



State Highlights in Conservation: Texas

Profile of State Program(s)

Texas Parks and Wildlife Department: In May 2015, HB158 was signed into law, ensuring that the Texas Parks and Wildlife Department (TPWD) will receive full funding from the general sales tax attributable to sporting goods. Beginning in FY2008, 94 percent of sporting good sales tax collections each biennium were to be credited to TPWD and 6 percent to the Texas Historical Commission. Until the recent passage of HB158, allocations remained subject to appropriation by the Legislature and the department never received “full funding.” It was estimated that revenues from the sporting goods sales tax for TPWD for the 2014-2015 biennium would be approximately \$265 million.

Breakout of funding for each biennium to TPWD is as follows: The State Parks Account is credited with 74 percent of the proceeds to be used for larger counties within the Local Park Grant Program, the Texas Recreation and Parks account is credited with 15 percent of the proceeds to provide for grants in smaller communities through the Local Park Grant Program, and the remaining 1 percent of the proceeds goes to the Texas Parks and Wildlife Conservation and Capital Account.

TPWD also uses proceeds from the sale of hunting and fishing licenses as well as the sale of a Horned Toad license plate to fund land acquisition. TPWD also administers the Local Park Grant Programs, which encompass six separate grants. These include Outdoor Recreation, Indoor Recreation, Urban Outdoor Recreation, Urban Indoor Recreation, Small Community and Regional Outdoor Recreation (this program is currently suspended).

Texas Farm and Ranch Lands Conservation Program: First established by the legislature in 2005, the Texas Farm and Ranch Lands Conservation Program (TFRLCP) will be transferred from the Texas General Land Office to the Texas Parks and Wildlife Department (TPWD) by Texas HB1925 (companion bill SB1597) effective January 1, 2016. The act furthermore appropriates \$2 million in state money to fund a grant program for the 2016-2017 biennium. The goal of the TFRLCP is conservation of working lands with high values for water, fish and wildlife, and agricultural

production, especially lands at risk of development. TFRLCP conserves natural resources by protecting working lands from fragmentation and development. TFRLCP maintains and enhances the ecological and agricultural productivity of these lands through Agricultural Conservation Easements. It may be possible to leverage the current \$2 million appropriation with other private, state, or federal dollars. The USDA Natural Resources Conservation Service (NRCS) conservation easement programs provide opportunities for leveraging. TPWD is currently developing guidelines to implement the grant program and anticipates announcing the first grant cycle in early 2016.

Substantial State Investment

In May 2015, HB158 was signed into law, ensuring that the Texas Parks and Wildlife Department (TPWD) will receive full funding from the general sales tax attributable to sporting goods. Beginning in FY2008, 94 percent of sporting good sales tax collections each biennium were to be credited to TPWD and 6 percent to the Texas Historical Commission. Until the recent passage of HB158, allocations remained subject to appropriation by the Legislature and the department never received “full funding.” It was estimated that revenues for TPWD for the 2014-2015 biennium would be approximately \$265 million.

In 2019, after years of having this funding reallocated, the Texas state legislature and Governor approved Proposition 5 for the November 2019 ballot. Proposition 5 adds language to the Texas Constitution to dedicate revenue from the sales tax on sporting goods to the state Parks and Wildlife Department and the state Historical Commission. Whereas the previous law allowed the legislature to allocate the revenue for other uses, Proposition 5 requires a two-thirds vote in each legislative chamber to reduce the amount for the parks, wildlife, and historical agencies. Furthermore, the ballot measure prohibits the legislature from decreasing the amount for the parks, wildlife, and historical agencies by more than 50 percent. This measure secured more than \$3.5 billion over 20 years, and was passed with 88 percent voter support.

Historically, the breakout of funding for each biennium to TPWD is as follows: The State Parks Account is

credited with 74 percent of the proceeds to be used for larger counties within the Local Park Grant Program, the Texas Recreation and Parks account is credited with 15 percent of the proceeds to provide for grants in smaller communities through the Local Park Grant Program, and the remaining 1 percent of the proceeds goes to the Texas Parks and Wildlife Conservation and Capital Account.

Timeline of Historical Funding:

1993 – The 73rd Texas Legislature passed H.B. 706. This bill switched the revenue source for state and local parks from the state cigarette tax to draw from the general sales tax attributable to sporting goods. However, legislators capped the amount of draw at \$27 million for 1993 and 1994. In 1995, the cap was increased to \$32 million and distribution of funds were as follows: If the full \$32 million was appropriated, \$15.5 million went to the State Parks Account, and \$15.5 million went to the Local Recreation and Parks Account, and \$1 million to a Capital Account.

2001 – Texas voters approved Proposition 8, which provided \$100 million in bond authority for major repairs to state parks and other TPWD sites. Such bonds require legislative appropriations for debt service funding to pay back the bond issue.

