

Form **990**

Return of Organization Exempt From Income Tax

OMB No. 1545-0047

2021

Open to Public Inspection

Department of the Treasury
Internal Revenue Service

Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except private foundations)

Do not enter social security numbers on this form as it may be made public.

Go to www.irs.gov/Form990 for instructions and the latest information.

A For the 2021 calendar year, or tax year beginning **JUL 1, 2021** and ending **JUN 30, 2022**

| | | |
|--|--|---|
| B Check if applicable: <input type="checkbox"/> Address change <input type="checkbox"/> Name change <input type="checkbox"/> Initial return <input type="checkbox"/> Final return/terminated <input type="checkbox"/> Amended return <input type="checkbox"/> Application pending | C Name of organization NEW YORK BOTANICAL GARDEN Doing business as Number and street (or P.O. box if mail is not delivered to street address) Room/suite 2900 SOUTHERN BLVD City or town, state or province, country, and ZIP or foreign postal code BRONX, NY 10458-5126 F Name and address of principal officer: JENNIFER BERNSTEIN SAME AS C ABOVE | D Employer identification number 13-1693134 E Telephone number 7188178700 G Gross receipts \$ 155,776,711. H(a) Is this a group return for subordinates? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No H(b) Are all subordinates included? <input type="checkbox"/> Yes <input type="checkbox"/> No If "No," attach a list. See instructions H(c) Group exemption number ▶ |
| I Tax-exempt status: <input checked="" type="checkbox"/> 501(c)(3) <input type="checkbox"/> 501(c) () ◀ (insert no.) <input type="checkbox"/> 4947(a)(1) or <input type="checkbox"/> 527 | | |
| J Website: ▶ WWW.NYBG.ORG | | |
| K Form of organization: <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Trust <input type="checkbox"/> Association <input type="checkbox"/> Other ▶ | | |
| | | L Year of formation: 1891 |
| | | M State of legal domicile: NY |

Part I Summary

| | | | |
|------------|---|----------------------------------|---------------------|
| 1 | Briefly describe the organization's mission or most significant activities: A MUSEUM OF PLANTS AND A SCIENTIFIC RESEARCH CENTER DEVOTED TO THE STUDY OF PLANTS AND THEIR | | |
| 2 | Check this box <input type="checkbox"/> if the organization discontinued its operations or disposed of more than 25% of its net assets. | | |
| 3 | Number of voting members of the governing body (Part VI, line 1a) | 3 | 67 |
| 4 | Number of independent voting members of the governing body (Part VI, line 1b) | 4 | 67 |
| 5 | Total number of individuals employed in calendar year 2021 (Part V, line 2a) | 5 | 813 |
| 6 | Total number of volunteers (estimate if necessary) | 6 | 826 |
| 7a | Total unrelated business revenue from Part VIII, column (C), line 12 | 7a | 1,336,184. |
| 7b | Net unrelated business taxable income from Form 990-T, Part I, line 11 | 7b | 0. |
| 8 | Contributions and grants (Part VIII, line 1h) | Prior Year | Current Year |
| 9 | Program service revenue (Part VIII, line 2g) | 54,387,487. | 49,750,181. |
| 10 | Investment income (Part VIII, column (A), lines 3, 4, and 7d) | 19,394,362. | 29,063,805. |
| 11 | Other revenue (Part VIII, column (A), lines 5, 6d, 8c, 9c, 10c, and 11e) | 22,106,738. | 20,663,829. |
| 12 | Total revenue - add lines 8 through 11 (must equal Part VIII, column (A), line 12) | 2,105,362. | 2,148,988. |
| 13 | Grants and similar amounts paid (Part IX, column (A), lines 1-3) | 97,993,949. | 101,626,803. |
| 14 | Benefits paid to or for members (Part IX, column (A), line 4) | 7,301. | 32,198. |
| 15 | Salaries, other compensation, employee benefits (Part IX, column (A), lines 5-10) | 0. | 0. |
| 16a | Professional fundraising fees (Part IX, column (A), line 11e) | 47,798,202. | 49,434,126. |
| b | Total fundraising expenses (Part IX, column (D), line 25) ▶ 7,460,295. | 121,585. | 175,613. |
| 17 | Other expenses (Part IX, column (A), lines 11a-11d, 11f-24e) | 36,249,863. | 45,689,581. |
| 18 | Total expenses. Add lines 13-17 (must equal Part IX, column (A), line 25) | 84,176,951. | 95,331,518. |
| 19 | Revenue less expenses. Subtract line 18 from line 12 | 13,816,998. | 6,295,285. |
| 20 | Total assets (Part X, line 16) | Beginning of Current Year | End of Year |
| 21 | Total liabilities (Part X, line 26) | 698,551,173. | 637,364,505. |
| 22 | Net assets or fund balances. Subtract line 21 from line 20 | 74,448,027. | 60,678,739. |
| 22 | | 624,103,146. | 576,685,766. |

Part II Signature Block

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge.

| | | |
|-------------------------------|--|--|
| Sign Here | Signature of officer LAUREN TURCHIO, CHIEF OPERATING OFFICER Type or print name and title | Date _____ |
| Paid Preparer Use Only | Print/Type preparer's name KENDALL SCHNURPEL | Preparer's signature _____ |
| | Date 05/11/23 | Check if self-employed <input type="checkbox"/> PTIN P01478462 |
| | Firm's name ▶ DELOITTE TAX LLP | Firm's EIN ▶ 86-1065772 |
| | Firm's address ▶ 111 MONUMENT CIRCLE, SUITE 4200 INDIANAPOLIS, IN 46204 | Phone no. 317-464-8600 |

May the IRS discuss this return with the preparer shown above? See instructions Yes No

Part III Statement of Program Service Accomplishments

Check if Schedule O contains a response or note to any line in this Part III [X]

1 Briefly describe the organization's mission: THE NEW YORK BOTANICAL GARDEN IS A MUSEUM OF PLANTS AND A SCIENTIFIC RESEARCH CENTER DEVOTED TO THE STUDY OF PLANTS AND THEIR USES. IT IS THE GARDEN'S MISSION TO IMPROVE PUBLIC UNDERSTANDING OF THE NATURAL WORLD, HORTICULTURE, AND THE RELATIONSHIPS BETWEEN PLANTS AND PEOPLE.

2 Did the organization undertake any significant program services during the year which were not listed on the prior Form 990 or 990-EZ? [] Yes [X] No If "Yes," describe these new services on Schedule O.

3 Did the organization cease conducting, or make significant changes in how it conducts, any program services? [] Yes [X] No If "Yes," describe these changes on Schedule O.

4 Describe the organization's program service accomplishments for each of its three largest program services, as measured by expenses. Section 501(c)(3) and 501(c)(4) organizations are required to report the amount of grants and allocations to others, the total expenses, and revenue, if any, for each program service reported.

4a (Code:) (Expenses \$ 19,092,814. including grants of \$) (Revenue \$) PLANT SCIENCE COLLECTING FOR AND MAINTAINING THE GARDEN HERBARIUM FOR PUBLIC USE, INCLUDING RESEARCH. THE BOTANICAL GARDEN'S SCIENTISTS, LIBRARIANS, STAFF, GRADUATE STUDENTS, HONORARY RESEARCH ASSOCIATES, AND CURATORS PERFORM FIELDWORK AND CONDUCT CUTTING-EDGE RESEARCH IN PLANT SYSTEMATICS, ECONOMIC BOTANY, ECOLOGY, MOLECULAR SYSTEMATICS, AND PLANT GENOMICS.

4b (Code:) (Expenses \$ 24,539,190. including grants of \$) (Revenue \$ 16,443,454.) HORTICULTURE AND LIVING COLLECTIONS: PREPARATION OF RESEARCH, MAINTENANCE OF GARDENS AND EXHIBITS FOR PUBLIC USE AND ENJOYMENT. PUBLIC EXHIBITIONS AND FESTIVALS TO ENHANCE THE EXPERIENCE OF THE VISITING PUBLIC. THE GARDEN'S LIVING COLLECTIONS CONTAIN MORE THAN ONE MILLION PLANTS IN 50 GARDENS AND COLLECTIONS, INCLUDING: THE ENID A. HAUPT CONSERVATORY, THE NATION'S PREEMINENT VICTORIAN STYLE GLASSHOUSE; THE NOLEN GREENHOUSES FOR LIVING COLLECTIONS; THE THREE AND ONE HALF ACRE NATIVE PLANT GARDEN; THE ELEVEN ACRE AZALEA GARDEN, WHICH INCLUDES NEARLY ONE MILE OF WOODLAND PATHS MEANDERING BENEATH ANCIENT NATIVE OAKS, TULIP TREES, AND SWEETGUMS AND SURROUNDED BY MORE THAN 70,000 PLANTS; THE FIFTY ACRE THAIN FAMILY FOREST, THE LARGEST EXTANT FOREST THAT ONCE COVERED MUCH OF NEW YORK CITY.

4c (Code:) (Expenses \$ 19,996,048. including grants of \$) (Revenue \$ 2,651,274.) EDUCATION AND OUTREACH DEVELOPMENT, ORGANIZATION, AND PRESENTATION OF EDUCATIONAL COURSES. THE GARDEN'S ADULT EDUCATION PROGRAM OFFERS 750 CLASSES AT THE BOTANICAL GARDEN, ONLINE, AND AT THE MIDTOWN EDUCATION CENTER IN MANHATTAN. CERTIFICATES ARE OFFERED IN EIGHT PROGRAM AREAS: BOTANICAL ART & ILLUSTRATION, BOTANY, FLORAL DESIGN, GARDENING, HORTICULTURAL THERAPY, HORTICULTURE, LANDSCAPE DESIGN AND URBAN NATURE. THREE ANNUAL LECTURE PROGRAMS, LANDSCAPE DESIGN PORTFOLIOS LECTURE SERIES, WINTER LECTURE SERIES, AND ANDREW CARNEGIE DISTINGUISHED LECTURE, FEATURE INTERNATIONALLY RECOGNIZED SPEAKERS.

4d Other program services (Describe on Schedule O.) (Expenses \$ 10,717,076. including grants of \$ 32,198.) (Revenue \$ 12,160,902.)

4e Total program service expenses 74,345,128.

