Philanthropic Strategies in Place-Based, Collaborative Land Conservation:

The Packard Foundation's Conserving California Landscape Initiative

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Research for this paper was supported in part by a grant from the Center on Philanthropy and Public Policy, University of Southern California

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Abstract

The Packard Foundation's *Conserving California Landscape Initiative* (CCLI), a \$175 million 5-year (1998-2003) program intended to conserve 250,000 acres of open space in three regions in California, exemplifies the potential contribution and pitfalls of a private foundation's engagement in contemporary place-based, collaborative conservation. The achievements and limitations of this philanthropic effort are revealed largely through interviews of program officers, grantees, and public officials. Focusing conservation in three regions of the state, employing deliberate grant leveraging, promoting conservation partnerships, approaching conservation on multiple fronts, and building nonprofit capacities, CCLI preserved more than 300,000 acres of land, generated around \$700 million in matching funds, raised the profile of conservation in the state and local communities' agenda, and fostered collaboration among diverse publics. However positive, CCLI efforts inevitably raised broader governance issues – transparency and accountability, agenda setting and representation, donor power and grantees' autonomy – related to the enlarged role of private money in public conservation.

Philanthropic Strategies in Place-Based, Collaborative Land Conservation: The Packard Foundation's Conserving California Landscape Initiative

In 1998, the David and Lucile Packard Foundation initiated a well-publicized program *Conserving California Landscape Initiative* (CCLI) pledging to spend \$175 million in the next five years to help conserve at least 250,000 acres in three specific regions of California and to develop supportive public policies and organizations for state-wide conservation. Five years later, in November 2003, the Packard Foundation announced the successful completion of CCLI, claiming in its final report that the program had helped preserve 342,000 acres of California landscape through either direct title purchase or conservation easement (Packard Foundation, 2003).

As an environmental conservation initiative, CCLI is not unique as philanthropic support for resource conservation and wildlife management goes back to the first wave of US environmentalism during the Progressive era, a period characterized by active federal leadership of the conservation movement (Hays, 1959; Fox, 1981). Philanthropic giving for conservation reached an early peak in the 1930s and 1940s when Rockefeller money helped create or develop some of the nation's major parks and scenic areas—Great Smoky National Park, Acadia National Park, Jackson Hole National Monument, California coast redwoods, Yosemite, etc. (Wing, 1973; Fox, 1981; Gonzales, 2001). In the 1960s and 1970s, the federal government played a more active role in environmental regulation and conservation. But federal leadership of this second wave of environmentalism began to erode in the 1980s with President Reagan's emphasis on state's rights and the growing attack by Wise Use advocates (Rosenbaum, 2002). These developments prompted renewed support for conservation among local land trusts as well as the larger private philanthropies such as Pew, Rockefeller Family, and the Packard Foundations during the 1990s when foundation assets were growing especially rapidly.

It is in this context of reduced federal engagement, increased local participation for conservation, and enormous but unstable philanthropic wealth that Packard's *Conserving California Landscape Initiative* (CCLI) represents an important development in conservation governance. Although there might be disputes about the extent to which the Packard Foundation can claim major credit for putting all the 342,000 acres of land under conservation, the media and the environmental community in California have hailed CCLI as a landmark achievement in terms of its scale, duration, and grantmaking approaches. In response to the Packard Foundation's announcement, Kevin Starr, the renowned historian of California, wrote an op-ed piece in the Sunday *LA Times* in which he traced the population growth and increasing demand for development in the state, and made the following observation:

With that many people, how will California manage land, transportation, and quality of life? The answer, increasingly, is through foundations, which represent an emerging mode of governance. Many people applaud this development. Others, a much smaller group, consider it a questionable shift of sovereignty that might further accelerate the privatization of public life. (2004, p. 3).

In what ways did CCLI advance the cause of conservation in California to merit the suggestion that foundations "represent an emerging mode of governance? What problems may arise when foundations, as private actors, are involved in making environmental governance decisions that have large-scale and long-term impacts on diverse communities? To answer these questions, one must examine the specific strategies adopted by Packard in this particular initiative, and how these strategies fit in with the prevailing land conservation and governance approaches in California. In an attempt to answer these questions, we have examined most of the published records about the program and have interviewed a number of individuals—program administrators, grant recipients, and government officials—who were involved in various aspects of CCLI.

In this paper, we argue that contemporary place-based and collaborative land conservation offers increased role for private foundations. But translating this increased role to effective grantmaking will not be easy as foundations face more hurdles inherent in contemporary conservation. Ironically, effective and influential giving for land conservation will raise long-standing concerns on the public power of private foundations.

In the rest of this article, we first describe the current state of conservation efforts through an overview of the evolution of open-space preservation and a summary of the current drivers for conservation in the state of California. After a short discussion of our research methodology, we analyze Packard's CCLI strategies, drawing on opinions by nonprofit grantees and public officials with whom we have interviewed. Next, we draw on the views of our interviewees, especially those of public officials, to examine broader governance issues related to the enlarged role of foundations in public conservation efforts. Finally, we conclude with a summary of our major findings and their import for the practice of conservation philanthropy.

The Current State of Conservation Efforts and Drivers for CCLI

Traditional vs. Place-Based, Cooperative Approaches to Land Conservation

Press (1999; 2002) chronicles three evolutionary phases of open-space preservation in California in the past century, which broadly mirror national conservation efforts. According to Press (1999), the first half of the twentieth century represented the first phase in which the state government provided the major funding and regulatory frameworks for acquiring land, mostly for recreational purposes. Starting in the 1960s, the second phase involved local, state, and federal governments providing funding and enacting regulations to support various open-space preservation initiatives. This phase ended by 1978 with the passage of Proposition 13 that imposed severe limits on tax revenues of local governments in California. The third, and most recent, phase began in the mid-1980s when most land conservation initiatives have been bottom-

up, place-based efforts, supported by various public-private partnerships. This phase coincides with the rise of a nation-wide phenomenon—civic environmentalism, which refers to "the process of custom designing answers to local environmental problems" by involving a wide array of "community leaders, local activists, and businesspersons" together with "frontline staff of federal and state agencies" (John, 2004, p. 219).

