years afterwards and will grow more and more inaccurate compared to the actual market value. In many Latin American jurisdictions legislation imposes the obligation of cadastral updates on a regular basis, although compliance is inconsistent.

Another frequent mistake is to consider that the solution is to implement a modern geographic information system (GIS) to manage the cadastral data. In the ideal situation we would like to see integrated systems that use coordinated and standardized databases, but some municipalities are ill-equipped, and those that do have sufficient infrastructure do not have enough well-prepared employees to accomplish the tasks. The notion that "one size fits all" is not really applicable to a region in which there are such significant differences among jurisdictions. I like to say that the problem with cadastral institutions is not hardware or software but "people-ware." Even when financial

resources exist, the lack of trained professionals and technicians is a significant obstacle.

**LAND LINES:** *In this context, is it possible to consider a multipurpose cadastre for Latin America?*

**DIEGO ERBA:** It is possible, but the concept is still new and frequently is not well understood. There are many good cadastral institutions in Latin America, as in some Colombian and Brazilian municipalities and in some Mexican and Argentinean states. In some jurisdictions the fusion of the territorial cadastral with public institutions and geotechnological systems generates cadastral institutes that are better structured in terms of budget and technical staff and consequently are better able to identify illegal settlements and monitor the increment of land value using modern tools.

However, from my viewpoint the region still does not have a full-fledged operational multipurpose cadastre. A common assumption is that implementing a multipurpose cadastre requires adding social and environmental data to the existing alphanumeric databases available in the traditional territorial cadastral, which consider economic, geometric, and legal aspects of the parcel, and then connecting all that data with a parcel map in GIS. While this is very important it is not essential, because the implementation is not a technological problem as much as a philosophical one. Most municipal administrations do not think about putting institutions that traditionally manage different social (education and health), environmental, and territorial (cadastre) databases under the same roof.

**LAND LINES:** *How is your work with the Lincoln Institute helping to broaden awareness about territorial cadastral?*

**DIEGO ERBA:** I have been working with the Program on Latin America and the Caribbean since 2002 to explore the relationships among multipurpose cadastral and the program's four topical areas: large

urban projects; land valuation and taxation; informal settlements and upgrading programs; and value capture. It is always a challenge to tailor the curriculum for educational programs, but we believe strongly that it is important to facilitate the widespread sharing of knowledge in each country and to prepare public officials and practitioners with different levels of expertise. The participants, including cadastral administrators, urban planners, lawyers, and real estate developers, gain a common language and vision of the urban cadastral applications, and they can start a process to improve the system in their own countries.

Our pedagogical strategy for this year involves the dissemination of knowledge through a combination of distance education and traditional classroom courses at different levels. We plan to develop training seminars followed by a tailored distance education course in those countries that demonstrate the conditions necessary to implement this new vision of the multipurpose cadastre. Finally, we will organize a regional classroom course for the best distance education students in three neighboring countries.

This plan contrasts with many training programs offered by other international institutions, which contemplate concepts and the use of tools that may not be applicable in countries with different legal frameworks and technological levels. We will begin this cycle with seminars in Chile and Peru, working with the Chilean Association of Municipalities and the Institute of Regional Economy and Local Government in Arequipa, Peru. These and other partners in Latin America have committed to disseminate and increase local capacity on these issues.

Another component of our strategy is the dissemination of resource materials. We will be publishing two books later in 2006 about the concepts and implementation of cadastral that can be applied in most countries. One book describes in detail the cadastral system in each Latin American country, and the other concep-

## Distance Education for Latin America

The Institute's Program on Latin America and the Caribbean has invested in distance education to increase participation in our online courses, prepare students for our weeklong programs, and supplement classroom courses, thus making the topics of study available to a wider range of participants. The courses are offered on a widely used international platform (Moodle), which allows participants to choose a preferred language for the menus.

The Latin America Program currently offers four online courses of seven to twelve weeks each, and some courses are offered more than once per semester. Most of the contents are presented in Spanish, and some sessions are also available in Portuguese. The courses are intensive and interactive, and they include weekly assignments, a forum for exchange among students and faculty, and periodic evaluation of participants' work.

### Geographic Information Systems (GIS) Applications for Urban Studies

This seven-week course covers concepts about GIS, alphanumeric databases and the most appropriate cartographic tools for each kind of urban study. Participants are required to perform spatial analysis in a GIS environment using data from several sources, oriented to developing thematic maps and useful databases for the implementation of new land policies that promote urban development.

### Application of Multipurpose Cadastres in Defining Urban Land Policies

This seven-week course covers legal frameworks, land valuation, and land taxation systems, and geotechnologies used in different Latin American jurisdictions. Participants are required to identify the virtues and shortcomings of the cadastral system in their jurisdictions, and to develop a proposal containing the administrative, legal, and technological changes necessary for an effective information system to develop new land policies promoting sustainable urban development.

### Urban Land as a Source of Financing in Latin American Cities

This twelve-week course examines diverse policies for the generation and distribution of land value increments. The curriculum includes the analysis of regulatory, participatory, and fiscal instruments that mobilize land value increments to finance urban goods and services for different sectors of the population, especially lower-income groups. The course integrates experiences from different parts of the world, with a special emphasis on the Latin American context.

### Urban Land Markets in Latin American Cities

This course is designed to provide a twelve-week examination of the structure, function, and regulation of Latin American land markets and their relationship to the economic, social, urban, and environmental problems of cities. It analyzes the motivations and consequences of diverse policies and practices that have been implemented in the region, and considers a number of experiences from other parts of the world and their potential adaptation to Latin America.