Part IV Checklist of Required Schedules

| | Yes | No |
|---|----------|----------|
| 1 Is the organization described in section 501(c)(3) or 4947(a)(1) (other than a private foundation)? <i>If "Yes," complete Schedule A</i> | X | |
| 2 Is the organization required to complete <i>Schedule B, Schedule of Contributors</i> ? See instructions | X | |
| 3 Did the organization engage in direct or indirect political campaign activities on behalf of or in opposition to candidates for public office? <i>If "Yes," complete Schedule C, Part I</i> | | X |
| 4 Section 501(c)(3) organizations. Did the organization engage in lobbying activities, or have a section 501(h) election in effect during the tax year? <i>If "Yes," complete Schedule C, Part II</i> | X | |
| 5 Is the organization a section 501(c)(4), 501(c)(5), or 501(c)(6) organization that receives membership dues, assessments, or similar amounts as defined in Rev. Proc. 98-19? <i>If "Yes," complete Schedule C, Part III</i> | | X |
| 6 Did the organization maintain any donor advised funds or any similar funds or accounts for which donors have the right to provide advice on the distribution or investment of amounts in such funds or accounts? <i>If "Yes," complete Schedule D, Part I</i> | | X |
| 7 Did the organization receive or hold a conservation easement, including easements to preserve open space, the environment, historic land areas, or historic structures? <i>If "Yes," complete Schedule D, Part II</i> | | X |
| 8 Did the organization maintain collections of works of art, historical treasures, or other similar assets? <i>If "Yes," complete Schedule D, Part III</i> | X | |
| 9 Did the organization report an amount in Part X, line 21, for escrow or custodial account liability, serve as a custodian for amounts not listed in Part X; or provide credit counseling, debt management, credit repair, or debt negotiation services? <i>If "Yes," complete Schedule D, Part IV</i> | | X |
| 10 Did the organization, directly or through a related organization, hold assets in donor-restricted endowments or in quasi endowments? <i>If "Yes," complete Schedule D, Part V</i> | X | |
| 11 If the organization's answer to any of the following questions is "Yes," then complete Schedule D, Parts VI, VII, VIII, IX, or X, as applicable. | | |
| a Did the organization report an amount for land, buildings, and equipment in Part X, line 10? <i>If "Yes," complete Schedule D, Part VI</i> | X | |
| b Did the organization report an amount for investments - other securities in Part X, line 12, that is 5% or more of its total assets reported in Part X, line 16? <i>If "Yes," complete Schedule D, Part VII</i> | X | |
| c Did the organization report an amount for investments - program related in Part X, line 13, that is 5% or more of its total assets reported in Part X, line 16? <i>If "Yes," complete Schedule D, Part VIII</i> | | X |
| d Did the organization report an amount for other assets in Part X, line 15, that is 5% or more of its total assets reported in Part X, line 16? <i>If "Yes," complete Schedule D, Part IX</i> | | X |
| e Did the organization report an amount for other liabilities in Part X, line 25? <i>If "Yes," complete Schedule D, Part X</i> | X | |
| f Did the organization's separate or consolidated financial statements for the tax year include a footnote that addresses the organization's liability for uncertain tax positions under FIN 48 (ASC 740)? <i>If "Yes," complete Schedule D, Part X</i> | X | |
| 12a Did the organization obtain separate, independent audited financial statements for the tax year? <i>If "Yes," complete Schedule D, Parts XI and XII</i> | | X |
| b Was the organization included in consolidated, independent audited financial statements for the tax year? <i>If "Yes," and if the organization answered "No" to line 12a, then completing Schedule D, Parts XI and XII is optional</i> | X | |
| 13 Is the organization a school described in section 170(b)(1)(A)(ii)? <i>If "Yes," complete Schedule E</i> | | X |
| 14a Did the organization maintain an office, employees, or agents outside of the United States? | X | |
| b Did the organization have aggregate revenues or expenses of more than \$10,000 from grantmaking, fundraising, business, investment, and program service activities outside the United States, or aggregate foreign investments valued at \$100,000 or more? <i>If "Yes," complete Schedule F, Parts I and IV</i> | X | |
| 15 Did the organization report on Part IX, column (A), line 3, more than \$5,000 of grants or other assistance to or for any foreign organization? <i>If "Yes," complete Schedule F, Parts II and IV</i> | X | |
| 16 Did the organization report on Part IX, column (A), line 3, more than \$5,000 of aggregate grants or other assistance to or for foreign individuals? <i>If "Yes," complete Schedule F, Parts III and IV</i> | | X |
| 17 Did the organization report a total of more than \$15,000 of expenses for professional fundraising services on Part IX, column (A), lines 6 and 11e? <i>If "Yes," complete Schedule G, Part I.</i> See instructions | X | |
| 18 Did the organization report more than \$15,000 total of fundraising event gross income and contributions on Part VIII, lines 1c and 8a? <i>If "Yes," complete Schedule G, Part II</i> | X | |
| 19 Did the organization report more than \$15,000 of gross income from gaming activities on Part VIII, line 9a? <i>If "Yes," complete Schedule G, Part III</i> | | X |
| 20a Did the organization operate one or more hospital facilities? <i>If "Yes," complete Schedule H</i> | | X |
| b If "Yes" to line 20a, did the organization attach a copy of its audited financial statements to this return? | | |
| 21 Did the organization report more than \$5,000 of grants or other assistance to any domestic organization or domestic government on Part IX, column (A), line 1? <i>If "Yes," complete Schedule I, Parts I and II</i> | | X |

Part IV Checklist of Required Schedules (continued)

| | Yes | No |
|---|-----|----|
| 22 Did the organization report more than \$5,000 of grants or other assistance to or for domestic individuals on Part IX, column (A), line 2? <i>If "Yes," complete Schedule I, Parts I and III</i> | | X |
| 23 Did the organization answer "Yes" to Part VII, Section A, line 3, 4, or 5, about compensation of the organization's current and former officers, directors, trustees, key employees, and highest compensated employees? <i>If "Yes," complete Schedule J</i> | X | |
| 24a Did the organization have a tax-exempt bond issue with an outstanding principal amount of more than \$100,000 as of the last day of the year, that was issued after December 31, 2002? <i>If "Yes," answer lines 24b through 24d and complete Schedule K. If "No," go to line 25a</i> | X | |
| b Did the organization invest any proceeds of tax-exempt bonds beyond a temporary period exception? | | X |
| c Did the organization maintain an escrow account other than a refunding escrow at any time during the year to defease any tax-exempt bonds? | | X |
| d Did the organization act as an "on behalf of" issuer for bonds outstanding at any time during the year? | | X |
| 25a Section 501(c)(3), 501(c)(4), and 501(c)(29) organizations. Did the organization engage in an excess benefit transaction with a disqualified person during the year? <i>If "Yes," complete Schedule L, Part I</i> | | X |
| b Is the organization aware that it engaged in an excess benefit transaction with a disqualified person in a prior year, and that the transaction has not been reported on any of the organization's prior Forms 990 or 990-EZ? <i>If "Yes," complete Schedule L, Part I</i> | | X |
| 26 Did the organization report any amount on Part X, line 5 or 22, for receivables from or payables to any current or former officer, director, trustee, key employee, creator or founder, substantial contributor, or 35% controlled entity or family member of any of these persons? <i>If "Yes," complete Schedule L, Part II</i> | | X |
| 27 Did the organization provide a grant or other assistance to any current or former officer, director, trustee, key employee, creator or founder, substantial contributor or employee thereof, a grant selection committee member, or to a 35% controlled entity (including an employee thereof) or family member of any of these persons? <i>If "Yes," complete Schedule L, Part III</i> | | X |
| 28 Was the organization a party to a business transaction with one of the following parties (see the Schedule L, Part IV, instructions for applicable filing thresholds, conditions, and exceptions): | | |
| a A current or former officer, director, trustee, key employee, creator or founder, or substantial contributor? <i>If "Yes," complete Schedule L, Part IV</i> | | X |
| b A family member of any individual described in line 28a? <i>If "Yes," complete Schedule L, Part IV</i> | | X |
| c A 35% controlled entity of one or more individuals and/or organizations described in line 28a or 28b? <i>If "Yes," complete Schedule L, Part IV</i> | | X |
| 29 Did the organization receive more than \$25,000 in non-cash contributions? <i>If "Yes," complete Schedule M</i> | X | |
| 30 Did the organization receive contributions of art, historical treasures, or other similar assets, or qualified conservation contributions? <i>If "Yes," complete Schedule M</i> | | X |
| 31 Did the organization liquidate, terminate, or dissolve and cease operations? <i>If "Yes," complete Schedule N, Part I</i> | | X |
| 32 Did the organization sell, exchange, dispose of, or transfer more than 25% of its net assets? <i>If "Yes," complete Schedule N, Part II</i> | | X |
| 33 Did the organization own 100% of an entity disregarded as separate from the organization under Regulations sections 301.7701-2 and 301.7701-3? <i>If "Yes," complete Schedule R, Part I</i> | X | |
| 34 Was the organization related to any tax-exempt or taxable entity? <i>If "Yes," complete Schedule R, Part II, III, or IV, and Part V, line 1</i> | X | |
| 35a Did the organization have a controlled entity within the meaning of section 512(b)(13)? | X | |
| b If "Yes" to line 35a, did the organization receive any payment from or engage in any transaction with a controlled entity within the meaning of section 512(b)(13)? <i>If "Yes," complete Schedule R, Part V, line 2</i> | | X |
| 36 Section 501(c)(3) organizations. Did the organization make any transfers to an exempt non-charitable related organization? <i>If "Yes," complete Schedule R, Part V, line 2</i> | | X |
| 37 Did the organization conduct more than 5% of its activities through an entity that is not a related organization and that is treated as a partnership for federal income tax purposes? <i>If "Yes," complete Schedule R, Part VI</i> | | X |
| 38 Did the organization complete Schedule O and provide explanations on Schedule O for Part VI, lines 11b and 19? | X | |

Note: All Form 990 filers are required to complete Schedule O

Part V Statements Regarding Other IRS Filings and Tax Compliance

Check if Schedule O contains a response or note to any line in this Part V

| | Yes | No |
|---|-----|----|
| 1a Enter the number reported in box 3 of Form 1096. Enter -0- if not applicable | | |
| b Enter the number of Forms W-2G included on line 1a. Enter -0- if not applicable | | |
| c Did the organization comply with backup withholding rules for reportable payments to vendors and reportable gaming (gambling) winnings to prize winners? | X | |

Part V Statements Regarding Other IRS Filings and Tax Compliance (continued)

Table with columns for question number, question text, and Yes/No response boxes. Includes questions 2a through 17 regarding employee counts, tax returns, business income, foreign accounts, prohibited transactions, and charitable contributions.

Part VI Governance, Management, and Disclosure. For each "Yes" response to lines 2 through 7b below, and for a "No" response to line 8a, 8b, or 10b below, describe the circumstances, processes, or changes on Schedule O. See instructions.

Check if Schedule O contains a response or note to any line in this Part VI

Section A. Governing Body and Management

| | | Yes | No |
|-----------|--|-----|----|
| 1a | Enter the number of voting members of the governing body at the end of the tax year If there are material differences in voting rights among members of the governing body, or if the governing body delegated broad authority to an executive committee or similar committee, explain on Schedule O. | | |
| | 1a | 67 | |
| b | Enter the number of voting members included on line 1a, above, who are independent | | |
| | 1b | 67 | |
| 2 | Did any officer, director, trustee, or key employee have a family relationship or a business relationship with any other officer, director, trustee, or key employee? | X | |
| 3 | Did the organization delegate control over management duties customarily performed by or under the direct supervision of officers, directors, trustees, or key employees to a management company or other person? | | X |
| 4 | Did the organization make any significant changes to its governing documents since the prior Form 990 was filed? | | X |
| 5 | Did the organization become aware during the year of a significant diversion of the organization's assets? | | X |
| 6 | Did the organization have members or stockholders? | | X |
| 7a | Did the organization have members, stockholders, or other persons who had the power to elect or appoint one or more members of the governing body? | X | |
| b | Are any governance decisions of the organization reserved to (or subject to approval by) members, stockholders, or persons other than the governing body? | | X |
| 8 | Did the organization contemporaneously document the meetings held or written actions undertaken during the year by the following: | | |
| a | The governing body? | X | |
| b | Each committee with authority to act on behalf of the governing body? | X | |
| 9 | Is there any officer, director, trustee, or key employee listed in Part VII, Section A, who cannot be reached at the organization's mailing address? If "Yes," provide the names and addresses on Schedule O | | X |

Section B. Policies (This Section B requests information about policies not required by the Internal Revenue Code.)

| | | Yes | No |
|------------|--|-----|----|
| 10a | Did the organization have local chapters, branches, or affiliates? | | X |
| b | If "Yes," did the organization have written policies and procedures governing the activities of such chapters, affiliates, and branches to ensure their operations are consistent with the organization's exempt purposes? | | |
| 10b | | | |
| 11a | Has the organization provided a complete copy of this Form 990 to all members of its governing body before filing the form? | X | |
| b | Describe on Schedule O the process, if any, used by the organization to review this Form 990. | | |
| 12a | Did the organization have a written conflict of interest policy? If "No," go to line 13 | X | |
| b | Were officers, directors, or trustees, and key employees required to disclose annually interests that could give rise to conflicts? | X | |
| c | Did the organization regularly and consistently monitor and enforce compliance with the policy? If "Yes," describe on Schedule O how this was done | X | |
| 12c | | | |
| 13 | Did the organization have a written whistleblower policy? | X | |
| 14 | Did the organization have a written document retention and destruction policy? | X | |
| 15 | Did the process for determining compensation of the following persons include a review and approval by independent persons, comparability data, and contemporaneous substantiation of the deliberation and decision? | | |
| a | The organization's CEO, Executive Director, or top management official | X | |
| b | Other officers or key employees of the organization | X | |
| | If "Yes" to line 15a or 15b, describe the process on Schedule O. See instructions. | | |
| 16a | Did the organization invest in, contribute assets to, or participate in a joint venture or similar arrangement with a taxable entity during the year? | | X |
| b | If "Yes," did the organization follow a written policy or procedure requiring the organization to evaluate its participation in joint venture arrangements under applicable federal tax law, and take steps to safeguard the organization's exempt status with respect to such arrangements? | | |
| 16b | | | |

Section C. Disclosure

- 17** List the states with which a copy of this Form 990 is required to be filed **AL, AR, CA, FL, HI, IL, KS, KY, MA, MD, MI, MN**
- 18** Section 6104 requires an organization to make its Forms 1023 (1024 or 1024-A, if applicable), 990, and 990-T (section 501(c)(3)s only) available for public inspection. Indicate how you made these available. Check all that apply.
 Own website Another's website Upon request Other (explain on Schedule O)
- 19** Describe on Schedule O whether (and if so, how) the organization made its governing documents, conflict of interest policy, and financial statements available to the public during the tax year.
- 20** State the name, address, and telephone number of the person who possesses the organization's books and records **MARLON JONES, CONTROLLER - 718-817-8719**
2900 SOUTHERN BLVD, BRONX, NY 10458-5126

Part VII Compensation of Officers, Directors, Trustees, Key Employees, Highest Compensated Employees, and Independent Contractors

Check if Schedule O contains a response or note to any line in this Part VII

Section A. Officers, Directors, Trustees, Key Employees, and Highest Compensated Employees

1a Complete this table for all persons required to be listed. Report compensation for the calendar year ending with or within the organization's tax year.