There are some major differences between the traditional and the new place-based, cooperative approaches to land conservation (see Table 1). First, traditionally major land conservation initiatives in California were top-down, supported mainly by funding from federal and state agencies. The new approach to land conservation in the past two decades has mostly been bottom-up, initiated mainly by local governments, community-based land trusts, environmental NGOs (both local and national), and foundations. Second, most land conservation efforts in the past were for habitat protection and recreation while contemporary land conservation has been guided by such values as growth management, ecological preservation, and sustainable development.

-- Table 1 about here--

In terms of methods, the traditional approach relied mostly on direct government regulation, with an emphasis on direct purchase using government funding. After a piece of land was put under the public domain, the primary responsibility for managing the land became the responsibility of a government agency. In the new approach, open space has been preserved through either direct purchase or easement, made possible by collaboration among diverse stakeholders at various stages—planning, negotiation, fund-raising, and implementation. Finally, in terms of management style, the traditional approach was mostly functionally based, *i.e.*, different federal and state agencies developed their land preservation programs to further their respective missions such as wildlife preservation, park and recreational services, etc. The new

approach has been more place-based than functionally based, emphasizing the interconnectedness of various types of developmental, environmental, and ecological issues in the context of specific geographical regions.

The new approach to land conservation has opened up many new avenues and methods for land conservation, but not without challenges. Press (1999) captures the essence of the current situation by arguing that "open-space preservation has become more democratic, but less secure" (p. 177). It is more democratic because in addition to centralized state and federal agencies, many more actors—land trusts, NGOs, local governments, etc.—are now actively involved in open-space preservation initiatives. It is, however, less secure because many local actors lack the large amounts of funds that are available at federal and state agencies. According to Press (1999), the annual budgets of all land trusts in California amounted to just around \$9 million, while that of the California Department of Parks and Recreation amounted to around \$200 million (p. 178). In addition, with the new approach, various forms of innovative partnerships and alliances are needed to pull together any open-space preservation initiative; yet these arrangements are known to be difficult to form and sustain. In the words of John (2004), an advocate of civic environmentalism, "the collaborative process itself is also a costly activity" (p. 239).

Drivers for Open-space Conservation in California

CCLI began in March 1998 as a five-year \$175 million program aimed at conserving at least 250,000 acres and to develop supportive public policies and organizations for state-wide conservation (Packard Foundation, 2000). A commitment of this scale in terms of dollar amount and acreage requires some justification, and Packard's rationale, as stated in its official documents, lies in three arenas: California' population growth, legal-political drivers, and an emergent conservation philosophy.

California's rapidly rising population drives the threats to the state's open spaces. The state's population, currently at 34 million, is expected to reach 40 million in 2012 and to top 50 million by 2036 (CA Dept. of Finance, 2004) with corresponding requirements for housing, jobs, and transportation that will shrink the state's open space even more. New housing and retail development progressively encroached on more remote rural communities driven by cheaper land prices and local governments' tax revenue needs. Between 1995 and 2000, for instance, an average of about 140,000 acres of California farmlands has been lost to development (Packard Foundation, 2000). The toll on California's ecosystem of all this development is expected to be significant as well given that pristine lands also serve as critical watersheds, wildlife habitats, and treasured landscapes. An especially critical development issue for California is that the state "has the most listed, threatened, and candidate species under the federal Endangered Species Act" (Packard Foundation 2000, p. 10).

Fortunately, a widespread environmental ethic pervades the state in recent years that translates into strong political support for conservation. Seventy-eight (78) tax and bond acts for parks and open space were put on local ballots in California between 1986 and 1998, of which more than half were approved by voters (Press, 2002). Between 2000 and 2002, California voters passed four major conservation-related ballot initiatives (League of Women Voters, 2000; 2002). In 2000, voters passed with clear majorities Proposition 12 allocating \$2.1 billion in bond money for new parks and Proposition 13 pushing for water-related-projects requiring \$1.97 billion. In 2002, another pair of land (Proposition 40 - \$ 2.6 billion) and water (Proposition 50 - \$3.44 billion) bond measures also got the nod of California voters.

These recent initiatives are important in several respects. First, that the initiatives passed even in times of economic recession underscored the deep and widespread public support for conservation among Californians. Second, the bond measures provided much needed revenue sources for state spending on conservation as overall state expenditures for natural resources has declined from over 4 percent in the early 1980s to a low of 3.2 percent in the early 1990s (Silva,

2002). Third, this system of conservation policy formulation took the form of "pork barrel initiative" (Fulton, 1991) in which many local environmental groups' pet projects were included in the initiatives in return for their campaign support. Fourth, the measures explicitly acknowledged the role that local nonprofits, conservancy groups, and government districts will play in the state's conservation programs.

A third driving force for CCLI was the emergence of an ecosystem philosophy to conservation, entailing a "growing sensitivity to the systemic relationships implicit in environmental management and the strategic importance of land in this perspective" (Rosenbaum 2003, p. 6). Not only are the various ecological elements such as land, water, air, organisms, and humans—often the object of disparate environmental efforts—to be treated as part of an integrated whole but their treatment must be underpinned by biophysical and socio-economic sustainability. In practical terms, this meant conservation with a more long-term perspective about land use impacts and over much broader spatial coverage, or in CCLI terms "conserving landscapes rather than land parcels" (Packard Foundation, 2003). In the field, this approach meant more deliberate conservation planning, greater inter-organizational collaboration, and potentially more conflict-ridden and thus inefficient program implementation.

Research Methodology

Our assessment of CCLI is drawn heavily on interviews with individuals with varying connection to CCLI, supplemented by two Packard in-house reports on CCLI (Packard Foundation, 2000; 2003) and various articles from Packard's and other participating organizations' websites. Thirty-nine (39) individuals, eight from the public sector and the rest CCLI grantees and Packard officials, were contacted by email and asked to participate in an openended telephone interview about their organization's role in CCLI and their assessment of the program. We selected the grantee subjects to cover non-profit organizations involved in

conservation statewide as well as in the three target regions of CCLI. Between April, 2004 and April, 2005, we interviewed ten CCLI grantees, one Packard program officer, one Resources Law Group official (2 occasions), and five individuals from the public sector. The latter included a former Assistant Secretary of California's Resources Agency, a legislative officer with the state's Senate Committee on the Environment, and two officials from the State Coastal Conservancy, and one from the Department of Conservation. Our ten grantee subjects included representatives of five nonprofits involved in state-wide conservation, two each from the Central Coast and Central Valley and one from the Sierra Nevada. Except for one nonprofit, which is a state affiliate of a major national conservation organization, the rest of the grantees are Californiagrown organizations. The latter's organizational age ranges from 6 years (founded in 1998) to 39 years (1965). Their organizational size is equally varied; staff size ranged from 3 part-time staff to as much as 120 employees, while annual budget varied from as low as \$0.4 Million to over \$5 Million. The organizational respondents were equally varied in terms of their reliance on foundation funding—some had 70 percent of their annual budget funded by foundation grants, while others relied on foundations for less than 20 percent of their budget. Most of the respondents received more than one CCLI grant, while a few received multi-year grants. The CCLI grant amounts ranged from \$9,000 to as much \$5 Million, and grant purposes included those for land acquisition, research, and organizational development. Thus, while the number of grantee subjects is far from exhaustive, we believe they represent the diversity of nonprofit organizations funded by CCLI.