2005 – The Texas Legislature established the Texas Farm and Ranch Lands Conservation Program. The program enables Texas to purchase conservation easements from willing landowners in order to prevent the development of rural lands with outstanding ecological or cultural value. The Legislature has not appropriated funding for this program to date.

2007 – Texas voters approved Proposition 4, which allocated \$52 million to state parks. The Legislature also lifted the \$32 million cap on the sporting goods tax.

State Incentive for Local Conservation Funding

The Local Park Grant Program: The Local Park Grant Program includes six program categories and assists local units of government with the acquisition and/or development of public recreation areas and facilities throughout the State of Texas. The program provides 50% matching fund to eligible local governments. These are reimbursement grants. Eligible applicants include cities, counties, river authorities, municipal utility districts, and other special districts.

Program categories contain the following population requirements and maximum match amounts:

- Outdoor Recreation (communities <500,000 population) – \$500,000
- Indoor Recreation (communities <500,000 population) – \$750,000
- Urban Outdoor Recreation (communities >500,000 population) – \$1,000,000

- Urban Indoor Recreation (communities >500,000 population) – \$1,000,000
- Small Community (communities <20,000 population) – \$75,000

Local Financing Enabled

The State of Texas authorizes and enables public bodies to acquire land and interests in land for conservation, parks, and agricultural purposes. To do so, public bodies, including municipalities, may appropriate funds, levy taxes, and issue general obligation bonds.

Most of the conservation measures passed in Texas are general obligation bonds. The governing body of any county, municipality or flood control district may issue bonds to acquire lands for park or historic purposes. Counties, municipalities and flood control districts may not issue general obligation bonds that are to be paid from property taxes without approval by the voters in an election.

Property taxes provide more revenue for local services in Texas than any other source. The county portion of the property tax revenue may be directed to acquire parkland, open space, and conservation easements. However, other than the local governing body passing a resolution, there is no statutory procedure for dedicating property tax revenue for specific purposes. Therefore, the decision to allocate property tax for conservation purposes would need to be made annually during the budgeting process.

Cities can use sales tax revenue for parks and open space. In 2015, the Governor signed a local sales tax bill giving cities increased financial flexibility. Cities may now hold an election to reallocate sales tax. It allows a city to determine whether dedicated sales taxes should be increased or decreased, or whether a general revenue sales tax better serves its needs. (The bill does not allow an increase above the two percent local cap. It authorizes reallocation by election within a percentage that is below that cap.)

Local Programs Included

Local conservation programs include:

- Austin, TX
- Cedar Park, TX
- Dallas, TX
- Hays County, TX
- Irving, TX
- Plano, TX
- San Antonio, TX
- Travis County, TX

Visit www.landvote.org for detailed information on these programs.

Federal Partnerships

Federal agencies and programs that have conserved land in Texas include:

- U.S. Department of Defense – Readiness and Environmental Protection Initiative (REPI)
- U.S. Fish and Wildlife Service
- U.S. Fish and Wildlife Service – Land and Water Conservation Fund (LWCF)
- U.S. Fish and Wildlife Service – National Coastal Wetlands Conservation Grant Program
- U.S. Fish and Wildlife Service – North American Wetlands Conservation Act (NAWCA)
- U.S. Fish and Wildlife Service – Section 6 Grant
- U.S. Forest Service
- U.S. National Oceanic and Atmospheric Administration – Coastal and Estuarine Land Conservation Program (CELCP)
- U.S. National Park Service
- U.S. National Park Service – LWCF Stateside
- U.S. Natural Resources Conservation Service – Farm and Ranch Lands Protection Program (FRPP)
- U.S. Natural Resources Conservation Service – Grassland Reserve Program (GRP)
- U.S. Natural Resources Conservation Service – Wetlands Reserve Program (WRP)



The Trust for Public Land creates parks and protects land for people, ensuring healthy, livable communities for generations to come.

The Conservation Almanac

A comprehensive database of land conservation and public conservation funding in America, the Conservation Almanac provides a context for assessing impacts of conservation and the growing conservation finance movement. The Almanac offers information on public dollars spent and acres conserved, details on local, state, and federal conservation programs, and geospatial mapping of conserved land.