- List all of the organization's **current** officers, directors, trustees (whether individuals or organizations), regardless of amount of compensation. Enter -0- in columns (D), (E), and (F) if no compensation was paid.
- List all of the organization's **current** key employees, if any. See the instructions for definition of "key employee."
- List the organization's five **current** highest compensated employees (other than an officer, director, trustee, or key employee) who received reportable compensation (box 5 of Form W-2, Form 1099-MISC, and/or box 1 of Form 1099-NEC) of more than \$100,000 from the organization and any related organizations.
- List all of the organization's **former** officers, key employees, and highest compensated employees who received more than \$100,000 of reportable compensation from the organization and any related organizations.
- List all of the organization's **former directors or trustees** that received, in the capacity as a former director or trustee of the organization, more than \$10,000 of reportable compensation from the organization and any related organizations. See the instructions for the order in which to list the persons above.

Check this box if neither the organization nor any related organization compensated any current officer, director, or trustee.

| (A) Name and title | (B) Average hours per week (list any hours for related organizations below line) | (C) Position (do not check more than one box, unless person is both an officer and a director/trustee) | | | | | | (D) Reportable compensation from the organization (W-2/1099-MISC/1099-NEC) | (E) Reportable compensation from related organizations (W-2/1099-MISC/1099-NEC) | (F) Estimated amount of other compensation from the organization and related organizations |
|--|---|---|-----------------------|---------|--------------|------------------------------|----------|---|--|---|
| | | Individual trustee or director | Institutional trustee | Officer | Key employee | Highest compensated employee | Former | | | |
| (1) JOSEPH V. COSSABOOM (END 8/21) INTERIM CEO | 35.00 | | | X | | | 870,254. | 0. | 46,614. | |
| (2) JOHN LANDI (END 8/21) CHIEF ADVANCEMENT OFFICER | 35.00 | | | | X | | 673,517. | 0. | 40,828. | |
| (3) CARRIE REBORA BARRATT (END 7/20) FORMER CEO | 0.00 | | | | | X | 500,000. | 0. | 0. | |
| (4) LAUREN TURCHIO COO | 35.00 | | | X | | | 410,646. | 0. | 69,990. | |
| (5) SARAH GILLMAN CHIEF FINANCIAL OFFICER | 35.00 | | | X | | | 328,141. | 0. | 69,990. | |
| (6) CHRISTIAN KECK VP OF IT | 35.00 | | | | X | | 304,724. | 0. | 69,990. | |
| (7) JUSTIN JAMAIL GENERAL COUNSEL | 35.00 | | | X | | | 280,307. | 0. | 68,914. | |
| (8) TODD FORREST VP FOR HORTICULTURE AND LIVING COLLEGE | 35.00 | | | | X | | 275,928. | 0. | 68,428. | |
| (9) URSULA HOSKINS VP CAPITAL PROJECTS | 35.00 | | | | X | | 266,271. | 0. | 67,356. | |
| (10) NATHAN URBACH INTERIM CHIEF ADVANCEMENT OFFICER | 35.00 | | | | X | | 260,005. | 0. | 66,661. | |
| (11) BARBARA CORCORAN SENIOR PROGRAMMING ADVISOR | 35.00 | | | | X | | 243,936. | 0. | 64,877. | |
| (12) MARCI SILVERMAN VP FOR MEMBERSHIP AND VISITOR EXPERIENCE | 35.00 | | | | X | | 225,019. | 0. | 59,405. | |
| (13) JENNIFER BERNSTEIN (START 9/21) CEO | 35.00 | | | X | | | 190,240. | 0. | 8,989. | |
| (14) GREGORY LONG FORMER CEO | 0.00 | | | | | X | 135,159. | 0. | 0. | |
| (15) DIANE KATZIN TREASURER | 1.00 | X | | X | | | 0. | 0. | 0. | |
| (16) DIANNE RENWICK VICE CHAIRMAN | 1.00 | X | | X | | | 0. | 0. | 0. | |
| (17) EDWARD P. BASS VICE CHAIRMAN | 1.00 | X | | X | | | 0. | 0. | 0. | |

Part VII Section A. Officers, Directors, Trustees, Key Employees, and Highest Compensated Employees (continued)

| (A) Name and title | (B) Average hours per week (list any hours for related organizations below line) | (C) Position (do not check more than one box, unless person is both an officer and a director/trustee) | | | | | | (D) Reportable compensation from the organization (W-2/1099-MISC/1099-NEC) | (E) Reportable compensation from related organizations (W-2/1099-MISC/1099-NEC) | (F) Estimated amount of other compensation from the organization and related organizations |
|--|---|---|-----------------------|---------|--------------|------------------------------|--------|---|--|---|
| | | Individual trustee or director | Institutional trustee | Officer | Key employee | Highest compensated employee | Former | | | |
| (18) J. BARCLAY COLLINS II CHAIRMAN | 1.00 | X | | X | | | | 0. | 0. | 0. |
| (19) LARRY E. CONDON SENIOR VICE CHAIRMAN | 1.00 | X | | X | | | | 0. | 0. | 0. |
| (20) LIONEL GOLDFRANK III SENIOR VICE CHAIRMAN | 1.00 | X | | X | | | | 0. | 0. | 0. |
| (21) MARJORIE G. ROSEN VICE CHAIRMAN | 1.00 | X | | X | | | | 0. | 0. | 0. |
| (22) MRS. NICHOLAS J. SAKELLARIADIS VICE CHAIRMAN | 1.00 | X | | X | | | | 0. | 0. | 0. |
| (23) SHELBY WHITE VICE CHAIRMAN | 1.00 | X | | X | | | | 0. | 0. | 0. |
| (24) SUSAN E. KAY MATELICH SECRETARY | 1.00 | X | | X | | | | 0. | 0. | 0. |
| (25) WILLIAM C. STEERE, JR. VICE CHAIRMAN | 1.00 | X | | X | | | | 0. | 0. | 0. |
| (26) ANTHONY PEREZ TRUSTEE | 1.00 | X | | | | | | 0. | 0. | 0. |
| 1b Subtotal | | | | | | | | 4,964,147. | 0. | 702,042. |
| c Total from continuation sheets to Part VII, Section A | | | | | | | | 0. | 0. | 0. |
| d Total (add lines 1b and 1c) | | | | | | | | 4,964,147. | 0. | 702,042. |

2 Total number of individuals (including but not limited to those listed above) who received more than \$100,000 of reportable compensation from the organization **76**

| | Yes | No |
|--|-----|----|
| 3 Did the organization list any former officer, director, trustee, key employee, or highest compensated employee on line 1a? If "Yes," complete Schedule J for such individual | X | |
| 4 For any individual listed on line 1a, is the sum of reportable compensation and other compensation from the organization and related organizations greater than \$150,000? If "Yes," complete Schedule J for such individual | X | |
| 5 Did any person listed on line 1a receive or accrue compensation from any unrelated organization or individual for services rendered to the organization? If "Yes," complete Schedule J for such person | | X |

Section B. Independent Contractors

1 Complete this table for your five highest compensated independent contractors that received more than \$100,000 of compensation from the organization. Report compensation for the calendar year ending with or within the organization's tax year.

| (A) Name and business address | (B) Description of services | (C) Compensation |
|---|-------------------------------------|---------------------|
| LAPLACA COHEN 520 BROADWAY FLOOR 11, NEW YORK, NY 10012 | ADVERTISING | 2,528,446. |
| UPTOWN ELECTRIC 22 MARY AVENUE, RONKONKOMA, NY 11779 | CONSTRUCTION | 1,501,843. |
| MARIO BULFAMANTE & SONS LANDSCAPE 75 PERLMAN ROAD, NEW ROCHELLE, NY 10801 | CONSTRUCTION | 1,145,523. |
| 4WALL ENTERTAINMENT, INC., 3165 W. SUNSET ROAD, SUITE 100, LAS VEGAS, NV 89118 | LIGHTING AND VIDEO RENTALS FOR GLOW | 993,735. |
| COMMUNITY COUNSELLING SERVICE CO LLC, 527 MADISON AVENUE, 5TH FLOOR, NEW YORK, NY | MANAGEMENT CONSULTANTS | 778,323. |

2 Total number of independent contractors (including but not limited to those listed above) who received more than \$100,000 of compensation from the organization **61**

SEE PART VII, SECTION A CONTINUATION SHEETS

Part VII Section A. Officers, Directors, Trustees, Key Employees, and Highest Compensated Employees (continued)

| (A) Name and title | (B) Average hours per week (list any hours for related organizations below line) | (C) Position (check all that apply) | | | | | | (D) Reportable compensation from the organization (W-2/1099-MISC) | (E) Reportable compensation from related organizations (W-2/1099-MISC) | (F) Estimated amount of other compensation from the organization and related organizations |
|---|---|--|-----------------------|---------|--------------|------------------------------|--------|--|---|---|
| | | Individual trustee or director | Institutional trustee | Officer | Key employee | Highest compensated employee | Former | | | |
| (27) CAROLINE A. WAMSLER, PH.D. TRUSTEE | 1.00 | X | | | | | | 0. | 0. | 0. |
| (28) CRAIG VOSBURG TRUSTEE | 1.00 | X | | | | | | 0. | 0. | 0. |
| (29) DEBORAH GOODRICH ROYCE TRUSTEE | 1.00 | X | | | | | | 0. | 0. | 0. |
| (30) DOUGLAS DOCKERY THOMAS TRUSTEE | 1.00 | X | | | | | | 0. | 0. | 0. |
| (31) ERIC C. HENRY TRUSTEE | 1.00 | X | | | | | | 0. | 0. | 0. |
| (32) FERNANDO DELGADO, PH.D. TRUSTEE | 1.00 | X | | | | | | 0. | 0. | 0. |
| (33) FLORENCE A. DAVIS TRUSTEE | 1.00 | X | | | | | | 0. | 0. | 0. |
| (34) GARY A. BELLER TRUSTEE | 1.00 | X | | | | | | 0. | 0. | 0. |
| (35) GEORGE MILNE, JR., PH.D. TRUSTEE | 1.00 | X | | | | | | 0. | 0. | 0. |
| (36) GILBERT C. MAURER TRUSTEE | 1.00 | X | | | | | | 0. | 0. | 0. |
| (37) GORDON A. UEHLING III TRUSTEE | 1.00 | X | | | | | | 0. | 0. | 0. |
| (38) HENRY P. JOHNSON TRUSTEE | 1.00 | X | | | | | | 0. | 0. | 0. |
| (39) HIDENORI TAKAOKA TRUSTEE | 1.00 | X | | | | | | 0. | 0. | 0. |
| (40) HON. ADRIENNE ADAMS TRUSTEE | 1.00 | X | | | | | | 0. | 0. | 0. |
| (41) HON. BRAD LANDER TRUSTEE | 1.00 | X | | | | | | 0. | 0. | 0. |
| (42) HON. DAVID C. BANKS TRUSTEE | 1.00 | X | | | | | | 0. | 0. | 0. |
| (43) HON. ERIC ADAMS TRUSTEE | 1.00 | X | | | | | | 0. | 0. | 0. |
| (44) HON. LAURIE CUMBO TRUSTEE | 1.00 | X | | | | | | 0. | 0. | 0. |
| (45) HON. SUSAN DONOGHUE TRUSTEE | 1.00 | X | | | | | | 0. | 0. | 0. |
| (46) HON. VANESSA GIBSON TRUSTEE | 1.00 | X | | | | | | 0. | 0. | 0. |
| Total to Part VII, Section A, line 1c | | | | | | | | | | |