**For more information about these and other online courses offered by the Lincoln Institute, go to <http://www.lincolninst.edu/education/leo.asp>.**

tualizes the juridical, economical, geometrical, environmental, and social aspects of the multipurpose cadastre, highlighting the relationship between the territorial cadastre and the four topical areas of the Institute's Latin America Program.

In 2005 we made a DVD, which is currently available in Spanish and Portuguese. It includes a documentary film about multipurpose cadastres and some taped segments from classes and discussions on the relationships between the multipurpose cadastre and complex urban issues.

**LAND LINES:** *What is the long-term goal of the multipurpose cadastre?*

**DIEGO ERBA:** The problems that have been raised here should not discourage urban administrators from reorganizing their cadastres and their legal land policy frameworks in their cities and countries. On the contrary, they should try to change the reality by developing new laws that shows the spirit of an updated land policy. Data on Latin American cities exist, but they are fragmented and not standardized.

The best way to build a multipurpose cadastre is to integrate all the public and private institutions that are working at the parcel level and to develop a unique identifier to define standards for the alphanumeric and cartographic databases. It is a very simple and clear concept, but its implementation is not. To reach that objective it is necessary for administrators, practitioners, and citizens to understand the cadastre's potential for improving land management practices and the quality of life in urban areas. Many times simple solutions can help to solve complex problems such as those presented by cadastral systems. 

## David C. Lincoln Fellowships in Land Value Taxation

The David C. Lincoln Fellowships in Land Value Taxation (LVT) were established in 1999 to develop academic and professional interest in this topic through support for major research projects. The fellowship program honors David C. Lincoln, chairman of the Lincoln Foundation and founding chairman of the Lincoln Institute, and his long-standing interest in LVT. The program encourages scholars and practitioners to undertake new work in this field, either in the basic theory of LVT or its applications. These research projects add to the body of knowledge and understanding of LVT as a component of contemporary fiscal systems in countries throughout the world.

The DCL fellowships announced here constitute the sixth group to be awarded, and several recipients are continuing projects from last year. The deadline for the next annual application process is September 15, 2006. For more information, contact [fellowships@lincolninst.edu](mailto:fellowships@lincolninst.edu) or visit the Institute's Web site at [http://www.lincolninst.edu/education/dcl\\_fellowships.asp](http://www.lincolninst.edu/education/dcl_fellowships.asp).

### Accuracy of Land Values: Statistical Evaluation of Three General Approaches to Valuing Land Where There Are Few Vacant Land Sales

#### Michael E. Bell

*President, MEB Associates and Research Professor, George Washington University*

#### John H. Bowman

*Professor of Economics, Emeritus, Virginia Commonwealth University*

Accurate land valuation is critical to land value taxation, which taxes land more heavily than improvements. Our previous DCL Fellowship case studies found three approaches to valuing the land component of improved properties. This year we obtain data for recently sold single-family residences in three study areas—one each for the three valuation approaches. We develop hedonic pricing models to estimate the land contribution to market value of sold properties. To evaluate the relative performance of the three approaches, we compare these estimated land values to the assessed values of land.

### The Impact of Land Leverage on Land Value Trajectories and Implications for the Use of Land Taxation Schemes

#### Raphael W. Bostic

*Associate Professor, School of Policy, Planning, and Development, University of Southern California*

#### Stanley D. Longhofer

*Stephen L. Clark Chair of Real Estate and Finance, Center for Real Estate, Barton School of Business, Wichita State University*

#### Christian L. Redfearn

*Assistant Professor, School of Policy, Planning, and Development, University of Southern California*

This research explores the land leverage hypothesis: house price appreciation and house price volatility are positively related to land leverage—the ratio of land value to total value. If true, a land taxation scheme, long thought to be highly efficient, should result in more volatile jurisdictional revenues than a more general property tax scheme, which incorporates both the value of the land and the improvements on that land. Higher volatility may be problematic for local authorities with relatively constant expenditures and leave jurisdictions vulnerable to supply and demand fundamentals that influence land prices and are beyond their control.

### Municipal Fiscal Structures and Land-based Growth in the Phoenix Metropolitan Area

#### Carol E. Heim

*Professor of Economics, University of Massachusetts, Amherst*

This case study examines municipal fiscal structures in the Phoenix metropolitan area, explores implications of the quest for sales tax revenues, and considers fiscal needs and opportunities faced by municipalities as they approach build-out. After documenting heavy reliance on sales taxes relative to property taxes, the study examines municipal incentives offered to attract retail facilities and the possibility of excessive zoning for commercial uses or overbuilding of retail uses. It investigates fiscal issues relating to infrastructure finance during rapid growth and conse-

quences of build-out, including higher prices for land acquisition for public purposes.

### Development of a Market-based Land Mass Appraisal Online System for Land Taxation in Lithuania

#### Arturas Kaklauskas

*Chair, Department of Construction, Economics and Real Estate Management, Vilnius Gediminas Technical University*

#### Saulius Raslanas

*Chair, Real Estate Valuation Institute, Vilnius Gediminas Technical University*

#### Arvydas Bagdonavicius

*Lector, Vilnius Gediminas Technical University, and Deputy Director, State Enterprise Centre of Registers, Vilnius, Lithuania*

The Lithuanian State Enterprise Centre of Registers has a system that allows global evaluation of land to calculate taxes, but the results do not always show the desired precision. To improve this system, we plan to create a market-based land mass appraisal online system for land taxation. The research includes comparative analysis of software and other applications for land taxation in developed countries and in Lithuania. After testing this proposed system, we offer several recommendations on how to improve the efficiency levels for a web-based land taxation system.