Almanac data collection efforts focus on land conserved using public dollars; contributions funded by private and non-governmental organizations are not tracked comprehensively. Federal data is complete from 1998-2017. State and local data is complete from 1998-2008. In the tables and charts below, acres are allocated to each program proportionate to the size of the contributions to each acquisition. For example, if an acquisition had two contributions, and each program contributed equal dollar amounts, each program receives 50% of the acres. If you have questions or want to provide updated information, please contact Jessica Welch at jessica.welch@tpl.org.

www.tpl.org

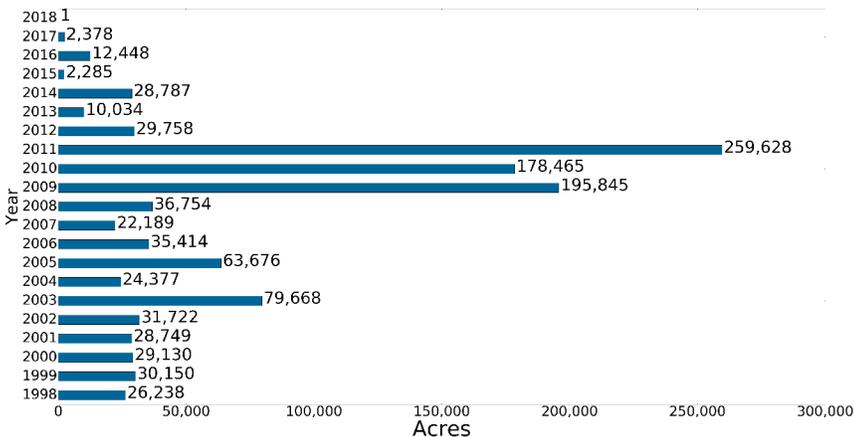
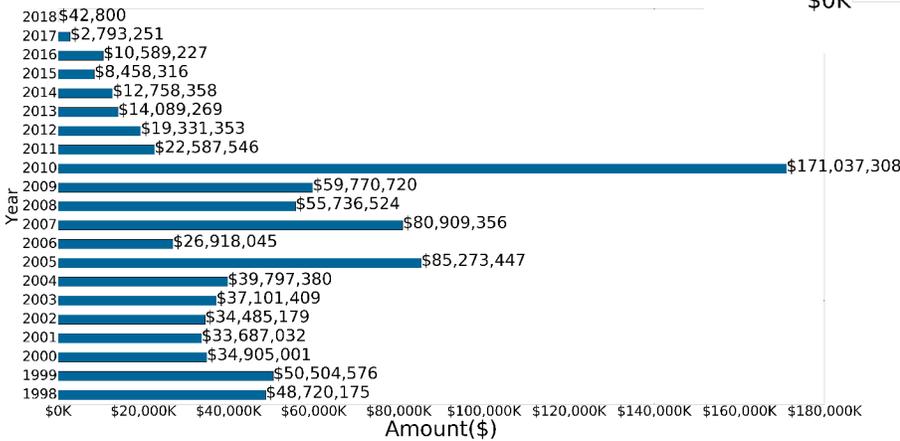
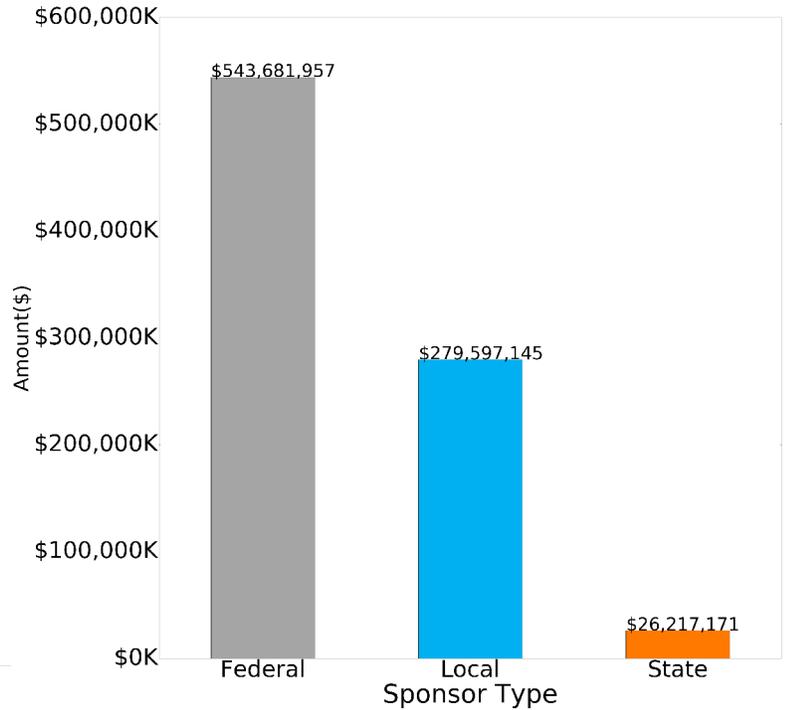
www.conservationalmanac.org

State Conservation Report Texas



CONSERVATION ALMANAC
Tracking Investments in Protected Lands

November 20, 2020



The data in the Conservation Almanac track the impacts of public spending on land conservation. Created by The Trust for Public Land, the Conservation Almanac brings those data together along with state policy profiles, current conservation finance news, and an interactive map, to provide a powerful online tool.