Part VII Section A. Officers, Directors, Trustees, Key Employees, and Highest Compensated Employees (continued)

| (A) Name and title | (B) Average hours per week (list any hours for related organizations below line) | (C) Position (check all that apply) | | | | | | (D) Reportable compensation from the organization (W-2/1099-MISC) | (E) Reportable compensation from related organizations (W-2/1099-MISC) | (F) Estimated amount of other compensation from the organization and related organizations |
|--|---|--|-----------------------|---------|--------------|------------------------------|--------|--|---|---|
| | | Individual trustee or director | Institutional trustee | Officer | Key employee | Highest compensated employee | Former | | | |
| (47) HOLLY LOWEN TRUSTEE | 1.00 | X | | | | | | 0. | 0. | 0. |
| (48) JACQUELINE H. DRYFOOS TRUSTEE | 1.00 | X | | | | | | 0. | 0. | 0. |
| (49) JANE MOSS TRUSTEE | 1.00 | X | | | | | | 0. | 0. | 0. |
| (50) JANET M. MONTAG TRUSTEE | 1.00 | X | | | | | | 0. | 0. | 0. |
| (51) JESSICA B. HARRIS, PH.D. TRUSTEE | 1.00 | X | | | | | | 0. | 0. | 0. |
| (52) JILL JOYCE TRUSTEE | 1.00 | X | | | | | | 0. | 0. | 0. |
| (53) JOHN W. BERNSTEIN TRUSTEE | 1.00 | X | | | | | | 0. | 0. | 0. |
| (54) JOSEPH A. THOMPSON TRUSTEE | 1.00 | X | | | | | | 0. | 0. | 0. |
| (55) KAREN KATEN TRUSTEE | 1.00 | X | | | | | | 0. | 0. | 0. |
| (56) KAREN WASHINGTON TRUSTEE | 1.00 | X | | | | | | 0. | 0. | 0. |
| (57) KATE SOLOMON TRUSTEE | 1.00 | X | | | | | | 0. | 0. | 0. |
| (58) KENNETH ROMAN TRUSTEE | 1.00 | X | | | | | | 0. | 0. | 0. |
| (59) LEONARD ABESS TRUSTEE | 1.00 | X | | | | | | 0. | 0. | 0. |
| (60) LYNDEN B. MILLER TRUSTEE | 1.00 | X | | | | | | 0. | 0. | 0. |
| (61) MALCOLM C. NOLEN TRUSTEE | 1.00 | X | | | | | | 0. | 0. | 0. |
| (62) MARC B. PORTER TRUSTEE | 1.00 | X | | | | | | 0. | 0. | 0. |
| (63) MARY P. MORAN TRUSTEE | 1.00 | X | | | | | | 0. | 0. | 0. |
| (64) MAUREEN K. CHILTON CHAIRMAN EMERITUS | 1.00 | X | | | | | | 0. | 0. | 0. |
| (65) MICHAEL A. ZARCONE TRUSTEE | 1.00 | X | | | | | | 0. | 0. | 0. |
| (66) MICHAEL H. STEINHARDT TRUSTEE | 1.00 | X | | | | | | 0. | 0. | 0. |
| Total to Part VII, Section A, line 1c | | | | | | | | | | |

Part VIII Statement of Revenue

Check if Schedule O contains a response or note to any line in this Part VIII

| | | | (A) | (B) | (C) | (D) | |
|--|---|--|----------------------|------------------------------------|----------------------------|--|--|
| | | | Total revenue | Related or exempt function revenue | Unrelated business revenue | Revenue excluded from tax under sections 512 - 514 | |
| Contributions, Gifts, Grants and Other Similar Amounts | 1 a | Federated campaigns | 1a | | | | |
| | b | Membership dues | 1b | | | | |
| | c | Fundraising events | 1c | 2,045,373. | | | |
| | d | Related organizations | 1d | 1,020,000. | | | |
| | e | Government grants (contributions) | 1e | 23,575,757. | | | |
| | f | All other contributions, gifts, grants, and similar amounts not included above | 1f | 23,109,051. | | | |
| | g | Noncash contributions included in lines 1a-1f | 1g | \$ 1,904,479. | | | |
| | h | Total. Add lines 1a-1f | | 49,750,181. | | | |
| | Program Service Revenue | 2 a | ADMISSIONS AND TOURS | Business Code 713990 | 16,443,454. | 16443454. | |
| b | | GARDEN MEMBERSHIP PROGRAM | 713990 | 6,498,921. | 6,498,921. | | |
| c | | AUXILIARY SERVICES | 722513 | 3,470,156. | 3,470,156. | | |
| d | | TUITION AND FEES | 611600 | 2,651,274. | 2,651,274. | | |
| e | | | | | | | |
| f | | All other program service revenue | | | | | |
| g | | Total. Add lines 2a-2f | | 29,063,805. | | | |
| Other Revenue | 3 | Investment income (including dividends, interest, and other similar amounts) | | 2,461,345. | | 711,446. | |
| | 4 | Income from investment of tax-exempt bond proceeds | | | | 1749899. | |
| | 5 | Royalties | | | | | |
| | 6 a | Gross rents | (i) Real | | | | |
| | | | (ii) Personal | | | | |
| | | | | | | | |
| | 6 b | Less: rental expenses | | | | | |
| | 6 c | Rental income or (loss) | | | | | |
| | d | Net rental income or (loss) | | | | | |
| | 7 a | Gross amount from sales of assets other than inventory | (i) Securities | | | | |
| | | | (ii) Other | | | | |
| | | | | 68,628,650. | | | |
| | 7 b | Less: cost or other basis and sales expenses | | 50,426,166. | | | |
| 7 c | Gain or (loss) | | 18,202,484. | | | | |
| d | Net gain or (loss) | | 18,202,484. | | 18202484. | | |
| 8 a | Gross income from fundraising events (not including \$ 2,045,373. of contributions reported on line 1c). See Part IV, line 18 | | | | | | |
| | | | 360,949. | | | | |
| | | | 1,028,524. | | | | |
| b | Less: direct expenses | | | | | | |
| c | Net income or (loss) from fundraising events | | -667,575. | | -667,575. | | |
| 9 a | Gross income from gaming activities. See Part IV, line 19 | | | | | | |
| | | | | | | | |
| | | | | | | | |
| b | Less: direct expenses | | | | | | |
| c | Net income or (loss) from gaming activities | | | | | | |
| 10 a | Gross sales of inventory, less returns and allowances | | | | | | |
| | | | 3,517,706. | | | | |
| | | | 2,695,218. | | | | |
| b | Less: cost of goods sold | | | | | | |
| c | Net income or (loss) from sales of inventory | | 822,488. | 760,055. | 62,433. | | |
| Miscellaneous Revenue | 11 a | INSURANCE RECOVERY | Business Code 812900 | 1,431,770. | 1,431,770. | | |
| | b | PARKING GARAGE | 812930 | 562,305. | 562,305. | | |
| | c | | | | | | |
| | d | All other revenue | | | | | |
| | e | Total. Add lines 11a-11d | | 1,994,075. | | | |
| 12 | Total revenue. See instructions | | 101626803. | 31255630. | 1336184. | 19284808. | |

Part IX Statement of Functional Expenses

Section 501(c)(3) and 501(c)(4) organizations must complete all columns. All other organizations must complete column (A).

Check if Schedule O contains a response or note to any line in this Part IX

| Do not include amounts reported on lines 6b, 7b, 8b, 9b, and 10b of Part VIII. | (A) Total expenses | (B) Program service expenses | (C) Management and general expenses | (D) Fundraising expenses |
|---|-----------------------|---------------------------------|--|-----------------------------|
| 1 Grants and other assistance to domestic organizations and domestic governments. See Part IV, line 21 ... | | | | |
| 2 Grants and other assistance to domestic individuals. See Part IV, line 22 | | | | |
| 3 Grants and other assistance to foreign organizations, foreign governments, and foreign individuals. See Part IV, lines 15 and 16 | 32,198. | 32,198. | | |
| 4 Benefits paid to or for members | | | | |
| 5 Compensation of current officers, directors, trustees, and key employees | 2,651,742. | 689,057. | 1,547,377. | 415,308. |
| 6 Compensation not included above to disqualified persons (as defined under section 4958(f)(1)) and persons described in section 4958(c)(3)(B) | | | | |
| 7 Other salaries and wages | 33,188,934. | 25,486,987. | 5,061,929. | 2,640,018. |
| 8 Pension plan accruals and contributions (include section 401(k) and 403(b) employer contributions) | 3,819,603. | 2,789,627. | 704,365. | 325,611. |
| 9 Other employee benefits | 7,104,453. | 5,562,541. | 754,627. | 787,285. |
| 10 Payroll taxes | 2,669,394. | 1,949,578. | 492,257. | 227,559. |
| 11 Fees for services (nonemployees): | | | | |
| a Management | | | | |
| b Legal | 358,896. | | 358,896. | |
| c Accounting | 333,628. | | 333,628. | |
| d Lobbying | 141,050. | | 141,050. | |
| e Professional fundraising services. See Part IV, line 17 | 175,613. | | | 175,613. |
| f Investment management fees | 2,755,313. | 1,663,235. | 1,062,356. | 29,722. |
| g Other. (If line 11g amount exceeds 10% of line 25, column (A), amount, list line 11g expenses on Sch O.) | 6,669,639. | 5,267,387. | | 1,402,252. |
| 12 Advertising and promotion | 2,719,860. | 2,719,860. | | |
| 13 Office expenses | 2,380,063. | 2,169,815. | 147,457. | 62,791. |
| 14 Information technology | | | | |
| 15 Royalties | | | | |
| 16 Occupancy | 3,295,602. | 3,291,967. | 3,635. | |
| 17 Travel | 800,055. | 725,667. | 9,883. | 64,505. |
| 18 Payments of travel or entertainment expenses for any federal, state, or local public officials ... | | | | |
| 19 Conferences, conventions, and meetings | 382,214. | 196,504. | 69,628. | 116,082. |
| 20 Interest | 2,640,417. | 2,640,417. | | |
| 21 Payments to affiliates | | | | |
| 22 Depreciation, depletion, and amortization | 13,039,014. | 11,083,162. | 1,173,511. | 782,341. |
| 23 Insurance | 1,080,449. | 541,413. | 269,518. | 269,518. |
| 24 Other expenses. Itemize expenses not covered above. (List miscellaneous expenses on line 24e. If line 24e amount exceeds 10% of line 25, column (A), amount, list line 24e expenses on Schedule O.) | | | | |
| a MISC-OTHER | 2,489,397. | 1,687,293. | 744,060. | 58,044. |
| b EQUIPT PURCHASES & RENT | 1,723,621. | 1,241,368. | 441,410. | 40,843. |
| c NON CAP CONSTRUCTION EX | 1,691,850. | 1,680,971. | 10,879. | |
| d TENT & ELECTRICAL | 1,511,710. | 1,511,710. | | |
| e All other expenses | 1,676,803. | 1,414,371. | 199,629. | 62,803. |
| 25 Total functional expenses. Add lines 1 through 24e | 95,331,518. | 74,345,128. | 13,526,095. | 7,460,295. |
| 26 Joint costs. Complete this line only if the organization reported in column (B) joint costs from a combined educational campaign and fundraising solicitation. | | | | |

Check here if following SOP 98-2 (ASC 958-720)

Part X Balance Sheet

Check if Schedule O contains a response or note to any line in this Part X

| | | (A) Beginning of year | | (B) End of year |
|---|--|--------------------------|--------------|-------------------------|
| Assets | 1 Cash - non-interest-bearing | | 1 | |
| | 2 Savings and temporary cash investments | 27,080,766. | 2 | 39,215,369. |
| | 3 Pledges and grants receivable, net | 27,966,888. | 3 | 18,633,340. |
| | 4 Accounts receivable, net | 1,342,598. | 4 | 1,533,716. |
| | 5 Loans and other receivables from any current or former officer, director, trustee, key employee, creator or founder, substantial contributor, or 35% controlled entity or family member of any of these persons | | 5 | |
| | 6 Loans and other receivables from other disqualified persons (as defined under section 4958(f)(1)), and persons described in section 4958(c)(3)(B) | | 6 | |
| | 7 Notes and loans receivable, net | | 7 | |
| | 8 Inventories for sale or use | 887,977. | 8 | 777,212. |
| | 9 Prepaid expenses and deferred charges | 859,063. | 9 | 1,318,950. |
| | 10a Land, buildings, and equipment: cost or other basis. Complete Part VI of Schedule D | 10a 399,672,361. | | |
| | b Less: accumulated depreciation | 10b 205,829,570. | 202,303,671. | 10c 193,842,791. |
| | 11 Investments - publicly traded securities | 74,358,036. | 11 | 71,459,063. |
| | 12 Investments - other securities. See Part IV, line 11 | 363,752,174. | 12 | 310,584,064. |
| | 13 Investments - program-related. See Part IV, line 11 | | 13 | |
| | 14 Intangible assets | | 14 | |
| | 15 Other assets. See Part IV, line 11 | | 15 | |
| 16 Total assets. Add lines 1 through 15 (must equal line 33) | 698,551,173. | 16 | 637,364,505. | |
| Liabilities | 17 Accounts payable and accrued expenses | 8,118,498. | 17 | 7,885,625. |
| | 18 Grants payable | | 18 | |
| | 19 Deferred revenue | 1,702,991. | 19 | 721,727. |
| | 20 Tax-exempt bond liabilities | 46,195,075. | 20 | 42,638,250. |
| | 21 Escrow or custodial account liability. Complete Part IV of Schedule D | | 21 | |
| | 22 Loans and other payables to any current or former officer, director, trustee, key employee, creator or founder, substantial contributor, or 35% controlled entity or family member of any of these persons | | 22 | |
| | 23 Secured mortgages and notes payable to unrelated third parties | 2,780,158. | 23 | |
| | 24 Unsecured notes and loans payable to unrelated third parties | | 24 | |
| | 25 Other liabilities (including federal income tax, payables to related third parties, and other liabilities not included on lines 17-24). Complete Part X of Schedule D | 15,651,305. | 25 | 9,433,137. |
| | 26 Total liabilities. Add lines 17 through 25 | 74,448,027. | 26 | 60,678,739. |
| Net Assets or Fund Balances | Organizations that follow FASB ASC 958, check here <input checked="" type="checkbox"/> and complete lines 27, 28, 32, and 33. | | | |
| | 27 Net assets without donor restrictions | 285,287,920. | 27 | 290,454,793. |
| | 28 Net assets with donor restrictions | 338,815,226. | 28 | 286,230,973. |
| | Organizations that do not follow FASB ASC 958, check here <input type="checkbox"/> and complete lines 29 through 33. | | | |
| | 29 Capital stock or trust principal, or current funds | | 29 | |
| | 30 Paid-in or capital surplus, or land, building, or equipment fund | | 30 | |
| | 31 Retained earnings, endowment, accumulated income, or other funds | | 31 | |
| | 32 Total net assets or fund balances | 624,103,146. | 32 | 576,685,766. |
| | 33 Total liabilities and net assets/fund balances | 698,551,173. | 33 | 637,364,505. |