CCLI Strategies as Place-Based, Collaborative Conservation

Strategic giving, of which CCLI is claimed to be one (Packard Foundation, 2000), can potentially play a key role in facilitating place-based, collaborative conservation. Yet apart from the general injunction to maximize funding impact through selective and engaged grantmaking

(Porter and Kramer, 1999), there is no agreed upon set of specific constructs and practices that precisely define strategic philanthropy. In fact, a lively debate among philanthropic scholars and practitioners has grown regarding the norms and effectiveness of a particular variant of strategic giving – venture philanthropy (Carlson, 2000; Frumpkin, 2003; Katz, 2004; Letts, Ryan and Grossman, 1997; Sievers, 2001). Rather than a universal set of values, what is clear from those who practice or observe strategic grantmaking is that effective foundation strategies are very much context-dependent (Covington, 1997; Rimel, 1999). Thus, we discuss CCLI strategies more in the context of place-based, collaborative conservation rather than in terms of strategic vs. "traditional" philanthropy. Packard's CCLI strategies included the following elements: 1) targeting specific geographical regions and NGOs, 2) grant leveraging, 3) promoting conservation partnerships, 4) capacity-building of NGOs, and 5) employing a multi-dimensional approach to conserve land.

Targeting Specific Geographical Regions and NGOs

A crucial strategy employed by CCLI was its focus on preserving land in three targeted regions of the state—the Central Coast, the Central Valley and the Sierra Nevada. Packard's rationale for selecting these areas was fairly compelling—they contain some of the state's most impressive landscapes and natural resources and at the same time face some of the greatest development pressures (Packard Foundation, 2003). This place-based strategy yielded significant achievement in terms of total acreage conserved. Prodded by early success, Packard doubled its original target from 250,000 to 500,000 acres. Upon official program completion in August 2003, Packard announced that its funding had preserved 342,355 acres divided as follows: 128,883 acres in the Central Coast, 165,820 acres in the Central Valley, and 47,652 in the Sierra Nevada (Packard Foundation, 2003). Moreover, at the time of the Packard announcement, grantees still holding more than \$30 million in CCLI funds were in the midst of on-going land

negotiations. Packard expected that by the end of 2006, its objective of 500,000 acres conserved would well be reached (Packard Foundation, 2003).

Packard's strategic focus on these three regions received an ambivalent assessment from a former high-ranking Resources Agency official, who said:

I think there was no particular reason why CCLI should have said these three areas are the only three areas in California that were worth investing in, they certainly weren't. But on the other hand, it's their money and it's their decision where to put it. And it provided us with good partners for very legitimate efforts...In a way it moved the state to invest in those areas too because we had a partner sharing some of the cost. In another way, it might have allowed us to back money in other areas not being served by CCLI.

The acreage conserved by CCLI also needs to be put in the broader perspective of state-wide conservation. If additional purchases bring the total conserved area to 500,000 acres by 2006 as Packard hoped (and if all this was attributed entirely to CCLI), this sum is still less than one percent of the state's total land area of about 101 million acres (Press, 2002). It is also less than half of the total preserved land held by the state under the Department of Parks and Recreation (DPR) holdings of about 1.2 million acres amassed since the early 1900s (Press, 2002). But the CCLI rate of land conservation would translate into an impressive 56,000 acres per year while the DPR's conservation rate would be roughly 12,000 acres per year.

Concentrating conservation efforts in three regions of the state is in keeping with a key precept of strategic philanthropy that foundations must selectively deploy their resources (Porter and Kramer, 1999). Thus, focusing on these locations had significance beyond their ecological value; it also gave CCLI more visibility in host communities, and thus served to enhance greater local participation (Packard Foundation 2003, p. 12), a necessary feature in place-based collaborative conservation. Indeed, most of the interviewees also acknowledge the need for foundations to be strategic in setting priorities and targeting specific areas. They recognize that by being selective foundations must automatically include some NGOs and exclude others for funding. By itself, this is not taken by grantees as particularly harmful to them. Indeed, as pointed out by one of our interviewees, "by being too strategic, foundations can sometimes limit

what they can achieve". iii In other words, being strategic and selective poses as much or even greater danger to foundations' long-term effectiveness as it does to NGO grantees.

Although interviewees may accept the inevitable exclusion of many regions and NGOs for funding due to strategic giving, the principle of selective targeting of grant money could lead to inequitable distribution of resources that might be harmful to state-wide conservation efforts as a whole. For instance, the admonition that donors should tightly screen their grant applicants to ensure that only the most effective NGOs are funded (Porter and Kramer, 1999) can conceivably lead to a starving of funds in regions where the conservation capabilities are precisely most deficient. Such concerns are not mere rhetorical musings. In fact, by Packard's own initial analysis, its institutional support to nonprofits tended to be more successful for more established entities and those working in regions with strong conservation orientation; less consistent outcomes were reported for younger grantees and those in regions of weak overall conservation capacity (2003, p. 23).

In response to the concern about organizational and jurisdictional inequalities arising from such targeted giving, a Packard program officer explained that support for conservation needs to balance donors' scarce resources with three key conservation factors: the ecological significance of the landscape, the degree of threat facing it, and the opportunity to be effective.