### Land Value Taxation to Support Local Government in Russia: A Case Study of Saratov Oblast

#### John L. Mikesell

*Professor and Director of Professional Graduate Programs, School of Public and Environmental Affairs, Indiana University*

## **C. Kurt Zorn**

*Professor and Associate Dean for Academic and Fiscal Affairs, School of Public and Environmental Affairs, Indiana University*

The Russian Federation is moving toward basing land taxes on cadastral value rather than normative measures and making property taxation the principal source of revenue for local governments. This project continues previous DCL Fellowship research into how the transition affects economic development, land use, and fiscal sustainability in the oblast. Applied research into land taxation and local finance in Saratov oblast is combined with educational assistance to oblast and local officials responsible for implementation of these important changes.

## **The Nature of Pittsburgh's Real Estate Tax Before and After Elimination of the Two-tier System**

### **Robert Strauss**

*Professor of Economics and Public Policy, The H. John Heinz III School of Public Policy and Management, Carnegie Mellon University*

This research examines empirical aspects of Pittsburgh, Pennsylvania's two-tier real estate taxation system during its operation and after its elimination. Two kinds of data are reviewed: (1) historical property databases on the inventory of properties that separately measure land and improvements by type of use in Allegheny County and the City of Pittsburgh; and (2) historical transactional databases on a parcel by parcel basis. Shifts in tax burdens and property values and spatial patterns of development over time are measured and reported by component areas of the city (voting wards); census tracts and associated socioeconomic characteristics; and type of land use.

## **Property Tax or Land Tax as the Possible Cure for Urban Sprawl: Theory and Empirical Tests on Property Tax and City Size in the U.S.**

### **Yan Song**

*Assistant Professor, Department of City and Regional Planning, The University of North Carolina at Chapel Hill*

### **Yves Zenou**

*Professor of Economics, The Research Institute of Industrial Economics (IUI), Stockholm, Sweden*

The project builds on previous DCL Fellowship research to identify optimal property tax rates through theoretical models and numerical simulations, and to compare the optimal tax given by the model with the one observed in the real world for each urbanized area. The project also explores empirically if developers respond to the lower property tax rate at the urban fringe, and if city planners' efforts to internalize the externalities of urban sprawl are efficient to determine optimally the property tax rate. Finally, the project attempts a formal analysis to compare the effects of the property tax and a pure land tax on urban sprawl.

## **Tax Exporting and Mobility: Evidence from the Vacation Home Market in Michigan**

### **Randall P. Walsh**

*Assistant Professor, Department of Economics and Institute for Behavioral Science, University of Colorado, Boulder*

## **Erik Johnson**

*Instructor, Department of Economics, University of Colorado, Boulder*

Academicians and policy makers have raised concerns that communities with large numbers of second homes may have artificially inflated expenditures on local public goods because owners of second homes share in the cost of these services, but do not consume them. One possible mechanism that could offset this effect is tax competition between vacation communities as they compete to build the second home component of their tax base. A 1994 voter referendum in Michigan changed property tax rates and home-stead exemption rates, and it provides data to evaluate three related research questions: Is the growth in a community's second home tax base sensitive to (1) differences across jurisdictions in property tax rates; (2) the composition of spending; and (3) differences in the tax rate between primary residences and second homes?

## **Graduate Student Fellowship Application Deadlines**

The Lincoln Institute has opened its annual funding cycle to review applications for the Dissertation Fellowship Program, for projects that focus on land use planning, land markets, and land-related taxation policies in the United States and other regions throughout the world. This fellowship program demonstrates the Lincoln Institute's commitment to provide financial support to doctoral students who will contribute to land and tax policy research and will develop new ideas to guide policy makers. The program provides an important link between the Institute's educational mission and its research objectives by supporting scholars early in their careers.

The Institute will award approximately 10 dissertation fellowships of \$10,000 each for the 2007 fiscal year (starting July 1, 2006). As part of the program, all recipients are invited to present their work to other fellows and Institute faculty in a seminar at Lincoln House in Cambridge, Massachusetts, during the year.

To download a copy of the Dissertation Fellowship Program application guidelines and forms, and to learn about the work of current fellows, visit the Institute's Web site at [http://www.lincolninst.edu/education/dissertation\\_fellowships.asp](http://www.lincolninst.edu/education/dissertation_fellowships.asp) or request information by e-mail at [fellowships@lincolninst.edu](mailto:fellowships@lincolninst.edu). An electronic version of the complete application must be received at the Lincoln Institute by the deadline date of March 1, 2006.

The next cycle for fellowships in the Program on Latin America and the Caribbean is from July 2006 to June 2007. Applicants who will complete their master's or doctoral thesis during that period will be considered. Applications can be submitted in Spanish or Portuguese by the deadline of March 1, 2006. Fellowships for the Program on the People's Republic of China are available through the Department of International Studies. To learn more about these international fellowship opportunities, visit the fellowships Web site or contact [fellowships@lincolninst.edu](mailto:fellowships@lincolninst.edu).

## Legal Issues in Property Valuation and Taxation: Cases and Materials

This collection of legal cases and related materials on valuation and tax policy provides an overview of the structure and function of real property taxation in the United States. It is intended to be useful to lawyers and law students, as well as to policy makers, practitioners, and others with a special interest in the property tax. Originally published by the International Association of Assessing Officers (IAAO) in 1994, this book is now being reissued by the Lincoln Institute to continue its availability and expand its reach still further.

In his Foreword to this book David Brunori writes, “The property tax in the United States has never been more important. Despite numerous attempts to limit its use, the property tax remains the most significant source of tax revenue for local governments. In 2005 cities and counties raised well over \$300 billion—more than half of all local government own-source revenue—from this tax alone. This money pays for vital services such as education, public safety, and transportation.”