Part XI Reconciliation of Net Assets

Check if Schedule O contains a response or note to any line in this Part XI

| | | | |
|----|--|----|--------------|
| 1 | Total revenue (must equal Part VIII, column (A), line 12) | 1 | 101,626,803. |
| 2 | Total expenses (must equal Part IX, column (A), line 25) | 2 | 95,331,518. |
| 3 | Revenue less expenses. Subtract line 2 from line 1 | 3 | 6,295,285. |
| 4 | Net assets or fund balances at beginning of year (must equal Part X, line 32, column (A)) | 4 | 624,103,146. |
| 5 | Net unrealized gains (losses) on investments | 5 | -53,712,665. |
| 6 | Donated services and use of facilities | 6 | |
| 7 | Investment expenses | 7 | |
| 8 | Prior period adjustments | 8 | |
| 9 | Other changes in net assets or fund balances (explain on Schedule O) | 9 | 0. |
| 10 | Net assets or fund balances at end of year. Combine lines 3 through 9 (must equal Part X, line 32, column (B)) | 10 | 576,685,766. |

Part XII Financial Statements and Reporting

Check if Schedule O contains a response or note to any line in this Part XII

- 1 Accounting method used to prepare the Form 990: Cash Accrual Other _____
If the organization changed its method of accounting from a prior year or checked "Other," explain on Schedule O.
- 2a Were the organization's financial statements compiled or reviewed by an independent accountant?
If "Yes," check a box below to indicate whether the financial statements for the year were compiled or reviewed on a separate basis, consolidated basis, or both:
 Separate basis Consolidated basis Both consolidated and separate basis
- b Were the organization's financial statements audited by an independent accountant?
If "Yes," check a box below to indicate whether the financial statements for the year were audited on a separate basis, consolidated basis, or both:
 Separate basis Consolidated basis Both consolidated and separate basis
- c If "Yes" to line 2a or 2b, does the organization have a committee that assumes responsibility for oversight of the audit, review, or compilation of its financial statements and selection of an independent accountant?
If the organization changed either its oversight process or selection process during the tax year, explain on Schedule O.
- 3a As a result of a federal award, was the organization required to undergo an audit or audits as set forth in the Single Audit Act and OMB Circular A-133?
- b If "Yes," did the organization undergo the required audit or audits? If the organization did not undergo the required audit or audits, explain why on Schedule O and describe any steps taken to undergo such audits

| | Yes | No |
|----|-----|----|
| | | |
| 2a | | X |
| | | |
| 2b | X | |
| | | |
| 2c | X | |
| | | |
| 3a | X | |
| | | |
| 3b | X | |

Part II Support Schedule for Organizations Described in Sections 170(b)(1)(A)(iv) and 170(b)(1)(A)(vi)

(Complete only if you checked the box on line 5, 7, or 8 of Part I or if the organization failed to qualify under Part III. If the organization fails to qualify under the tests listed below, please complete Part III.)

Section A. Public Support

| Calendar year (or fiscal year beginning in) ► | (a) 2017 | (b) 2018 | (c) 2019 | (d) 2020 | (e) 2021 | (f) Total |
|--|-----------|-----------|-----------|-----------|-----------|-----------|
| 1 Gifts, grants, contributions, and membership fees received. (Do not include any "unusual grants.") | 69595768. | 53880842. | 58848961. | 61055287. | 56249102. | 299629960 |
| 2 Tax revenues levied for the organization's benefit and either paid to or expended on its behalf | | | | | | |
| 3 The value of services or facilities furnished by a governmental unit to the organization without charge | | | | | | |
| 4 Total. Add lines 1 through 3 | 69595768. | 53880842. | 58848961. | 61055287. | 56249102. | 299629960 |
| 5 The portion of total contributions by each person (other than a governmental unit or publicly supported organization) included on line 1 that exceeds 2% of the amount shown on line 11, column (f) | | | | | | 20265756. |
| 6 Public support. Subtract line 5 from line 4. | | | | | | 279364204 |

Section B. Total Support

| Calendar year (or fiscal year beginning in) ► | (a) 2017 | (b) 2018 | (c) 2019 | (d) 2020 | (e) 2021 | (f) Total |
|---|-----------|-----------|-----------|-----------|-----------|--------------------------|
| 7 Amounts from line 4 | 69595768. | 53880842. | 58848961. | 61055287. | 56249102. | 299629960 |
| 8 Gross income from interest, dividends, payments received on securities loans, rents, royalties, and income from similar sources | 3267788. | 1639469. | 1595254. | 1402450. | 2461345. | 10366306. |
| 9 Net income from unrelated business activities, whether or not the business is regularly carried on | 267,622. | 118,020. | 105,724. | 104,379. | 832,782. | 1428527. |
| 10 Other income. Do not include gain or loss from the sale of capital assets (Explain in Part VI.) | 404,759. | 858,139. | 222,410. | 495,339. | 1431770. | 3412417. |
| 11 Total support. Add lines 7 through 10 | | | | | | 314837210 |
| 12 Gross receipts from related activities, etc. (see instructions) | | | | | 12 | 103,039,822. |
| 13 First 5 years. If the Form 990 is for the organization's first, second, third, fourth, or fifth tax year as a section 501(c)(3) organization, check this box and stop here | | | | | | <input type="checkbox"/> |

Section C. Computation of Public Support Percentage

| | | | |
|---|---------------------------------------|-------|---|
| 14 Public support percentage for 2021 (line 6, column (f), divided by line 11, column (f)) | 14 | 88.73 | % |
| 15 Public support percentage from 2020 Schedule A, Part II, line 14 | 15 | 88.98 | % |
| 16a 33 1/3% support test - 2021. If the organization did not check the box on line 13, and line 14 is 33 1/3% or more, check this box and stop here. The organization qualifies as a publicly supported organization | ► <input checked="" type="checkbox"/> | | |
| b 33 1/3% support test - 2020. If the organization did not check a box on line 13 or 16a, and line 15 is 33 1/3% or more, check this box and stop here. The organization qualifies as a publicly supported organization | ► <input type="checkbox"/> | | |
| 17a 10% -facts-and-circumstances test - 2021. If the organization did not check a box on line 13, 16a, or 16b, and line 14 is 10% or more, and if the organization meets the facts-and-circumstances test, check this box and stop here. Explain in Part VI how the organization meets the facts-and-circumstances test. The organization qualifies as a publicly supported organization | ► <input type="checkbox"/> | | |
| b 10% -facts-and-circumstances test - 2020. If the organization did not check a box on line 13, 16a, 16b, or 17a, and line 15 is 10% or more, and if the organization meets the facts-and-circumstances test, check this box and stop here. Explain in Part VI how the organization meets the facts-and-circumstances test. The organization qualifies as a publicly supported organization | ► <input type="checkbox"/> | | |
| 18 Private foundation. If the organization did not check a box on line 13, 16a, 16b, 17a, or 17b, check this box and see instructions | ► <input type="checkbox"/> | | |

Part III Support Schedule for Organizations Described in Section 509(a)(2)

(Complete only if you checked the box on line 10 of Part I or if the organization failed to qualify under Part II. If the organization fails to qualify under the tests listed below, please complete Part II.)

Section A. Public Support

| Calendar year (or fiscal year beginning in) ► | (a) 2017 | (b) 2018 | (c) 2019 | (d) 2020 | (e) 2021 | (f) Total |
|---|----------|----------|----------|----------|----------|-----------|
| 1 Gifts, grants, contributions, and membership fees received. (Do not include any "unusual grants.") | | | | | | |
| 2 Gross receipts from admissions, merchandise sold or services performed, or facilities furnished in any activity that is related to the organization's tax-exempt purpose | | | | | | |
| 3 Gross receipts from activities that are not an unrelated trade or business under section 513 | | | | | | |
| 4 Tax revenues levied for the organization's benefit and either paid to or expended on its behalf | | | | | | |
| 5 The value of services or facilities furnished by a governmental unit to the organization without charge | | | | | | |
| 6 Total. Add lines 1 through 5 | | | | | | |
| 7a Amounts included on lines 1, 2, and 3 received from disqualified persons | | | | | | |
| b Amounts included on lines 2 and 3 received from other than disqualified persons that exceed the greater of \$5,000 or 1% of the amount on line 13 for the year | | | | | | |
| c Add lines 7a and 7b | | | | | | |
| 8 Public support. (Subtract line 7c from line 6.) | | | | | | |

Section B. Total Support

| Calendar year (or fiscal year beginning in) ► | (a) 2017 | (b) 2018 | (c) 2019 | (d) 2020 | (e) 2021 | (f) Total |
|--|----------|----------|----------|----------|----------|-----------|
| 9 Amounts from line 6 | | | | | | |
| 10a Gross income from interest, dividends, payments received on securities loans, rents, royalties, and income from similar sources | | | | | | |
| b Unrelated business taxable income (less section 511 taxes) from businesses acquired after June 30, 1975 | | | | | | |
| c Add lines 10a and 10b | | | | | | |
| 11 Net income from unrelated business activities not included on line 10b, whether or not the business is regularly carried on | | | | | | |
| 12 Other income. Do not include gain or loss from the sale of capital assets (Explain in Part VI.) | | | | | | |
| 13 Total support. (Add lines 9, 10c, 11, and 12.) | | | | | | |

14 First 5 years. If the Form 990 is for the organization's first, second, third, fourth, or fifth tax year as a section 501(c)(3) organization, check this box and **stop here** ►

Section C. Computation of Public Support Percentage

| | | |
|---|-----------|---|
| 15 Public support percentage for 2021 (line 8, column (f), divided by line 13, column (f)) | 15 | % |
| 16 Public support percentage from 2020 Schedule A, Part III, line 15 | 16 | % |

Section D. Computation of Investment Income Percentage

| | | |
|---|-----------|---|
| 17 Investment income percentage for 2021 (line 10c, column (f), divided by line 13, column (f)) | 17 | % |
| 18 Investment income percentage from 2020 Schedule A, Part III, line 17 | 18 | % |

19a 33 1/3% support tests - 2021. If the organization did not check the box on line 14, and line 15 is more than 33 1/3%, and line 17 is not more than 33 1/3%, check this box and **stop here**. The organization qualifies as a publicly supported organization ►

b 33 1/3% support tests - 2020. If the organization did not check a box on line 14 or line 19a, and line 16 is more than 33 1/3%, and line 18 is not more than 33 1/3%, check this box and **stop here**. The organization qualifies as a publicly supported organization ►

20 Private foundation. If the organization did not check a box on line 14, 19a, or 19b, check this box and see instructions ►

Part IV Supporting Organizations

(Complete only if you checked a box in line 12 on Part I. If you checked box 12a, Part I, complete Sections A and B. If you checked box 12b, Part I, complete Sections A and C. If you checked box 12c, Part I, complete Sections A, D, and E. If you checked box 12d, Part I, complete Sections A and D, and complete Part V.)