And if a place is extremely important and extremely threatened, you'll find a way, even if there's no particular opportunity or the host community is not receptive, but you're a fool not to think about what the prospects are for actually getting something done. So, I think from the nonprofit sector side, you have to think about those choices given your scarce resources and you don't want to waste your resources beating your head against the wall. But I think you do want to think creatively how to ...make a path for conservation in a place seems currently inhospitable. iv

Grant Leveraging

As he observes:

Another key CCLI strategy was Packard's decision to use its funds to stimulate matching contributions from other donors. Grant leveraging addresses the foundation's practical and

legitimate goal of making its own money go further and is also an admission that in contemporary conservation, no single organization can bear the entire burden (Packard Foundation, 2000). According to reports, CCLI's initial pledge of \$175 million funding attracted interests from other foundations, government agencies, and individual donors who provided matching grants and loans. At the close of the program, Packard had invested \$291 million in grants and loans to CCLI while non-Packard contribution reached \$764 million, translating to CCLI-related spending of about \$1 billion (Doyle, 2003; Packard Foundation, 2003; Starr, 2004).

For environmental NGOs, Packard's five-year commitment of a huge sum of money is remarkable for it breaks with tradition "in which many private foundations do provide money for the environment, but in sums that are simply not enough to make a major difference". Furthermore, Packard sustained its financial commitment to CCLI even in the face of a considerable loss in the value of the foundation's stock holdings from a high of \$17 billion in 2000 to about \$5 billion by 2003 after the stock market crash (Whelan, 2003). As argued by one grantee, this "demonstrated its leadership in California's conservation issues". The amount raised through CCLI is also crucial because it fills a sizable gap in public conservation budgets arising from the low priority accorded to national conservation by the Bush administration and the diminishing allocation for conservation from the state's own general funds (Silva, 2002).

The \$1 billion generated by Packard's leveraging of its initial \$175 million pledge is also important for it validates the claim that leveraging requirements imposed by foundations are a means by which the grantees can demonstrate wider community support and credibility among relevant stakeholders. Indeed, whether philanthropic or government, most funders are hesitant to be the single financial source for any one conservation project. According to one respondent, grant applicants are often asked such questions as "who are the other patrons in the project?" and "where are the other sources of money?" Justifying this requirement, an official from a state agency indicated that "no large projects these days are funded by only one agency or even by the state alone".

The leverage that Packard imposed on its CCLI grants is a good example of what Kramer and Porter (1999) describe as "signaling other funders" that contributes to returns of foundation investment being maximized (Wagner, 2002). Although most nonprofit grant recipients understood and accepted the rationale behind the leveraging requirement, they also cited complications caused by the requirement. According to one respondent, every additional funder in a project brings in its own set of agenda and requirements that complicate project implementation. For instance, a program manager with the state's farmland conservancy indicated that while their agency is more flexible about farmers' improvements on agricultural lands under easements, private donors like Packard tend to have a different conception of such programs and prefer that farmlands under easements retain as much open space as possible.xi Smaller nonprofits, added one grantee, find it difficult to meet leveraging imposition given their relatively small budget, fewer manpower, and limited connections.xii This also raises the broader issue of whether it is to the interest of both funder and grantee for the latter to be spending time, effort, and resources scouring for additional budget if the former can very well underwrite a project immediately. These concerns suggest that while leveraging is now widely accepted in both the nonprofit community and the public sector, donors must be sensitive to the operating milieu of their grantees if their leveraging tactics are not to be counter-productive.

Fostering Conservation Partnerships

Another CCLI strategy was to orient the entire program around partnerships with a broad array of stakeholders (Packard Foundation, 2003). In adapting this approach, Packard was well aware that contemporary conservation must draw on the unique strengths and resources of many concerned entities. As one of our interviewees puts it "The days of going at it alone have long been over. To accomplish big things in conservation requires intricate partnerships."

One expression of this collaborative approach was the consultative planning process in which Packard drew on the interests and expertise of landowners, policymakers, NGOs,

scientists, real estate developers, and legal experts "to develop an initial list of landscapes that would become conservation priorities in each of the three California regions" (Packard Foundation 2003, p. 13). Many nonprofit grantees hail Packard's attempt at "getting everyone under one tent," but they also have varying views on the utility of this approach, especially when applied to land acquisition. To some, the use of collaborative planning is "just reflective of a general scarcity of funds and dispersion of expertise such that no single organization can undertake land conservation single-handedly". xiv Among its shortcomings, one common complaint is that collaborative planning can bog down conservation work. Given the diverse goals of many nonprofits, achieving a reasonable focus on program objectives can be difficult according to one grantee's experience.xv Furthermore, defining the legitimate stakeholders—a problem in many collective action endeavors—is a complicated task often accompanied by friction among participating organizations. Collaborative planning sessions could sometimes be dominated in numbers by environmentalists, with only token representation from landowners and development interests, whose cooperation is crucial for any viable land conservation deal.xvi Still another concern is that collaboration in some cases may be flimsy, meaning that the effort is reduced to ministerial facilitation rather than substantive leadership and cooperation at the management or staff level.xvii

In addition to suggesting these potential shortcomings, some grantees raised more substantive questions about the collaborative planning process. For instance, the land trust business—as in most other matters related to land and money—is an entrepreneurial and opportunistic business where the ability to move quickly on a deal is critical. While collaborative planning can identify many high-priority targets for acquisition, without a willing seller such targets become a moot point. Thus, in some cases a third-priority target that had suddenly come up for sale becomes a top priority for acquisition because it might never come in the market again. Local land trusts thus are forced to exercise quick judgment rather than wait for more consultation and evaluation because waiting increases the options fees that are paid to

landowners. In other words, the harsh realities of land transactions certainly blunt the full benefits of deliberate and scientifically informed planning.

CCLI also promoted conservation partnerships by bringing together local conservation entities and the large national environmental groups to implement CCLI grants. National environmental nonprofits such as The Nature Conservancy (TNC), Trust for Public Land (TPL), and American Land Conservancy bring conservation planning expertise, political presence, legal experience, and financial muscle that help small local groups identify conservation priorities, connect with policymakers in Sacramento and Washington, DC, hurdle the complex legal requirements of land trust deals, and acquire large swaths of ecologically critical properties. In return, their smaller nonprofit partners bring local support and buy-in from the community, which is crucial for sustaining conservation efforts. Local groups also supply local conservation knowledge, which many regard as a form of audit of outside environmental experts. In several instances, while the national groups negotiated and bought the properties, it is local groups that eventually held the land in trust and monitored the land. This helps reduce the mistrust of local landowners for outside environmental advocates. xviii Such division of labor among environmental nonprofits will be increasingly common in conservation work, in the United States and elsewhere. Also, the mutually beneficial cooperation fostered by CCLI among national environmental groups and local advocates is markedly different from the picture painted by other observers that foundation funding leads to the continued marginalization of small grassroots organizations in favor of large national professional environmental advocates (Brulle, 2001).