The property tax poses many interpretive challenges in defining such basic concepts as property, ownership, and value. The ordinary complexities of everyday life, which include divisions of rights between landlords and tenants, distinctions between business profits and property

**“This is the ‘go to’ book,” writes David Brunori, “that draws together important cases and materials on the fundamental legal issues concerning the property tax.”**

rents, and disputes over the current use of property, require that courts provide operational definitions for these abstract terms.

In such situations, legal opinions can do more than settle individual disagreements between taxpayers and assessors. Ideally, they clarify the reasoning by which

a solution is drawn from statutory language or general legal principles, and help the reader understand how this result might change in a different factual setting. An opinion can also address counterarguments, whether in reasoning considered and rejected in the decision itself, or in an explicit dissent by other judges hearing the same case. The most significant “dissents” are sometimes found in contrary decisions on the same point by two tribunals, wheth-

ity will help students and practitioners to understand concepts such as current use, comparable sales, and the income and cost approaches to valuation. Readers are introduced to the problems of taxation of long-term leases, subsidized housing, and fractional valuation. Like any good casebook, this one tells a story, and in the process it makes clear the complex legal issues involved in property valuation and taxation.”

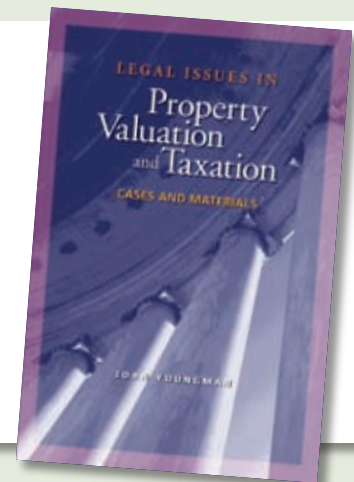
### Legal Issues in Property Valuation and Taxation: Cases and Materials

By Joan Youngman

Published by the Lincoln Institute of Land Policy  
2005. 320 pages. \$25.00  
ISBN 1-55844-162-X

#### Ordering Information

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er they are courts in different states, courts of different jurisdictions in the same state, or even the same court at different times.

This volume presents alternate approaches to fundamental legal issues rather than snapshots of the evolving positions of courts in various jurisdictions. These cases have been edited to minimize procedural and technical details and to enhance their accessibility to readers outside the legal profession. The questions following the cases are generally intended for discussion, and often will not have one correct answer. The new Appendix provides updated statistical information that demonstrates the continuing importance of the tax to local governments.

“This book will continue to assist anyone searching for a better understanding of how the property tax system works. . . . Its reissue is proof of the enduring value of this volume, and its continued availabil-

### ABOUT THE AUTHOR

**Joan Youngman** is senior fellow and chairman of the Department of Valuation and Taxation at the Lincoln Institute. An attorney, she specializes in state and local taxation and legal problems of valuation for property taxation. She is a regular contributor to *State Tax Notes* and other journals, and she is coeditor of the books *The Development of Property Taxation in Economies in Transition: Case Studies from Central and Eastern Europe* (2001) and *An International Survey of Taxes on Land and Buildings* (1994).

## Planning Policy and Politics: Smart Growth and the States

I know of no one in the planning world more qualified [than John DeGrove] to hold the title ‘passionate observer of the smart growth insurgency,’” comments Armando Carbonell in the Foreword to this volume. “This new book is the story of nine key states that continue to play out a great American land planning experiment that by law and tradition has been the exclusive purview of the states. We learn of ‘positive developments and new assaults.’”

“But it is not a dry chronology of laws passed (or repealed) and smart growth programs implemented (or stymied),” Carbonell continues. “Rather, DeGrove has limned a drama animated by the exploits of flesh-and-blood politicians, bureaucrats, and advocates: governors (especially governors!), chairs of legislative committees, state agency heads, home builders, farmers, and environmentalists. . . . [T]here are also epic tales of pitched battles, unexpected coalitions, victories snatched from the jaws of defeat, and vice versa. In this long-awaited volume, John DeGrove has brought his chronicle of the smart growth movement into the twenty-first century, providing us with a vantage point from which to glimpse an uncertain future.”

Updating his previous books on planning and growth management, DeGrove examines the evolution of smart growth systems in key states across the country: Oregon, Florida, New Jersey, Maine, Rhode Island, Vermont, Georgia, Maryland, and Washington. The chapters identify the major policies and political realities that precipitated the adoption of new planning systems; pinpoint the key stakeholders in new legislation; describe the features of various growth management systems; outline the implementation records; and examine the political prospects for the future of these smart growth systems.

DeGrove traces the evolution of legislation and related public and private planning efforts to contain sprawl patterns of development so that sustainable natural and urban systems can be established and maintained over time. None of these state endeavors has been fully successful, but in every case a careful assessment shows

**DeGrove concludes optimistically, “the smart growth movement and its core principles for managing growth and change enjoy broad-based support across the nation, especially from coalitions of public, private, and nonprofit interests that have never previously been assembled in such large numbers.”**

that growth management systems leading toward stronger urban areas and better protection of natural resources, as imperfect as they may have been, are better than what would have occurred without such frameworks.

DeGrove concludes optimistically, “the smart growth movement and its core principles for managing growth and change enjoy broad-based support across the nation, especially from coalitions of public,

private, and nonprofit interests that have never previously been assembled in such large numbers. There are many positive indicators that this movement will sustain itself through the first decade of the millennium and beyond. In short, I choose to believe that right reason will prevail, and as a nation we will recognize that smart growth has the right stuff and is here to stay.”