Section A. All Supporting Organizations

| | Yes | No |
|--|-----|----|
| 1 Are all of the organization's supported organizations listed by name in the organization's governing documents? <i>If "No," describe in Part VI how the supported organizations are designated. If designated by class or purpose, describe the designation. If historic and continuing relationship, explain.</i> | | |
| 2 Did the organization have any supported organization that does not have an IRS determination of status under section 509(a)(1) or (2)? <i>If "Yes," explain in Part VI how the organization determined that the supported organization was described in section 509(a)(1) or (2).</i> | | |
| 3a Did the organization have a supported organization described in section 501(c)(4), (5), or (6)? <i>If "Yes," answer lines 3b and 3c below.</i> | | |
| b Did the organization confirm that each supported organization qualified under section 501(c)(4), (5), or (6) and satisfied the public support tests under section 509(a)(2)? <i>If "Yes," describe in Part VI when and how the organization made the determination.</i> | | |
| c Did the organization ensure that all support to such organizations was used exclusively for section 170(c)(2)(B) purposes? <i>If "Yes," explain in Part VI what controls the organization put in place to ensure such use.</i> | | |
| 4a Was any supported organization not organized in the United States ("foreign supported organization")? <i>If "Yes," and if you checked box 12a or 12b in Part I, answer lines 4b and 4c below.</i> | | |
| b Did the organization have ultimate control and discretion in deciding whether to make grants to the foreign supported organization? <i>If "Yes," describe in Part VI how the organization had such control and discretion despite being controlled or supervised by or in connection with its supported organizations.</i> | | |
| c Did the organization support any foreign supported organization that does not have an IRS determination under sections 501(c)(3) and 509(a)(1) or (2)? <i>If "Yes," explain in Part VI what controls the organization used to ensure that all support to the foreign supported organization was used exclusively for section 170(c)(2)(B) purposes.</i> | | |
| 5a Did the organization add, substitute, or remove any supported organizations during the tax year? <i>If "Yes," answer lines 5b and 5c below (if applicable). Also, provide detail in Part VI, including (i) the names and EIN numbers of the supported organizations added, substituted, or removed; (ii) the reasons for each such action; (iii) the authority under the organization's organizing document authorizing such action; and (iv) how the action was accomplished (such as by amendment to the organizing document).</i> | | |
| b Type I or Type II only. Was any added or substituted supported organization part of a class already designated in the organization's organizing document? | | |
| c Substitutions only. Was the substitution the result of an event beyond the organization's control? | | |
| 6 Did the organization provide support (whether in the form of grants or the provision of services or facilities) to anyone other than (i) its supported organizations, (ii) individuals that are part of the charitable class benefited by one or more of its supported organizations, or (iii) other supporting organizations that also support or benefit one or more of the filing organization's supported organizations? <i>If "Yes," provide detail in Part VI.</i> | | |
| 7 Did the organization provide a grant, loan, compensation, or other similar payment to a substantial contributor (as defined in section 4958(c)(3)(C)), a family member of a substantial contributor, or a 35% controlled entity with regard to a substantial contributor? <i>If "Yes," complete Part I of Schedule L (Form 990).</i> | | |
| 8 Did the organization make a loan to a disqualified person (as defined in section 4958) not described on line 7? <i>If "Yes," complete Part I of Schedule L (Form 990).</i> | | |
| 9a Was the organization controlled directly or indirectly at any time during the tax year by one or more disqualified persons, as defined in section 4946 (other than foundation managers and organizations described in section 509(a)(1) or (2))? <i>If "Yes," provide detail in Part VI.</i> | | |
| b Did one or more disqualified persons (as defined on line 9a) hold a controlling interest in any entity in which the supporting organization had an interest? <i>If "Yes," provide detail in Part VI.</i> | | |
| c Did a disqualified person (as defined on line 9a) have an ownership interest in, or derive any personal benefit from, assets in which the supporting organization also had an interest? <i>If "Yes," provide detail in Part VI.</i> | | |
| 10a Was the organization subject to the excess business holdings rules of section 4943 because of section 4943(f) (regarding certain Type II supporting organizations, and all Type III non-functionally integrated supporting organizations)? <i>If "Yes," answer line 10b below.</i> | | |
| b Did the organization have any excess business holdings in the tax year? <i>(Use Schedule C, Form 4720, to determine whether the organization had excess business holdings.)</i> | | |

Part IV Supporting Organizations (continued)

| | Yes | No |
|--|-----|----|
| 11 Has the organization accepted a gift or contribution from any of the following persons? | | |
| a A person who directly or indirectly controls, either alone or together with persons described on lines 11b and 11c below, the governing body of a supported organization? | | |
| b A family member of a person described on line 11a above? | | |
| c A 35% controlled entity of a person described on line 11a or 11b above? <i>If "Yes" to line 11a, 11b, or 11c, provide detail in Part VI.</i> | | |
| 11a | | |
| 11b | | |
| 11c | | |

Section B. Type I Supporting Organizations

| | Yes | No |
|---|-----|----|
| 1 Did the governing body, members of the governing body, officers acting in their official capacity, or membership of one or more supported organizations have the power to regularly appoint or elect at least a majority of the organization's officers, directors, or trustees at all times during the tax year? <i>If "No," describe in Part VI how the supported organization(s) effectively operated, supervised, or controlled the organization's activities. If the organization had more than one supported organization, describe how the powers to appoint and/or remove officers, directors, or trustees were allocated among the supported organizations and what conditions or restrictions, if any, applied to such powers during the tax year.</i> | | |
| 2 Did the organization operate for the benefit of any supported organization other than the supported organization(s) that operated, supervised, or controlled the supporting organization? <i>If "Yes," explain in Part VI how providing such benefit carried out the purposes of the supported organization(s) that operated, supervised, or controlled the supporting organization.</i> | | |
| 1 | | |
| 2 | | |

Section C. Type II Supporting Organizations

| | Yes | No |
|--|-----|----|
| 1 Were a majority of the organization's directors or trustees during the tax year also a majority of the directors or trustees of each of the organization's supported organization(s)? <i>If "No," describe in Part VI how control or management of the supporting organization was vested in the same persons that controlled or managed the supported organization(s).</i> | | |
| 1 | | |

Section D. All Type III Supporting Organizations

| | Yes | No |
|---|-----|----|
| 1 Did the organization provide to each of its supported organizations, by the last day of the fifth month of the organization's tax year, (i) a written notice describing the type and amount of support provided during the prior tax year, (ii) a copy of the Form 990 that was most recently filed as of the date of notification, and (iii) copies of the organization's governing documents in effect on the date of notification, to the extent not previously provided? | | |
| 2 Were any of the organization's officers, directors, or trustees either (i) appointed or elected by the supported organization(s) or (ii) serving on the governing body of a supported organization? <i>If "No," explain in Part VI how the organization maintained a close and continuous working relationship with the supported organization(s).</i> | | |
| 3 By reason of the relationship described on line 2, above, did the organization's supported organizations have a significant voice in the organization's investment policies and in directing the use of the organization's income or assets at all times during the tax year? <i>If "Yes," describe in Part VI the role the organization's supported organizations played in this regard.</i> | | |
| 1 | | |
| 2 | | |
| 3 | | |

Section E. Type III Functionally Integrated Supporting Organizations

| | | | |
|---|--|--|--|
| 1 Check the box next to the method that the organization used to satisfy the Integral Part Test during the year (see instructions). | | | |
| a <input type="checkbox"/> The organization satisfied the Activities Test. Complete line 2 below. | | | |
| b <input type="checkbox"/> The organization is the parent of each of its supported organizations. Complete line 3 below. | | | |
| c <input type="checkbox"/> The organization supported a governmental entity. Describe in Part VI how you supported a governmental entity (see instructions). | | | |
| 2 Activities Test. Answer lines 2a and 2b below. | | | |
| a Did substantially all of the organization's activities during the tax year directly further the exempt purposes of the supported organization(s) to which the organization was responsive? <i>If "Yes," then in Part VI identify those supported organizations and explain how these activities directly furthered their exempt purposes, how the organization was responsive to those supported organizations, and how the organization determined that these activities constituted substantially all of its activities.</i> | | | |
| b Did the activities described on line 2a, above, constitute activities that, but for the organization's involvement, one or more of the organization's supported organization(s) would have been engaged in? <i>If "Yes," explain in Part VI the reasons for the organization's position that its supported organization(s) would have engaged in these activities but for the organization's involvement.</i> | | | |
| 3 Parent of Supported Organizations. Answer lines 3a and 3b below. | | | |
| a Did the organization have the power to regularly appoint or elect a majority of the officers, directors, or trustees of each of the supported organizations? <i>If "Yes" or "No" provide details in Part VI.</i> | | | |
| b Did the organization exercise a substantial degree of direction over the policies, programs, and activities of each of its supported organizations? <i>If "Yes," describe in Part VI the role played by the organization in this regard.</i> | | | |
| 2a | | | |
| 2b | | | |
| 3a | | | |
| 3b | | | |

Part V Type III Non-Functionally Integrated 509(a)(3) Supporting Organizations

1 Check here if the organization satisfied the Integral Part Test as a qualifying trust on Nov. 20, 1970 (*explain in Part VI*). **See instructions.**
 All other Type III non-functionally integrated supporting organizations must complete Sections A through E.

| Section A - Adjusted Net Income | | (A) Prior Year | (B) Current Year (optional) |
|--|--|----------------|-----------------------------|
| 1 | Net short-term capital gain | 1 | |
| 2 | Recoveries of prior-year distributions | 2 | |
| 3 | Other gross income (see instructions) | 3 | |
| 4 | Add lines 1 through 3. | 4 | |
| 5 | Depreciation and depletion | 5 | |
| 6 | Portion of operating expenses paid or incurred for production or collection of gross income or for management, conservation, or maintenance of property held for production of income (see instructions) | 6 | |
| 7 | Other expenses (see instructions) | 7 | |
| 8 | Adjusted Net Income (subtract lines 5, 6, and 7 from line 4) | 8 | |

| Section B - Minimum Asset Amount | | (A) Prior Year | (B) Current Year (optional) |
|---|---|----------------|-----------------------------|
| 1 | Aggregate fair market value of all non-exempt-use assets (see instructions for short tax year or assets held for part of year): | | |
| a | Average monthly value of securities | 1a | |
| b | Average monthly cash balances | 1b | |
| c | Fair market value of other non-exempt-use assets | 1c | |
| d | Total (add lines 1a, 1b, and 1c) | 1d | |
| e | Discount claimed for blockage or other factors (<i>explain in detail in Part VI</i>): | | |
| 2 | Acquisition indebtedness applicable to non-exempt-use assets | 2 | |
| 3 | Subtract line 2 from line 1d. | 3 | |
| 4 | Cash deemed held for exempt use. Enter 0.015 of line 3 (for greater amount, see instructions). | 4 | |
| 5 | Net value of non-exempt-use assets (subtract line 4 from line 3) | 5 | |
| 6 | Multiply line 5 by 0.035. | 6 | |
| 7 | Recoveries of prior-year distributions | 7 | |
| 8 | Minimum Asset Amount (add line 7 to line 6) | 8 | |

| Section C - Distributable Amount | | | Current Year |
|---|---|---|--------------|
| 1 | Adjusted net income for prior year (from Section A, line 8, column A) | 1 | |
| 2 | Enter 0.85 of line 1. | 2 | |
| 3 | Minimum asset amount for prior year (from Section B, line 8, column A) | 3 | |
| 4 | Enter greater of line 2 or line 3. | 4 | |
| 5 | Income tax imposed in prior year | 5 | |
| 6 | Distributable Amount. Subtract line 5 from line 4, unless subject to emergency temporary reduction (see instructions). | 6 | |
| 7 | <input type="checkbox"/> Check here if the current year is the organization's first as a non-functionally integrated Type III supporting organization (see instructions). | | |

Part V Type III Non-Functionally Integrated 509(a)(3) Supporting Organizations (continued)

| Section D - Distributions | | Current Year |
|---------------------------|---|--------------|
| 1 | Amounts paid to supported organizations to accomplish exempt purposes | 1 |
| 2 | Amounts paid to perform activity that directly furthers exempt purposes of supported organizations, in excess of income from activity | 2 |
| 3 | Administrative expenses paid to accomplish exempt purposes of supported organizations | 3 |
| 4 | Amounts paid to acquire exempt-use assets | 4 |
| 5 | Qualified set-aside amounts (prior IRS approval required - <i>provide details in Part VI</i>) | 5 |
| 6 | Other distributions (<i>describe in Part VI</i>). See instructions. | 6 |
| 7 | Total annual distributions. Add lines 1 through 6. | 7 |
| 8 | Distributions to attentive supported organizations to which the organization is responsive (<i>provide details in Part VI</i>). See instructions. | 8 |
| 9 | Distributable amount for 2021 from Section C, line 6 | 9 |
| 10 | Line 8 amount divided by line 9 amount | 10 |

| Section E - Distribution Allocations (see instructions) | (i) Excess Distributions | (ii) Underdistributions Pre-2021 | (iii) Distributable Amount for 2021 |
|--|-----------------------------|--|---|
| 1 Distributable amount for 2021 from Section C, line 6 | | | |
| 2 Underdistributions, if any, for years prior to 2021 (reasonable cause required - <i>explain in Part VI</i>). See instructions. | | | |
| 3 Excess distributions carryover, if any, to 2021 | | | |
| a From 2016 | | | |
| b From 2017 | | | |
| c From 2018 | | | |
| d From 2019 | | | |
| e From 2020 | | | |
| f Total of lines 3a through 3e | | | |
| g Applied to underdistributions of prior years | | | |
| h Applied to 2021 distributable amount | | | |
| i Carryover from 2016 not applied (see instructions) | | | |
| j Remainder. Subtract lines 3g, 3h, and 3i from line 3f. | | | |
| 4 Distributions for 2021 from Section D, line 7: \$ | | | |
| a Applied to underdistributions of prior years | | | |
| b Applied to 2021 distributable amount | | | |
| c Remainder. Subtract lines 4a and 4b from line 4. | | | |
| 5 Remaining underdistributions for years prior to 2021, if any. Subtract lines 3g and 4a from line 2. For result greater than zero, <i>explain in Part VI</i> . See instructions. | | | |
| 6 Remaining underdistributions for 2021. Subtract lines 3h and 4b from line 1. For result greater than zero, <i>explain in Part VI</i> . See instructions. | | | |
| 7 Excess distributions carryover to 2022. Add lines 3j and 4c. | | | |
| 8 Breakdown of line 7: | | | |
| a Excess from 2017 | | | |
| b Excess from 2018 | | | |
| c Excess from 2019 | | | |
| d Excess from 2020 | | | |
| e Excess from 2021 | | | |

Part VI **Supplemental Information.** Provide the explanations required by Part II, line 10; Part II, line 17a or 17b; Part III, line 12; Part IV, Section A, lines 1, 2, 3b, 3c, 4b, 4c, 5a, 6, 9a, 9b, 9c, 11a, 11b, and 11c; Part IV, Section B, lines 1 and 2; Part IV, Section C, line 1; Part IV, Section D, lines 2 and 3; Part IV, Section E, lines 1c, 2a, 2b, 3a, and 3b; Part V, line 1; Part V, Section B, line 1e; Part V, Section D, lines 5, 6, and 8; and Part V, Section E, lines 2, 5, and 6. Also complete this part for any additional information.
(See instructions.)