A specific partnership within CCLI that was very instrumental in achieving conservation objectives involved the Sacramento-based Resources Law Group (RLG) – an independent organization contracted by Packard to run CCLI. While Packard brought vision and financial commitment to the enterprise, RLG's legal expertise, conservation experience, and connection to the nonprofit and political communities contributed to CCLI's achievements. RLG's CCLI team led by Michael Mantell included some of the state's most knowledgeable conservationists with

long experience in and out of government. As explained by a Packard program director, CCLI had more capacity to implement grant programs in land conservation than Packard's own inhouse staff. Moreover, because Mantell was "so prominent and well-regarded in Sacramento", involving RLG in Packard's view "would naturally raise the profile of CCLI at the state level." xix RLG's involvement was equally praised and considered valuable by the nonprofit grantees. One NGO official marveled at the amount of mentoring that RLG provided to upstart grantees. xx Indeed about 70 percent of RLG's time as CCLI overseer was spent on activities other than granting—like facilitating meetings, helping design projects for grantees, and promoting grantees' projects among public authorities. xxi. Still another emphasized the networking value that RLG supplied noting that "they have enormous credibility with foundations, state agencies, and individuals, so they are very respected and well-regarded."xxii, which conferred credibility to the smaller NGO grantees as well. This supports Snow (1992) who found that many conservation organizations value working with foundations for the legitimacy that philanthropic grants confer. Such an arrangement between a philanthropic foundation and an expert intermediary organization might well serve as a model for other foundations' ventures in conservation and environmental grantmaking given that many private foundations lack in-house technical skills and political connection for strategic environmental engagement.

A Multidimensional Approach to Conservation

Approaching land preservation on multiple fronts, CCLI employed a variety of tools – land acquisition, landscape restoration, policy and planning support, and strengthening nonprofit capacities – aiming for both short-term and long-term results (Packard Foundation, 2003). Traditional conservation philanthropy, such as those practiced by Rockefeller's national parks initiatives in the 1930s and 1940s, relied heavily on outright land purchase. Such title acquisitions constituted less than half (45.6%) of the total lands conserved by CCLI (Packard Foundation, 2003). Other real-estate transactions were put to greater use. Conservation

easements paid to landowners, farmers, and cattle ranchers allowed them to retain their land subject to restricting development in their properties. This transaction, which accounted for 54.3 percent of all CCLI acreage, helped original landowners support their traditional lifestyle while conserving and protecting land from the pressures of commercial development. Another realestate tool was bridging loans. Through Packard's program related investments (PRIs), low-interest bridging loans were provided to local nonprofits and public agencies to cover the purchase of a valuable parcel of land that had suddenly come up for sale on the market. Packard was exceptional for being the leading foundation to use PRIs in grantmaking, with nearly three times dollar commitments in 2001 (\$35.6 Million) and 2002 (\$ 36.8 Million) on PRIs than any other foundation (Packard Foundation, 2003). Given the difficulty of raising huge amounts of cash in a moment's notice for nonprofits and public agencies alike, bridging loans gave tremendous boost to the purchasing capacity of these organizations. To illustrate the value of these PRIs both for NGOs and land protection, the comment of one interviewee is instructive:

We had a willing seller and we needed to move quickly. We didn't know where we will raise the money but if we didn't cash out the seller quickly, we'd lose the deal. Packard expressed confidence in our ability to pay back and gave us the loan. So I think that's an essential program. In our case, the loan was \$3Million for an acquisition that tripled the size of the Donner Memorial State Park up here. This was a deal made in 2002-2003 and we paid them off in 18 months, longer than what we had hoped. There was a substantial interest payment we had to make on it -3% interest for Packard's loan. *xxiii

Recognizing that purchasing enough land to preserve California's biodiversity and treasured landscape is not a viable option given the huge costs involved, CCLI supported efforts to shape public policy and conservation plans (Packard Foundation, 2003). But there is no consensus on just how sufficient and successful CCLI's policy advocacy efforts were. For example, one grantee pointed out that CCLI should have done more active and hard-edged policy advocacy because many of the conflicts and issues that have critical consequences on ecosystems can be better addressed by wide-ranging regulation. To him, CCLI's reticence in funding

some of this aggressive campaigning was a disappointment, though somewhat understandable. CCLI's effort in advancing broader policy was somewhat unsuccessful particularly in very complicated arenas such as in transportation and the homebuilding industries. For instance, CCLI grants went to the Surface Transportation Policy Project (STPP), the Local Government Commission, and the Local Institute for Self-Government—the nonprofit arm of the League of California Cities—with the hope of developing some consensus on state land use policy on housing and transportation. But as a CCLI administrator familiar with the effort said, the groups did not have sufficient incentives to collaborate and to come into an agreement. And when the economy soured, support from Governor Davis on growth management also disappeared, effectively sinking the effort.**

Thus, some CCLI's statewide policy efforts were unsuccessful not for lack of trying but because of an absence of public leadership, sufficient incentives, and consensus among players.

Moreover, as one former state resources agency official commented, regulatory policy efforts on land use, no matter how proactive and far-reaching they try to be, are ultimately reactive and context-driven. Enacting and implementing land use programs depend less on advocates' vision but more on prevailing political climate as well as the availability of land in the first place. This sentiment is shared by our respondent from the legislature who views policy advocacy for land use as an uphill struggle not only under the current political climate in California but nationally as well, given the major pressure brought about by population and economic growth. XXVIII In addition, as a Packard official put it, policy victories while important are not permanent and can be overturned. XXVIIII Thus, in the eyes of one grantee, CCLI's immediate focus on land acquisition and stewardship may well be the right one. Yet, he concurs that policy advocacy does seem to be the next logical step for Packard, especially for long-term conservation efforts in support of CCLI's initial achievements. XXIIX

Capacity-Building of NGOs

By Packard's own reckoning, its strategy of enhancing regional conservation capacity through capacity-building grants to many nonprofits "may well be CCLI's biggest contribution in the long-term" (Packard Foundation 2003, p. 23.). In regions where conservation support was conceived to be weak, such as in the heavily agriculture-dependent Central Valley, Packard helped create new organizations such as the Great Valley Center to act as an intermediary for conservation causes between the philanthropic community and the Valley's smaller nonprofits. Much of CCLI's institutional focus, however, was channeled to providing capacity-building grants to existing nonprofit organizations. The list of training and support provided by these grants is emblematic of the range of resources required in modern-day conservation efforts—GIS technology, media and communications training, staff support, fundraising skills, leadership hires, etc.