### ABOUT THE AUTHOR

**John M. DeGrove**, AICP, is Eminent Scholar Emeritus in Growth Management and Development at Florida Atlantic University’s College of Architecture, Urban, and Public Affairs. He began his academic career at FAU in 1964, and served as director of the university’s Joint Center for Environmental and Urban Problems from 1971 until his retirement in 2000. Dr. DeGrove has been a leading figure in Florida growth management since the early 1970s, and is a nationally recognized authority in the fields of planning and public administration. His involvement with the Lincoln Institute began in the early 1980s, and he served on the Board of Directors between 1990 and 1996.

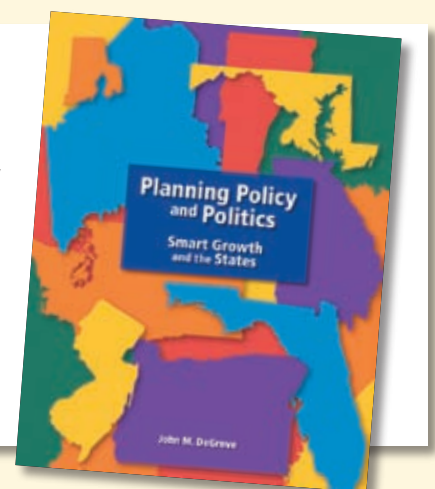
### Planning Policy and Politics: Smart Growth and the States

By John M. DeGrove

Published by the Lincoln Institute of Land Policy  
2005. 360 pages. \$30.00  
ISBN 1-55844-142-5

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## State Trust Lands in the West: Public Values in a Changing Landscape

State trust lands, an often neglected and misunderstood category of public land ownership in the United States, date to the earliest decades after the Revolutionary War, when Congress granted lands to the newly formed states to support essential public institutions. While most state trust lands have long since passed into private ownership, the remaining lands are a significant resource, comprising approximately 48 million acres of land concentrated in 11 western states.

Most state trust lands are held in a perpetual, intergenerational trust to support a variety of beneficiaries, including public schools (the principal beneficiary of most grants), universities, penitentiaries, and hospitals. To fulfill this mandate, these lands are actively managed for a diverse range of uses, including timber, grazing, mining,

**Many communities now view state trust lands as public assets that have value for open space, watershed protection, fish and wildlife, and recreation.**

agriculture, commercial and residential development, conservation, and recreational uses such as hunting and fishing.

These land holdings are normally accompanied by large permanent funds—some of which now total billions of dollars—that hold the proceeds from the disposal of these lands or the extraction of nonrenewable natural resources. The revenues derived from these lands and their accompanying permanent funds are used for many purposes, including guaranteeing school bonds and loans, constructing new schools, and paying teachers' salaries.

State trust land management traditionally has focused on the leasing and sale of natural products, and many western states continue to obtain significant financial benefits from these activities. However, a growing number of western communities are changing rapidly as a result of urbanization and an ongoing shift in the U.S.

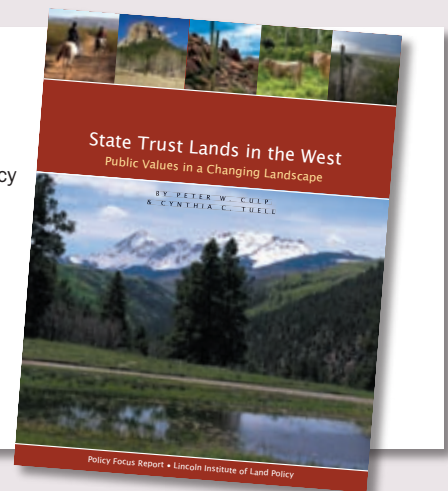
### State Trust Lands in the West: Public Values in a Changing Landscape

By Peter W. Culp and Cynthia C. Tuell

Published by the Lincoln Institute of Land Policy  
2005. 56 pages. \$15.00  
Policy Focus Report Code PF014  
ISBN 1-55844-161-1

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toward a more diversified, knowledge-based economy. This transformation has diminished the role of natural resource extraction in many regional economies, while elevating the importance of cultural, environmental, recreational, and location-based amenities.

In many parts of the West trust managers are diversifying their trust portfolios and exploring opportunities for lucrative residential and commercial development on trust lands. Many communities now view state trust lands as public assets that have value for open space, watershed protection, fish and wildlife, and recreation—a perspective that has brought new scrutiny to the use of trust lands for development or natural resource extraction.

If trust management is to evolve to meet these demands and to have continued legitimacy with a changing public, trust managers must balance a broader set of public values in their management practices while meeting the growing needs of the public institutions for which they were dedicated. The legal doctrines that govern state trust lands provide ample room to accommodate these values within the limits of trust managers' fiduciary responsibilities. By embracing total asset management strategies, exploring development opportunities, utilizing collaborative planning processes with community stakeholders, and exploring opportunities for conservation, trust managers can

ensure and potentially increase economic benefits to the trust beneficiaries while meeting public demands associated with the preservation of healthy landscapes, open space, and better planning for growth.

This policy focus report is one of the products of the Joint Venture on State Trust Lands established in 2003 by the Lincoln Institute and the Sonoran Institute, a nonprofit organization that promotes community decisions that respect the land and people of the West. Designed to broaden the range of information and policy options available to assist diverse communities in improving state trust land management, the Joint Venture seeks to ensure that trust land stewardship, collaborative land use planning, and efficient and effective asset management on behalf of state trust land beneficiaries are integral elements of how these lands are managed. **I**

#### ABOUT THE AUTHORS

**Peter W. Culp** is the former attorney for programs with the Sonoran Institute, and now consults for the Institute on a variety of issues related to land and water policy. **Cynthia C. Tuell** is an intern with the Sonoran Institute's State Trust Lands Program.