SCHEDULE A, PART II, LINE 10, EXPLANATION FOR OTHER INCOME:

OTHER INCOME

2017 AMOUNT: \$ 404,759.

2018 AMOUNT: \$ 858,139.

2019 AMOUNT: \$ 222,410.

2020 AMOUNT: \$ 495,339.

2021 AMOUNT: \$ 1,431,770.

SCHEDULE C
(Form 990)

Political Campaign and Lobbying Activities

OMB No. 1545-0047

2021

Open to Public Inspection

Department of the Treasury
Internal Revenue Service

For Organizations Exempt From Income Tax Under section 501(c) and section 527
 ▶ **Complete if the organization is described below.** ▶ **Attach to Form 990 or Form 990-EZ.**
 ▶ **Go to www.irs.gov/Form990 for instructions and the latest information.**

If the organization answered "Yes," on Form 990, Part IV, line 3, or Form 990-EZ, Part V, line 46 (Political Campaign Activities), then

- Section 501(c)(3) organizations: Complete Parts I-A and B. Do not complete Part I-C.
- Section 501(c) (other than section 501(c)(3)) organizations: Complete Parts I-A and C below. Do not complete Part I-B.
- Section 527 organizations: Complete Part I-A only.

If the organization answered "Yes," on Form 990, Part IV, line 4, or Form 990-EZ, Part VI, line 47 (Lobbying Activities), then

- Section 501(c)(3) organizations that have filed Form 5768 (election under section 501(h)): Complete Part II-A. Do not complete Part II-B.
- Section 501(c)(3) organizations that have NOT filed Form 5768 (election under section 501(h)): Complete Part II-B. Do not complete Part II-A.

If the organization answered "Yes," on Form 990, Part IV, line 5 (Proxy Tax) (See separate instructions) or Form 990-EZ, Part V, line 35c (Proxy Tax) (See separate instructions), then

- Section 501(c)(4), (5), or (6) organizations: Complete Part III.

| | |
|--|---|
| Name of organization NEW YORK BOTANICAL GARDEN | Employer identification number 13-1693134 |
|--|---|

Part I-A Complete if the organization is exempt under section 501(c) or is a section 527 organization.

- 1 Provide a description of the organization's direct and indirect political campaign activities in Part IV.
- 2 Political campaign activity expenditures ▶ \$ _____
- 3 Volunteer hours for political campaign activities _____

Part I-B Complete if the organization is exempt under section 501(c)(3).

- 1 Enter the amount of any excise tax incurred by the organization under section 4955 ▶ \$ _____
- 2 Enter the amount of any excise tax incurred by organization managers under section 4955 ▶ \$ _____
- 3 If the organization incurred a section 4955 tax, did it file Form 4720 for this year? Yes No
- 4a Was a correction made? Yes No
- b If "Yes," describe in Part IV.

Part I-C Complete if the organization is exempt under section 501(c), except section 501(c)(3).

- 1 Enter the amount directly expended by the filing organization for section 527 exempt function activities ▶ \$ _____
- 2 Enter the amount of the filing organization's funds contributed to other organizations for section 527 exempt function activities ▶ \$ _____
- 3 Total exempt function expenditures. Add lines 1 and 2. Enter here and on Form 1120-POL, line 17b ▶ \$ _____
- 4 Did the filing organization file **Form 1120-POL** for this year? Yes No
- 5 Enter the names, addresses and employer identification number (EIN) of all section 527 political organizations to which the filing organization made payments. For each organization listed, enter the amount paid from the filing organization's funds. Also enter the amount of political contributions received that were promptly and directly delivered to a separate political organization, such as a separate segregated fund or a political action committee (PAC). If additional space is needed, provide information in Part IV.

| (a) Name | (b) Address | (c) EIN | (d) Amount paid from filing organization's funds. If none, enter -0-. | (e) Amount of political contributions received and promptly and directly delivered to a separate political organization. If none, enter -0-. |
|----------|-------------|---------|---|--|
| | | | | |
| | | | | |
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For Paperwork Reduction Act Notice, see the Instructions for Form 990 or 990-EZ.

Schedule C (Form 990) 2021

LHA

Part II-A Complete if the organization is exempt under section 501(c)(3) and filed Form 5768 (election under section 501(h)).

- A** Check if the filing organization belongs to an affiliated group (and list in Part IV each affiliated group member's name, address, EIN, expenses, and share of excess lobbying expenditures).
- B** Check if the filing organization checked box A and "limited control" provisions apply.

| Limits on Lobbying Expenditures (The term "expenditures" means amounts paid or incurred.) | | (a) Filing organization's totals | (b) Affiliated group totals | | | | | | | | | | | | |
|---|--|---|--|--------------------|-------------------------------|---|--|---|--|--|---|-------------------|--------------|--|--|
| 1a Total lobbying expenditures to influence public opinion (grassroots lobbying) | | 141,050. | | | | | | | | | | | | | |
| b Total lobbying expenditures to influence a legislative body (direct lobbying) | | | | | | | | | | | | | | | |
| c Total lobbying expenditures (add lines 1a and 1b) | | 141,050. | | | | | | | | | | | | | |
| d Other exempt purpose expenditures | | 95,190,468. | | | | | | | | | | | | | |
| e Total exempt purpose expenditures (add lines 1c and 1d) | | 95,331,518. | | | | | | | | | | | | | |
| f Lobbying nontaxable amount. Enter the amount from the following table in both columns. | | 1,000,000. | | | | | | | | | | | | | |
| <table border="1"> <thead> <tr> <th>If the amount on line 1e, column (a) or (b) is:</th> <th>The lobbying nontaxable amount is:</th> </tr> </thead> <tbody> <tr> <td>Not over \$500,000</td> <td>20% of the amount on line 1e.</td> </tr> <tr> <td>Over \$500,000 but not over \$1,000,000</td> <td>\$100,000 plus 15% of the excess over \$500,000.</td> </tr> <tr> <td>Over \$1,000,000 but not over \$1,500,000</td> <td>\$175,000 plus 10% of the excess over \$1,000,000.</td> </tr> <tr> <td>Over \$1,500,000 but not over \$17,000,000</td> <td>\$225,000 plus 5% of the excess over \$1,500,000.</td> </tr> <tr> <td>Over \$17,000,000</td> <td>\$1,000,000.</td> </tr> </tbody> </table> | | If the amount on line 1e, column (a) or (b) is: | The lobbying nontaxable amount is: | Not over \$500,000 | 20% of the amount on line 1e. | Over \$500,000 but not over \$1,000,000 | \$100,000 plus 15% of the excess over \$500,000. | Over \$1,000,000 but not over \$1,500,000 | \$175,000 plus 10% of the excess over \$1,000,000. | Over \$1,500,000 but not over \$17,000,000 | \$225,000 plus 5% of the excess over \$1,500,000. | Over \$17,000,000 | \$1,000,000. | | |
| If the amount on line 1e, column (a) or (b) is: | The lobbying nontaxable amount is: | | | | | | | | | | | | | | |
| Not over \$500,000 | 20% of the amount on line 1e. | | | | | | | | | | | | | | |
| Over \$500,000 but not over \$1,000,000 | \$100,000 plus 15% of the excess over \$500,000. | | | | | | | | | | | | | | |
| Over \$1,000,000 but not over \$1,500,000 | \$175,000 plus 10% of the excess over \$1,000,000. | | | | | | | | | | | | | | |
| Over \$1,500,000 but not over \$17,000,000 | \$225,000 plus 5% of the excess over \$1,500,000. | | | | | | | | | | | | | | |
| Over \$17,000,000 | \$1,000,000. | | | | | | | | | | | | | | |
| g Grassroots nontaxable amount (enter 25% of line 1f) | | 250,000. | | | | | | | | | | | | | |
| h Subtract line 1g from line 1a. If zero or less, enter -0- | | 0. | | | | | | | | | | | | | |
| i Subtract line 1f from line 1c. If zero or less, enter -0- | | 0. | | | | | | | | | | | | | |
| j If there is an amount other than zero on either line 1h or line 1i, did the organization file Form 4720 reporting section 4911 tax for this year? | | | <input type="checkbox"/> Yes <input type="checkbox"/> No | | | | | | | | | | | | |

4-Year Averaging Period Under Section 501(h)
 (Some organizations that made a section 501(h) election do not have to complete all of the five columns below.
 See the separate instructions for lines 2a through 2f.)

| Lobbying Expenditures During 4-Year Averaging Period | | | | | |
|---|------------|------------|------------|------------|------------|
| Calendar year (or fiscal year beginning in) | (a) 2018 | (b) 2019 | (c) 2020 | (d) 2021 | (e) Total |
| 2a Lobbying nontaxable amount | 1,000,000. | 1,000,000. | 1,000,000. | 1,000,000. | 4,000,000. |
| b Lobbying ceiling amount (150% of line 2a, column(e)) | | | | | 6,000,000. |
| c Total lobbying expenditures | 130,654. | 134,162. | 132,450. | 141,050. | 538,316. |
| d Grassroots nontaxable amount | 250,000. | 250,000. | 250,000. | 250,000. | 1,000,000. |
| e Grassroots ceiling amount (150% of line 2d, column (e)) | | | | | 1,500,000. |
| f Grassroots lobbying expenditures | 130,654. | 134,162. | 132,450. | 141,050. | 538,316. |

Part II-B Complete if the organization is exempt under section 501(c)(3) and has NOT filed Form 5768 (election under section 501(h)).

| | (a) | | (b) |
|--|-----|----|--------|
| | Yes | No | Amount |
| 1 During the year, did the filing organization attempt to influence foreign, national, state, or local legislation, including any attempt to influence public opinion on a legislative matter or referendum, through the use of: | | | |
| a Volunteers? | | | |
| b Paid staff or management (include compensation in expenses reported on lines 1c through 1i)? .. | | | |
| c Media advertisements? | | | |
| d Mailings to members, legislators, or the public? | | | |
| e Publications, or published or broadcast statements? | | | |
| f Grants to other organizations for lobbying purposes? | | | |
| g Direct contact with legislators, their staffs, government officials, or a legislative body? | | | |
| h Rallies, demonstrations, seminars, conventions, speeches, lectures, or any similar means? | | | |
| i Other activities? | | | |
| j Total. Add lines 1c through 1i | | | |
| 2a Did the activities in line 1 cause the organization to be not described in section 501(c)(3)? | | | |
| b If "Yes," enter the amount of any tax incurred under section 4912 | | | |
| c If "Yes," enter the amount of any tax incurred by organization managers under section 4912 | | | |
| d If the filing organization incurred a section 4912 tax, did it file Form 4720 for this year? | | | |

Part III-A Complete if the organization is exempt under section 501(c)(4), section 501(c)(5), or section 501(c)(6).

| | Yes | No |
|---|-----|----|
| 1 Were substantially all (90% or more) dues received nondeductible by members? | 1 | |
| 2 Did the organization make only in-house lobbying expenditures of \$2,000 or less? | 2 | |
| 3 Did the organization agree to carry over lobbying and political campaign activity expenditures from the prior year? | 3 | |

Part III-B Complete if the organization is exempt under section 501(c)(4), section 501(c)(5), or section 501(c)(6) and if either (a) BOTH Part III-A, lines 1 and 2, are answered "No" OR (b) Part III-A, line 3, is answered "Yes."

| | | |
|--|----|--|
| 1 Dues, assessments and similar amounts from members | 1 | |
| 2 Section 162(e) nondeductible lobbying and political expenditures (do not include amounts of political expenses for which the section 527(f) tax was paid). | | |
| a Current year | 2a | |
| b Carryover from last year | 2b | |
| c Total | 2c | |
| 3 Aggregate amount reported in section 6033(e)(1)(A) notices of nondeductible section 162(e) dues | 3 | |
| 4 If notices were sent and the amount on line 2c exceeds the amount on line 3, what portion of the excess does the organization agree to carryover to the reasonable estimate of nondeductible lobbying and political expenditure next year? | 4 | |
| 5 Taxable amount of lobbying and political expenditures. See instructions | 5 | |

Part IV Supplemental Information

Provide the descriptions required for Part I-A, line 1; Part I-B, line 4; Part I-C, line 5; Part II-A (affiliated group list); Part II-A, lines 1 and 2 (See instructions); and Part II-B, line 1. Also, complete this part for any additional information.