In providing these capacity-building grants, one grantee sensed that Packard was trying to get the NGOs to obtain resources from other sources and at the same time make them more established.** For instance, the CCLI grants to the Point Reyes Bird Observatory (PRBO) allowed it to expand its technical services for public land managers from a previous focus on riparian habitats to cover terrestrial, wetlands, and marine environments as well. Similarly, the CCLI capacity building grant received by the Truckee Donner Land Trust helped its transition from an all-volunteer organization to a professionally staffed nonprofit with enhanced fundraising capabilities. The California Rangeland Trust (CRT) received a number of grants from the Packard Foundation, among them a 2-year capacity building grant that helped CRT in its strategic planning process address its organizational weaknesses in operations and fundraising.

Yet for some grantees, unrestricted grants for general operations are still the best way for private foundations like Packard to help nonprofits build their organizational capacities. Some believed, for example, that Packard's long-term conservation goal would have been better served if CCLI's last annual budget for land purchases (about \$30 Million) was allocated as an endowment to 20 small but high-potential nonprofits as capital for long-term organizational

development, rather than provided to the bigger groups like The Nature Conservancey and Trust for Public Land for additional land purchases. xxxi

Many private foundations, as stated earlier, are wary of providing unrestricted operating funds that might create a culture of dependency on the part of grantees (Letts, Ryan & Grossman, 1997). But Packard's reticence in granting unrestricted money for general operations was based on two distinct reasons. First, Packard was worried about the relatively quick turnover among executive directors of environmental organizations, where the average tenure was about four years. The foundation would not like to make a large endowment to a nonprofit for general operations only to find it with a drastically different character, orientation, and leadership a few years later that the foundation might not find appealing. Second, some of the larger programmatic CCLI grants to such recipients as Great Valley Center, the Sierra Business Council, and the Elkhorn Slough Foundation were earning substantial interests that grantees could use for general operations with Packard's approval. **Example Council** Clearly, the extent through which CCLI's capacity-building grants have been effective for both NGOs and land conservation requires more quantitative measures and a longer time perspective.

Table 2 summarizes key elements of Packard's CCLI strategy and the benefits and potential pitfalls that they bring for contemporary conservation in California. Consistent with a place-based approach, CCLI's conservation focus in 3 regions maximized landscape preservation and ensured greater project visibility but also raised equity concerns. Wider stakeholder commitment and participation were promoted through grant leveraging and conservation partnerships but these approaches meant greater transaction costs for conservation efforts. The use of capacity-building grants and multiple instruments for conservation were intended to ensure long-term sustainability of conservation efforts, something that remains to be seen. Apart from its contribution to contemporary open-space preservation, CCLI, as a case of strategic philanthropic engagement in conservation, also raises broader governance issues.

[Table 2 about here]

Private Foundations and Conservation Governance

The scale of lands being preserved, the dollar investments required, the enormity of information to be harnessed, and the diversity of interests to be considered combine to make success in contemporary conservation much more difficult. To the extent that private foundations, as exemplified by Packard's CCLI program, help address these constraints, then foundations can indeed become a new mode of conservation governance. Their substantial private wealth, their agenda-setting capabilities, and their ability to foster collaboration among diverse publics can mitigate the deficiencies in traditional hierarchical and state-led approach to land conservation. But the benefits that foundations bring to the conservation arena must be weighed against the problems arising when they assume greater public roles – issues about transparency, accountability, agenda setting, representation, and cooptation. To be sure, these issues are not unique to land conservation and have accompanied private foundations wherever they have chosen to deploy their resources.

Transparency and Accountability

By mixing public funds and private money, grant leveraging and inter-sectoral collaboration engender serious concerns about foundations' transparency and accountability. In one instance, relates an interviewee from the legislature, the state got involved in a political controversy over the massive Cargill land acquisition in the Bay area. The details of that transaction had to be shielded temporarily from the public due to the request of the private seller and the state's nonprofit and foundation partners who feared publicity could mess up the acquisition. The media eventually learned of the deal and raised concerns about its secrecy when public money was involved. Another instance where mixing of public funds and

foundation money generated controversy was the acquisition of the Hearst Ranch on the central California coast. Among the issues raised in the Hearst deal was that enforcement of the easement, decided by the project's public and nonprofit sponsors, was granted to a nonprofit which did not have the expertise, staff, and financial resources to meaningfully police a 10,000-15,000 acre-property. *xxxiv*. According to our interviewee, this arrangement is troubling because responsibility on who has the final say on the kinds of activities permissible under the easement is unclear and thus will create conflicts between the Conservancy holding the easement and some public agency sponsors.

Partly in response to these episodes, California policymakers subsequently passed a law (AB 1701) in August 2004 that requires independent appraisals and mandatory disclosure for the acquisition of conservation lands in excess of \$25 million involving state agencies (CA Legislative Counsel, 2004). Although this is a welcome development, a similar controversy that befell The Nature Conservancy over the terms of its land purchases (Stephens and Ottaway, 2004) suggests that transparency and accountability will continue to be major concerns on nonprofit land acquisitions involving public money. Hence, as illustrated by the California legislature action, the public sector can take the lead in resolving transparency problems related to the infusion of private money in public conservation efforts.

Agenda Setting and Representation

Foundations' agenda setting capability is ultimately rooted in the financial resources that they can deploy. But their motivation is likely to be driven by two other factors. First, grant leveraging will be more successful if conservation becomes a high priority in the official public agenda. Second, for the disparate bottom-up conservation initiatives to cohere into a more coordinated effort, a broad and informed agenda is needed to provide the overarching framework. Foundations' agenda setting role is especially crucial during periods when federal authorities place a low priority for conservation and when severe fiscal imbalances focus state governments'

attention on other concerns, a situation that many believe currently obtains in the country and in California.

