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Cuomo OK's changes to CPF regs; referendum coming next year

by [Nicole Smith](#) |
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The Community Preservation Fund, which has been used to protect over 10,000 acres of land on the East End since it was signed into law in 1999, will now expand to protect water as well — pending voter approval.

The change in the law, as well as an extension of the CPF from 2030 to 2050, was signed into law by Gov. Andrew Cuomo after state Sen. Ken LaValle (R- Port Jefferson) and Assemblymen Fred Thiele (I – Sag Harbor) [sponsored the legislation earlier this year](#).

Pending a voter referendum next year, towns will be authorized to utilize up to 20 percent of their annual CPF revenues for water quality protection. In addition, each town will have to “devise and approve a plan for water quality protection projects.”

“It’s really good news,” said Richard Amper, executive director of the Pine Barrens society. “The purpose in protecting land, in part, is to protect the water beneath it. And with increasingly declining water quality, Assemblyman Thiele and other supporters of cleaner water said that a portion of the CPF in the future can be used to remediate contaminated water, not solely to preserve the land that sits above it.”

In a joint statement from Senator LaValle and Assemblyman Thiele, they said that under the expanded law, eligible water quality projects would include wastewater treatment improvements, non-point source abatement and control programs, aquatic habitat restoration, pollution prevention and the operation of the Peconic Bay National Estuary Program.

Also known as the “2-percent fund,” the CPF is financed by a 2-percent tax buyers pay on real estate deals, with a certain amount of the sale price exempted from the tax (either \$150,000 or \$250,000 depending on the town, and first-time homebuyers in all five towns beside Riverhead get exemptions) . Once collected, the tax then goes into each individual town’s CPF fund and is spent to buy and maintain open space parcels.

Since its inception, the CPF has generated over \$1 billion in revenue. A statement from Assemblyman Thiele and Senator LaValle said that initially they assumed if land was protected, the water would remain clean.

“That turned out not to be true,” said Assemblyman Thiele. “Even in spite of all the land that has been protected and preserved, we’re still continuing to see a decline in water quality across Long Island, but that includes also the five East End Towns.”

Mr. Amper explained that while the land has been preserved, human activity on the surface of the land causes contamination of the water below, which has led to algae blooms, turtle die-offs and fish kills in recent years.

“The capacity to spend CPF funds to clean it up now addresses the problem that the water on Long Island and on the East End is contaminated — principally with nitrogen from wastewater and fertilizers, but also by pesticides,” Mr. Amper said. “That means that we are proactively setting out to remove contamination rather than merely to prevent it in the future.”

The joint statement said that this new legislation is expected to generate about \$2.7 billion in overall revenues between 2016 and 2050 for the fund. An expected \$1.5 billion of these revenues is to be raised between 2031 and 2050. Additionally, the maximum amount that could be generated for water quality projects from 2016 until 2050 would be \$540 million at the 20 percent rate.

Although the extensions have been signed into legislation, any changes to the bill must be approved by a public vote. The vote would occur next year, and if passed, puts the expansions into effect in 2017.

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