## Courses and Conferences

The open enrollment courses and conferences listed here are presented at Lincoln House in Cambridge, Massachusetts, unless otherwise noted. For more information about the agenda, faculty, accommodations, tuition, fees, and registration procedures, visit the Lincoln Institute Web site at [www.lincolnst.edu/education-courses.asp](http://www.lincolnst.edu/education-courses.asp). For more information about courses offered by the Institute's Program on Latin America and the Caribbean, visit [www.lincolnst.edu/aboutlincoln/lac.asp](http://www.lincolnst.edu/aboutlincoln/lac.asp).

### THURSDAY, JANUARY 26

Atlanta, Georgia

#### **Recycling Vacant, Abandoned, and Contaminated Properties**

Rosalind Greenstein and Yesim Sungu-Eryilmaz, Lincoln Institute of Land Policy

Through exploration of case studies, interaction with experienced community-based organization (CBO) peers and other practitioners, and presentations from local and state government officials, funders, and legal experts, this workshop will explore the critical roles that CBOs play in partnering with the public and private sectors to accomplish the redevelopment of underutilized properties.

### FRIDAY, JANUARY 27

Atlanta, Georgia

#### **GIS for Community-based Planning and Development**

Ann-Margaret Esnard, Florida Atlantic University, Fort Lauderdale

To help community-based organizations (CBOs) keep up with the rapidly changing technology while maintaining their mission, this course provides CBOs with strategies for successful utilization of GIS; information about national data resources for local uses; and case studies on the types of projects and analyses that can be used to evaluate administrative, political, and financial impacts of GIS.

### MONDAY-FRIDAY, FEBRUARY 6-17

Rotterdam, The Netherlands

#### **Introduction to Land Policies: Urban Management and Development**

Claudio Acioly, Institute of Housing and Urban Development Studies, Rotterdam, The Netherlands

This two-week module on land policy, as part of the master course in Urban Management and Development spon-

sored by the Institute of Housing and Urban Development Studies, analyzes the functioning of land markets in different contexts. Examples from North American and Western European countries are compared to developing countries and countries in transition in Central and Eastern Europe. Participants acquire an understanding of the functioning of land markets, price gradients, and land policy interventions and mechanisms to deliver affordable and serviced land to low-income families.

### FRIDAY-SATURDAY, FEBRUARY 17-18

San Diego

### WEDNESDAY-THURSDAY, JUNE 14-15

Chicago

#### **Paying for Economic Development**

A strong economic development program can bring jobs and economic activity to a community and improve its quality of life. A variety of models and tools can help communities pay for economic development and engage citizens in the process. To design such a program, planners need to master market research and analysis, pro formas, tax increment financing, tax credits, and loan programs. These workshops are cosponsored with the American Planning Association. For registration information, visit the APA Web site at [www.planning.org](http://www.planning.org).

### MONDAY-TUESDAY, MARCH 6-7

Mexico City

#### **Eminent Domain and Rights over Land: Challenges for Urban Development in Mexico**

Martim Smolka, Lincoln Institute of Land Policy; Carlos Morales and Antonio Azuela, Autonomous National University of Mexico (UNAM)

Eminent domain will be discussed in light of the controversial cases over

land expropriations that have recently taken place in Mexico. They are having long-term implications in how property rights are conceived and how urban development is managed in the country. The Supreme Court, Congress, various executive ministries and agencies, and some local governments have been involved in the debate that has been followed closely by the media. In this seminar, stakeholders will meet with academics that are doing research in the field in order to discuss contradictions and ambiguities in the legal framework, as well as policies and practices specifically regarding criteria for defining public utility, compensation, and authorities involved.

### MONDAY-TUESDAY, MARCH 6-7

Chicago, Illinois

#### **Negotiation and Mediation Skills for Community-based Organizations**

Consensus Building Institute, Cambridge, Massachusetts

This two-day course presents principles of mediation and negotiation for community land trust professionals and others working in community-based organizations. It introduces techniques of alternative dispute resolution, and then uses tailored case studies, role-playing simulations, and analysis of typical community development problems to focus on the particular needs of people working for community land trusts.



**WEDNESDAY, MARCH 8**

**Chicago, Illinois**

### **Neighborhoods in the Shadows of Universities**

**Rosalind Greenstein and Harini Venkatesh, Lincoln Institute of Land Policy**

Universities are producers of both local public “goods” and “bads.” Cities and neighbors negotiate with universities to mitigate these possible negative impacts. This workshop is targeted at neighborhood-based planning and development organizations, neighborhood groups, and others in the non-governmental sector who work on behalf of the neighbors who must deal with these negative externalities.

**THURSDAY–FRIDAY, MARCH 16–17**

**Seattle, Washington**

### **Regional Collaboration: Learning to Think and Act Like a Region**

**Matthew McKinney, Public Policy Research Institute, University of Montana, Helena**

A growing number of land-related issues—including sprawl and threats to the environment, social and fiscal inequities, economic development, and globalization—transcend political and jurisdictional boundaries. These issues are most effectively addressed at a regional level, defined by a unique place or a specific problem. Some regional efforts augment existing government institutions and others are more ad hoc in nature, involving people with diverse interests and viewpoints. This course provides a conceptual framework and practical skills to initiate, design, coordinate, and sustain regional initiatives.

**MONDAY, MARCH 20**

**Lincoln House**

### **Ecology and Conservation Fundamentals**

**Dan L. Perlman, Environmental Studies Program, Brandeis University, Waltham, Massachusetts; and Fritz Steiner, School of Architecture and Planning, University of Texas at Austin**

Based on the book *Practical Ecology for Planners, Developers, and Citizens* (Lincoln Institute and Island Press, 2004), this course presents the main concepts of ecology through lectures and specially developed hands-on exercises. The program focuses on techniques for creating healthy, sustainable human communities while protecting native species and ecosystems. It includes relevant theory along with real life examples and exercises that illustrate the application of these concepts.