In the case of CCLI, such agenda-setting role was applied at both state and local levels. In fact, Packard's attempt at statewide conservation agenda setting pre-dated CCLI when in the mid-1990s it supported *California and the Land*, a collaborative effort spearheaded by the Hewlett and Irvine foundations that "brought together key figures, people in government, in the private and nonprofit sectors to talk about the major land issues and what foundations can do to collaborate more effectively".xxxv When Hewlett and Irvine decided to reduce their conservation-related funding in California, Packard stepped into the breach with CCLI. Through CCLI, Packard supported public education campaigns related to Proposition 12 and 13 bond measures, specifically the advertising campaign "Our Land, Our Air, Our Water" by the Nature Conservancy.xxxvi Equally important, CCLI helped inspire legislative and executive action to create a \$75 million challenge grant program for open space and wildlife habitat protection (California Environmental Dialogue, 2003).

CCLI's agenda setting at the local levels were done largely through its support of numerous local watershed conservation and protection plans, some of which were subsequently adopted by local jurisdictions as official public programs and policies. An archetypal example is the Watershed Conservation Plan prepared by the Elkhorn Slough Foundation to conserve one of California's few remaining undeveloped estuarine environments. The Regional Water Quality Control Board adapted the plan for mitigating measures to be used in an electric power plant facility under construction in the region. XXXVIII

The flip side to foundations' enlarged role in agenda setting is that the policy might represent philanthropic rather than public interest. This dilemma had fueled long-standing debate among scholars and observers (Hart, 1973; Simon, 1973) but within the confines of land conservation in California, the issue translates to whether the much needed private foundation money is not dictating the terms of cash-strapped public conservation efforts. Respondents

recognized this as a valid concern but the predominant view, expressed by a program manger with the state's coastal conservancy, is that they can see "no direct evidence of cooptation of public mandates as a result of CCLI funding". **CCLI** One public manager indicated that Packard was very responsive to local and state priorities in farmland preservation, adding that "he never felt like there were pressures on us to fund something because of the direction of foundation funds". **Although he does not see foundation money like CCLI dictating conservation policy, our respondent from the state legislature observed a more overt tendency for foundation money to be prescriptive in other more contentious environmental arenas, like energy or climate policy. **I

Foundation Power and Grantees' Autonomy

Although public conservation officials believe that CCLI has not coopted their public mandates, to what extent has CCLI been influential on their nonprofit grantees? This question relates to debates between those who calls for greater donor involvement in the organizational lives of their grantees (Letts et al., 1997; Letts and Ryan, 2003; Porter and Kramer, 1999) and those who assert that private foundations already exert too much power over their environmental grantees (Arnold, 1999; Brulle, 2000; Dowie, 2001). This issue became salient for the conservation and the broader environmental community in the 1990s when foundations like the Pew Charitable Trust, according to some observers, became openly prescriptive in its relationship with grantees (Arnold, 1999; Greene, 1994; Lehmer, 1999).

Although several grantees recognized the openly prescriptive approach that Pew and other funders have taken in environmental giving, they are quick to point out that such has not been the case for Packard. First, CCLI's strategy apparently did not result in grantees being coopted, or even micro-managed, by Packard. None of the NGO interviewees, for instance, reported any overt form of control from Packard, like insistence on having representatives on their boards, hiring specific personnel, etc. CCLI grantees also claimed no significant problems in grant implementation that could be traced to Packard's directives. If anything, they hail the

foundation for "not being doctrinaire" for allowing grantees "sufficient flexibility in the use of their funds" and for a fairly light reporting requirement. In short, one can hardly level at CCLI the charge that strategic programmatic giving allows funders to exert their power on grantees with the concomitant loss in the independence and flexibility of nonprofit environmental organizations (Brulle, 2000; Dowie, 2001). Furthermore, many grantees viewed their relationship with Packard and RGL as one of mutual interdependence, if not partnership.

Second, given the current realities in the nonprofit community, it is difficult to see that foundations can maximize their influence to the point of robbing their grantees' independence. For example, the number and kind of strict oversight necessary for foundations to obtain complete compliance from grantees will entail enormous administrative costs for donors (Peterson Commission, 1970). Second, although foundation support is valued, several grantees were emphatic about their preference to retain their autonomy from foundation patrons. For many, this means never altering their organizational mission to suit foundation preferences—or, in their language, to chase after foundation dollars. This validates Kanter and Summers's (1987) contention that the very specific missions of many nonprofit organizations limit their responses to many external constraints, for instance, following the latest philanthropic fad. Some asserted that they have not experienced any deliberate effort by foundations to entice them with grant money in exchange for work that is not within their organizations' core mission. xliv Others claimed to have consciously guarded against being too closely identified with any single foundation such that they will be disqualified for funding by other philanthropic patrons. xlv For some, preserving organizational autonomy means a deliberate effort to reduce their reliance on foundation money by recruiting more paying members or enlarging their individual donor base. One of our interviewees puts this in perspective by explaining that "foundation money is simply not flexible compared to membership money and not reliable due to shifting foundation interest and the vagaries of the stock market". xlvi After all, a nonprofit needs a diversified base of support to be sustainable in the long run.

Third, the reluctance of many foundations to get into controversies also effectively limits the ability of foundations to shape the agenda of their grantees and public policies, implying that the Pew approach is a rarity among environmental givers. There is consensus among our interviewees, both nonprofit and public officials, that Packard had certainly not followed the controversial and aggressive Pew approach. Instead they credit Packard for being committed but non-confrontational. Such reluctance to get into controversy among foundations, Packard included, often means a general tendency to fund groups at the center of the political spectrum. Thus, if influence is to be measured by the ability of foundations to break new ground by addressing issues beyond those of the median voter, then one must question the tacit assumption of foundation influence on grantees and public policy (e.g., Berholz, 1999). But other critics contend that this tendency of funding only safe issues and grantees, which one grantee claims CCLI reflected, is exactly a means by which elites exert their influence in society. And to the extent that money for safe causes comes in larger chunks than those for risky ventures, philanthropic giving becomes a vehicle for maintaining the status quo (Arnove, 1980; Colwell, 1993; Roelofs, 2003).

Summary and Conclusion

Contemporary place-based, collaborative land conservation provides many opportunities for private foundations to engage in this important environmental arena. In the Packard Foundation's CCLI program, we find strategic elements that help address some of the problems inherent in contemporary conservation. Focusing on three regions of the state helped Packard maximize preservation of threatened landscapes while at the same time raising project visibility necessary for greater grassroots participation. The latter was also promoted through grant leveraging and a conscious design of CCLI towards partnership, from the initiative as a whole down to individual grants. These helped CCLI leverage its initial investment of \$175 million to

stimulate funding from other sources amounting to \$700 million. It remains to be seen whether the CCLI strategy of tackling conservation on multiple fronts and building NGOs' capacity achieve their goal of sustaining long-term conservation efforts. Nonetheless, other donors wishing to emulate Packard's evidently positive contribution to conservation should also be sensitive to the problems that selective but more engaged grantmaking can engender — organizational and jurisdictional inequities, prolonged negotiation among participating entities, and legitimacy and representation of diverse stakeholders. And though public officials should welcome the much-needed infusion of private money in public conservation efforts, they should not rely solely on the initiative and the good intention of donors to resolve broader governance problems. Through their involvement in large-scale and long-term conservation decisions, foundation activities will inevitably raise issues about transparency and accountability, who has the rights to set public agenda, and foundation power. An awareness of these issues will enable us to have a more balanced appraisal of private foundations' contribution to conservation governance.

End Notes

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Table 1

<u>Traditional Conservation vs. Place-Based, Collaborative Approach</u>

	Traditional Approach	Place-Based, Collaborative Approach
Major sources of initiatives	Top-down; federal and state agencies	Bottom-up; local governments, land trusts, NGOs (local and national), foundations
Guiding values	Recreation; habitat protection	Ecological conservation; growth management; sustainability
Methods	Regulatory; direct purchase and management by governments	Stakeholder involvement; cross-sectoral collaboration in planning, fund raising, management, and implementation
Management Style	Functionally-based; regulatory framework	Place-based; emphasizing the interconnectedness of various types of developmental, environmental, and ecological issues

Table 2. CCLI Strategies as Contemporary Place-based, Collaborative Conservation

CCLI Strategy	Benefits for Land Conservation	Potential Pitfalls for Land Conservation
1. Targeting Specific	>300,000 acres preserved in Central Coast,	Potential inequities in resource allocation among
Regions and NGOs	Central Valley, and Sierra Nevada; total area	NGOs and jurisdictions
	conserved could reach 500,000 acres by 2006	
	Greater project visibility in selected areas	
	enhanced community participation	
2. Grant Leveraging	\$291 Million in Packard grants and loans	Difficulty for smaller NGOs to meet leveraging
	matched by >\$700 million from other donors	hurdles
	showed deep stakeholders' commitment	
		Matching funds from other donors with diverse
	CCLI funds fill gaps in public funding due to low	preferences complicate project implementation
	priority for conservation by federal and state	
	governments	
3. Promoting Conservation	Consultative planning for priorities setting	Consultation can bog down conservation work
Partnerships		
	Small local NGOs work with large national	Questions on legitimacy of some stakeholders
	groups on CCLI grants	create friction among participants
	Resources Law Group (RLG) as crucial partner	Collaboration might be flimsy and dominated by
	for both Packard and NGO grantees	environmentalists
4. Multi-dimensional	Lands acquired through grants (72%) and loans	Contribution to sustainability of conservation
Conservation Approach	(28%); through direct purchase (45.6%) and,	efforts remains to be seen
rr	through easements (54.3%)	
	Land acquisition supplemented by support of	
	landscape restoration, policy and planning grants,	
	and institutional building of conservation NGOs	
5. Capacity-Building of	Grants for GIS technology, strategic planning,	Long-term endowments for NGOs not feasible
NGOs	staff hires, leadership training, communications,	
	etc. addressed diverse skills needed in current	
	conservation work	

"Our Packard funding enabled us to leverage almost half of the value of our CCLI grant to obtain additional funding from the National Fish and Wildlife Foundation. We were also able to leverage our grant with the US Fish and Wildlife Service and we also leverage, not just our grants, but our other resources as well such as our partnerships" (Interview record #6 [4/28/04]).

"One of our CCLI grants was a \$300,000 grant in 1999 for a wetland habitat acquisition whose total value was \$800,000. Other patrons such as the Sacramento County, the US Bureau of Fish and Wildlife, the US Bureau of Reclamation, and the Great Valley Center provided the balance of the money" (Interview record # 7 [5/03/04]).

"We knew that with a good plan we can go back to Packard and seek funding to implement the plan. So we went to the Coastal Conservancy Commission and told them that if they put in money we will ensure that it will be matched at least 2:1, and that was \$4 million. We then went to Packard and said that if you give us \$5 million, we'll make sure that it's matched at least 2:1. With that we were then able to go to the Wildlife Conservation Board, and say we have \$9 million but we need \$15 million, so we request that you put in \$3-4 million. They came up with \$3.5 million" (Interview record #8 [7/14/04]).

ⁱInterview record #1[9/23/04]

ⁱⁱ As one CCLI grantee remarked, "I think it is just as appropriate for a foundation to have a clear and focused mission, to be articulate about what it wants to accomplish within its limits. And if that overlaps with what we want to accomplish, that's great" (Interview record #2 [5/17/04a]).

iii Interview record #3 [5/07/04]

iv Interview record # 4[11/08/04]

^v Interview record #5 [5/12/04]

vi Interview record #2

vii The comments of several grantees are instructive in this regard:

viii Interview record #7

ix Interview record #9 [3/15/05]

x Interview record #2

xi Interview record # 10 [3/09/05]

xii Interview record #11 [4/15/04]

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xiii Interview record #2
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- xvi Interview record #3
- xvii Interview record #5
- xviii Interview record #7
- xix Interview record #4
- xx Interview record #2
- xxi Interview record #12 [5/17/04b]
- xxii Interview record #13 [5/06/04]
- xxiii Interview record #13
- xxiv Interview record #5
- xxv Interview record #14 [11/30/04]
- xxvi Interview record #1
- xxvii Interview record #15 [1/24/05]
- xxviii Interview record #4
- xxix Interview record #8
- xxx Interview record #16 [05/21/04]
- xxxi Interview record #5
- xxxii Interview record #13
- xxxiii Interview record #15
- xxxiv Interview record #15
- xxxv Interview record #12
- xxxvi Interview record #12
- xxxvii Interview record #8

xiv Interview record #7

xv Interview record #2

xxxviii Interview record #17 [4/01/05]

- xxxix Interview record #10
- xl Interview record #15
- xli Interview record #2
- xlii Interview record #8
- xliii Interview record #3
- xliv Interview record #12
- xlv Interview record #6
- xlvi Interview record #18 [04/04/04]
- xlvii Interview record #5