## **Mediating Land Use Disputes Series**

**Lawrence Susskind, Merrick Hoben and Ona Ferguson, Consensus Building Institute, Cambridge, Massachusetts; Matthew McKinney, Public Policy Research Institute, University of Montana, Helena; Ric Richardson, University of New Mexico; and Patrick Field, MIT–Harvard Public Disputes Program, Cambridge, Massachusetts**

Land use disputes are among the most contentious issues facing communities throughout the U.S. Local officials struggle to find ways of balancing environmental protection, economic development, and private property rights. Our trainers bring a wealth of experience, drawing on both theory and practice, to help mediators in the U.S. develop the specialized knowledge and skills required to successfully mediate land use disputes.

**THURSDAY–FRIDAY, MARCH 9–10**

**Pace University, New York**

### **I. Resolving Land Use Disputes**

This two-day introductory course presents practical experience and insights into negotiating and mediating solutions to conflicts over land use and

community development. Through lectures, interactive exercises, gaming, and simulations, participants discuss and work with cases involving land development and community growth, designing and adopting land use plans, and evaluating development proposals. Questions of when and how to apply mediation to resolve land use disputes are also explored. This course qualifies for 13.25 AICP continuing education credits.

**WEDNESDAY–FRIDAY, APRIL 5–7**

**Lincoln House**

### **II. Advanced Course on Mediating Land Use Disputes**

This interactive three-day course is designed for those who have attended Mediating Land Use Disputes I or are trained mediators with public policy dispute resolution experience. Participants explore different approaches to consensual land use decision making and deepen their understanding of assisted negotiation techniques to settle land use disputes. They also learn about

the special problems associated with infrastructure and facility siting disputes, disagreements over how to manage new development, environmental justice battles, zoning and permitting rights, and discord over the preparation of long-range resource management and land use plans. This course qualifies for 13.25 AICP continuing education credits.

**THURSDAY, FEBRUARY 2**

**Leominster, Massachusetts**

### **III. Negotiating for Land Conservation**

Good negotiation skills are essential to the preservation of open space, habitat, and farm and ranch land across the U.S. This intensive one-day negotiation skills course, tailored explicitly for those who are seeking to conserve open space, land, and habitat includes lectures on mutual gains negotiation, hands-on opportunities in two negotiation exercises, and group discussion about the challenges of land trust negotiations.

APRIL 4–JUNE 23

Rotterdam, The Netherlands

**Land Policy in Developing and Transitional Countries**

Claudio Acioly, Institute of Housing and Urban Development Studies, Rotterdam, The Netherlands

This three-month course offers a series of seven modules on various aspects of land policy: land markets and land policies; property rights and land use planning; property taxation; smart growth policies and urban densities; land markets; price formation in developing economies; and managing and planning large land development projects. The course develops an in-depth understanding of land markets and the problems and policy responses to facilitate access to affordable serviced land in developing and transitional economies.

MONDAY–TUESDAY, APRIL 24–25

Atlanta, Georgia

**The Urban University as Real Estate Developer: Leadership for 360–Degree Development**

David Perry, Great Cities Institute, University of Illinois at Chicago

The Sixth Annual Urban University as Real Estate Developer program draws on the experience of three universities in Atlanta in developing their neighborhood and the city. The case studies include Georgia Tech University, Morehouse College, and Georgia State University. The focus is on different partnerships fostered by these universities and the subsequent role each of them played in executing real estate development.

MONDAY–FRIDAY, APRIL 24–28

San Salvador, El Salvador

**Property Taxation in Latin America**

Martim Smolka, Lincoln Institute of Land Policy; Claudia De Cesare, Municipality of Porto Alegre, Brazil; and Lilian Vega, “José Simeón Cañas” Central American University (UCA), San Salvador, El Salvador

Leading practitioners in the administration of property taxes in Central America share experiences, gain access to useful information, and exchange views on tax issues. Theoretical and practical aspects of the property tax are examined: determination of property

values; urban finance; components and definition of the tax base; assessment performance; tax rates and exemptions; information systems (cadastre, maps, and GIS); collection and appeal; and responsibilities of policy makers and administrators.

WEDNESDAY, MAY 10

Lincoln House

**Comprehensive Planning**

John R. Mullin, Center for Economic Development, University of Massachusetts, Amherst

This in-depth review of fundamental planning principles and the planning process explores both the theoretical and practical aspects of comprehensive planning. It is designed to equip participants with state-of-the-art tools and techniques for realizing specific planning objectives, and for framing, implementing, assessing, and managing comprehensive plans. Topics include strategic and long-range planning, the land use plan, the capital improvements plan, zoning, and growth management. This course qualifies for 4.25 AICP continuing education credits.

**Lincoln Lecture Series**

The Institute’s annual lecture series is presented at Lincoln House in Cambridge, Massachusetts, beginning at 12 p.m. (lunch is provided), unless otherwise noted. Consult the Lincoln Institute Web site ([www.lincolinst.edu](http://www.lincolinst.edu)) for information about other dates, speakers, and lecture topics. The programs are free, but pre-registration is required.

WEDNESDAY, FEBRUARY 15

**Property Taxation Challenges in South Africa**

Riël C.D. Franzsen, Department of Mercantile Law, University of South Africa

TUESDAY, APRIL 11

**Valuing New Development in Distressed Urban Neighborhoods: Does Design Matter?**

Brent D. Ryan and Rachel Weber, Urban Planning and Policy Program, University of Illinois at Chicago

**Audio Conference Training Program for Planning Officials**

This annual audio conference program is cosponsored by the Lincoln Institute and the American Planning Association (APA). Live audio conferences are broadcast to a national audience of planners and elected officials via telephone and Internet; corresponding packages of instructions, agendas, and background reading materials are made available to participants. For registration information, call the APA at 312.431.9100 or visit the Web site at [www.planning.org](http://www.planning.org).

**Primer for Planning Commissioners**

This four-hour course is delivered in a lecture format and is designed to be supplemented with two hours of locally based training on the local planning framework. Speakers cover the foundations of planning to help new commissioners understand their roles and responsibilities.

**Part I: Introduction to the Planning Commission**

WEDNESDAY, JANUARY 18

4:00–6:00 p.m. (EST)

**Part II: Introduction to the Planning Commission**

WEDNESDAY, MARCH 22

4:00–6:00 p.m. (EST)

**60–Minute Topical Program**

This program is designed for planning commissioners, officials, and their staffs. Speakers present the latest research findings and provide overviews of the trends, tools, and techniques used to address these issues. A special Web site for each program provides instructions, reading materials, references, and links to useful Web sites.

**Zoning Clinic**

WEDNESDAY, FEBRUARY 15

4:00–5:00 p.m. (EST)

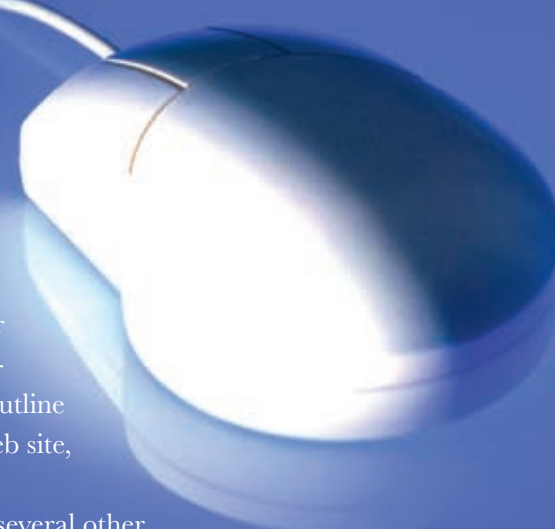
# WHAT'S NEW ON THE WEB

## Online Education

The Lincoln Institute's online education offerings take many forms. Selected curriculum materials and publications are available as complete documents that can be downloaded from our main Web site ([www.lincolninst.edu](http://www.lincolninst.edu)). In addition, the Institute offers dynamic Internet-based courses and filmed versions of some of our traditional classroom courses on Lincoln Education Online (LEO) at [www.lincoln.edu/education/leo.asp](http://www.lincoln.edu/education/leo.asp).

The Institute has established a new Web-based platform for these courses using Moodle and eTEACH, a program used by many universities to expand options for learning. The platform offers a broad range of educational tools including online forums and chat rooms, self-assessment quizzes, downloadable or printable course materials, and frequently asked questions. In addition, the platform provides simultaneous on-screen presentations of filmed lectures, course outline notes, and accompanying slides. Each online course can be linked to its own Web site, providing extensive supplementary resource material and links to other sites.

The following course is now available on the Lincoln Institute Web site, and several other online courses will be launched during the spring.



## Valuing Land Affected by Conservation Easements

Conservation easements (CEs) or restrictions (CRs) have become an important land policy tool because they provide permanent protection against development, while allowing land to remain under private ownership. Though widely used and accepted since their implementation several decades ago, conservation easements still generate controversy.

This online course provides an overview of conservation easements, and draws on experts in environmental studies, planning, tax law, valuation, and assessment. The objectives are to understand basic legal principles of conservation easements; to learn methods for valuing land affected by CEs; and to gain an overview of federal regulations. The course also presents background on the current policy debate that addresses many complex and compelling land conservation and taxation issues.

Based on the course of the same name that has been offered for many years in the classroom and on audio cassette tapes, this online version includes the following filmed lectures:

### **Conservation Easements as an Instrument of Land Policy**

Armando Carbonell, Senior Fellow and Cochairman, Lincoln Institute, Department of Planning and Development

### **Legal Principles of Property Taxation and Conservation Easements, Parts I and II**

Joan Youngman, Senior Fellow and Chairman, Lincoln Institute, Department of Valuation and Taxation

### **Consideration for Valuating Restricted Land**

James Czupryna, Appraiser

### **The Appraisal of Conservation Easements**

Paul O'Leary, Attorney and Appraiser



### **Valuing Land Affected by Conservation Easements: Guidance from Federal Laws and Regulations, Parts I and II**

Stephen J. Small, Attorney

### **Reinventing Conservation Easements: A Critical Examination and Ideas for Reform**

Jeff Pidot, Chief, Natural Resources Division, Maine Attorney General's Office

To participate in this free, self-starting course go to the LEO Web site (<http://www.lincolninst.edu/education/leo.asp>) and click on the course name. Log onto the course site by entering your Lincoln Institute username and password, or create your own profile as instructed.



**Recent Awards** During the past several months the Lincoln Institute has been honored with awards from three collaborating organizations.

- The National Conference of State Tax Judges recognizes the Institute's support and service to that annual conference series for the past twenty-five years.
- The International Association of Assessment Officers presented an award at its annual conference in Alaska in recognition of the Institute's contributions to research and analytic work in the area of property assessment.
- ESRI, a leader in Geographic Information Systems (GIS) software, acknowledges the Institute's contributions to the use of GIS by community-based organizations (CBOs) in applications for community planning, assessing, evaluating, and monitoring land (re) development projects and policies in their communities.

Photo: Courtesy of Colorado State Land Board



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