SCHEDULE C, PART II-A, LINE 1A:

THE GARDEN INCURS LOBBYING EXPENDITURES FOR THE PURPOSE OF RAISING PUBLIC FUNDS FOR ITS OPERATING PROGRAMS AREAS AND CAPITAL SUPPORT.

SCHEDULE D (Form 990)

Department of the Treasury Internal Revenue Service

Supplemental Financial Statements

Complete if the organization answered "Yes" on Form 990, Part IV, line 6, 7, 8, 9, 10, 11a, 11b, 11c, 11d, 11e, 11f, 12a, or 12b. Attach to Form 990.

Go to www.irs.gov/Form990 for instructions and the latest information.

OMB No. 1545-0047

2021

Open to Public Inspection

Name of the organization NEW YORK BOTANICAL GARDEN Employer identification number 13-1693134

Part I Organizations Maintaining Donor Advised Funds or Other Similar Funds or Accounts. Complete if the organization answered "Yes" on Form 990, Part IV, line 6.

Table with 2 columns: (a) Donor advised funds, (b) Funds and other accounts. Rows include: 1 Total number at end of year, 2 Aggregate value of contributions to (during year), 3 Aggregate value of grants from (during year), 4 Aggregate value at end of year, 5 Did the organization inform all donors and donor advisors in writing that the assets held in donor advised funds are the organization's property, subject to the organization's exclusive legal control? (Yes/No), 6 Did the organization inform all grantees, donors, and donor advisors in writing that grant funds can be used only for charitable purposes and not for the benefit of the donor or donor advisor, or for any other purpose conferring impermissible private benefit? (Yes/No)

Part II Conservation Easements. Complete if the organization answered "Yes" on Form 990, Part IV, line 7.

Table with 2 columns: Held at the End of the Tax Year. Rows include: 1 Purpose(s) of conservation easements held by the organization (check all that apply), 2 Complete lines 2a through 2d if the organization held a qualified conservation contribution in the form of a conservation easement on the last day of the tax year (2a Total number of conservation easements, 2b Total acreage restricted by conservation easements, 2c Number of conservation easements on a certified historic structure included in (a), 2d Number of conservation easements included in (c) acquired after 7/25/06, and not on a historic structure listed in the National Register), 3 Number of conservation easements modified, transferred, released, extinguished, or terminated by the organization during the tax year, 4 Number of states where property subject to conservation easement is located, 5 Does the organization have a written policy regarding the periodic monitoring, inspection, handling of violations, and enforcement of the conservation easements it holds? (Yes/No), 6 Staff and volunteer hours devoted to monitoring, inspecting, handling of violations, and enforcing conservation easements during the year, 7 Amount of expenses incurred in monitoring, inspecting, handling of violations, and enforcing conservation easements during the year, 8 Does each conservation easement reported on line 2(d) above satisfy the requirements of section 170(h)(4)(B)(i) and section 170(h)(4)(B)(ii)? (Yes/No), 9 In Part XIII, describe how the organization reports conservation easements in its revenue and expense statement and balance sheet, and include, if applicable, the text of the footnote to the organization's financial statements that describes the organization's accounting for conservation easements.

Part III Organizations Maintaining Collections of Art, Historical Treasures, or Other Similar Assets. Complete if the organization answered "Yes" on Form 990, Part IV, line 8.

Table with 2 columns: Revenue, Assets. Rows include: 1a If the organization elected, as permitted under FASB ASC 958, not to report in its revenue statement and balance sheet works of art, historical treasures, or other similar assets held for public exhibition, education, or research in furtherance of public service, provide in Part XIII the text of the footnote to its financial statements that describes these items. b If the organization elected, as permitted under FASB ASC 958, to report in its revenue statement and balance sheet works of art, historical treasures, or other similar assets held for public exhibition, education, or research in furtherance of public service, provide the following amounts relating to these items: (i) Revenue included on Form 990, Part VIII, line 1, (ii) Assets included in Form 990, Part X, 2 If the organization received or held works of art, historical treasures, or other similar assets for financial gain, provide the following amounts required to be reported under FASB ASC 958 relating to these items: a Revenue included on Form 990, Part VIII, line 1, b Assets included in Form 990, Part X

Part III Organizations Maintaining Collections of Art, Historical Treasures, or Other Similar Assets (continued)

- 3 Using the organization's acquisition, accession, and other records, check any of the following that make significant use of its collection items (check all that apply):
- a Public exhibition
 - b Scholarly research
 - c Preservation for future generations
 - d Loan or exchange program
 - e Other _____
- 4 Provide a description of the organization's collections and explain how they further the organization's exempt purpose in Part XIII.
- 5 During the year, did the organization solicit or receive donations of art, historical treasures, or other similar assets to be sold to raise funds rather than to be maintained as part of the organization's collection? Yes No

Part IV Escrow and Custodial Arrangements. Complete if the organization answered "Yes" on Form 990, Part IV, line 9, or reported an amount on Form 990, Part X, line 21.

- 1a Is the organization an agent, trustee, custodian or other intermediary for contributions or other assets not included on Form 990, Part X? Yes No
- b If "Yes," explain the arrangement in Part XIII and complete the following table:
- | | Amount |
|---------------------------------|--------|
| c Beginning balance | 1c |
| d Additions during the year | 1d |
| e Distributions during the year | 1e |
| f Ending balance | 1f |
- 2a Did the organization include an amount on Form 990, Part X, line 21, for escrow or custodial account liability? Yes No
- b If "Yes," explain the arrangement in Part XIII. Check here if the explanation has been provided on Part XIII

Part V Endowment Funds. Complete if the organization answered "Yes" on Form 990, Part IV, line 10.

| | (a) Current year | (b) Prior year | (c) Two years back | (d) Three years back | (e) Four years back |
|--|------------------|----------------|--------------------|----------------------|---------------------|
| 1a Beginning of year balance | 440,106,301. | 354,631,393. | 369,185,692. | 352,848,019. | 324,798,181. |
| b Contributions | 6,442,037. | 4,736,592. | 1,098,000. | 6,401,510. | 19,137,848. |
| c Net investment earnings, gains, and losses | -39,044,832. | 104,099,543. | 5,880,782. | 27,401,259. | 26,519,713. |
| d Grants or scholarships | 869,434. | 922,117. | 686,399. | 1,002,886. | 1,053,294. |
| e Other expenditures for facilities and programs | 19,506,698. | 22,439,110. | 20,846,682. | 16,462,210. | 16,554,429. |
| f Administrative expenses | | | | | |
| g End of year balance | 387,127,374. | 440,106,301. | 354,631,393. | 369,185,692. | 352,848,019. |

- 2 Provide the estimated percentage of the current year end balance (line 1g, column (a)) held as:
- a Board designated or quasi-endowment 29.9300 %
 - b Permanent endowment 52.7300 %
 - c Term endowment 17.3400 %
- The percentages on lines 2a, 2b, and 2c should equal 100%.
- 3a Are there endowment funds not in the possession of the organization that are held and administered for the organization by:
- | | Yes | No |
|---|--------------------------|-------------------------------------|
| (i) Unrelated organizations | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (ii) Related organizations | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b If "Yes" on line 3a(ii), are the related organizations listed as required on Schedule R? <input type="checkbox"/> | 3b | <input type="checkbox"/> |
- 4 Describe in Part XIII the intended uses of the organization's endowment funds.

Part VI Land, Buildings, and Equipment.

Complete if the organization answered "Yes" on Form 990, Part IV, line 11a. See Form 990, Part X, line 10.

| Description of property | (a) Cost or other basis (investment) | (b) Cost or other basis (other) | (c) Accumulated depreciation | (d) Book value |
|--|--------------------------------------|---------------------------------|------------------------------|----------------|
| 1a Land | | 9,053,130. | | 9,053,130. |
| b Buildings | | 280,293,752. | 137,869,673. | 142,424,079. |
| c Leasehold improvements | | | | |
| d Equipment | | 27,391,835. | 22,406,344. | 4,985,491. |
| e Other | | 82,933,644. | 45,553,553. | 37,380,091. |
| Total. Add lines 1a through 1e. (Column (d) must equal Form 990, Part X, column (B), line 10c.) | | | | 193,842,791. |

Part VII Investments - Other Securities.

Complete if the organization answered "Yes" on Form 990, Part IV, line 11b. See Form 990, Part X, line 12.

| (a) Description of security or category (including name of security) | (b) Book value | (c) Method of valuation: Cost or end-of-year market value |
|---|---------------------|---|
| (1) Financial derivatives | | |
| (2) Closely held equity interests | | |
| (3) Other | | |
| (A) ALTERNATIVE INVESTMENT / | | |
| (B) HEDGE FUNDS | 268,284,064. | END-OF-YEAR MARKET VALUE |
| (C) REAL ESTATE | 42,300,000. | END-OF-YEAR MARKET VALUE |
| (D) | | |
| (E) | | |
| (F) | | |
| (G) | | |
| (H) | | |
| Total. (Col. (b) must equal Form 990, Part X, col. (B) line 12.) ▶ | 310,584,064. | |

Part VIII Investments - Program Related.

Complete if the organization answered "Yes" on Form 990, Part IV, line 11c. See Form 990, Part X, line 13.

| (a) Description of investment | (b) Book value | (c) Method of valuation: Cost or end-of-year market value |
|---|----------------|---|
| (1) | | |
| (2) | | |
| (3) | | |
| (4) | | |
| (5) | | |
| (6) | | |
| (7) | | |
| (8) | | |
| (9) | | |
| Total. (Col. (b) must equal Form 990, Part X, col. (B) line 13.) ▶ | | |

Part IX Other Assets.

Complete if the organization answered "Yes" on Form 990, Part IV, line 11d. See Form 990, Part X, line 15.

| (a) Description | (b) Book value |
|---|----------------|
| (1) | |
| (2) | |
| (3) | |
| (4) | |
| (5) | |
| (6) | |
| (7) | |
| (8) | |
| (9) | |
| Total. (Column (b) must equal Form 990, Part X, col. (B) line 15.) ▶ | |

Part X Other Liabilities.

Complete if the organization answered "Yes" on Form 990, Part IV, line 11e or 11f. See Form 990, Part X, line 25.

| 1. (a) Description of liability | (b) Book value |
|---|-------------------|
| (1) Federal income taxes | |
| (2) ACCRUED VACATION LIABILITY | 1,910,286. |
| (3) CONDITIONAL ASSET RETIREMENT | |
| (4) OBLIGATION | 3,071,165. |
| (5) INTEREST RATE SWAP VALUATION | |
| (6) LIABILITY | 4,263,553. |
| (7) CAPITAL LEASE OBLIGATIONS | 188,133. |
| (8) | |
| (9) | |
| Total. (Column (b) must equal Form 990, Part X, col. (B) line 25.) ▶ | 9,433,137. |

2. Liability for uncertain tax positions. In Part XIII, provide the text of the footnote to the organization's financial statements that reports the organization's liability for uncertain tax positions under FASB ASC 740. Check here if the text of the footnote has been provided in Part XIII ...

Part XI Reconciliation of Revenue per Audited Financial Statements With Revenue per Return.

Complete if the organization answered "Yes" on Form 990, Part IV, line 12a.

| | | | | |
|---|---|----|--------------|--------------|
| 1 | Total revenue, gains, and other support per audited financial statements | | 1 | 43,154,327. |
| 2 | Amounts included on line 1 but not on Form 990, Part VIII, line 12: | | | |
| | a Net unrealized gains (losses) on investments | 2a | -58,861,408. | |
| | b Donated services and use of facilities | 2b | | |
| | c Recoveries of prior year grants | 2c | | |
| | d Other (Describe in Part XIII.) | 2d | 2,052,761. | |
| | e Add lines 2a through 2d | 2e | -56,808,647. | |
| 3 | Subtract line 2e from line 1 | | 3 | 99,962,974. |
| 4 | Amounts included on Form 990, Part VIII, line 12, but not on line 1: | | | |
| | a Investment expenses not included on Form 990, Part VIII, line 7b | 4a | 1,663,829. | |
| | b Other (Describe in Part XIII.) | 4b | | |
| | c Add lines 4a and 4b | 4c | 1,663,829. | |
| 5 | Total revenue. Add lines 3 and 4c. (This must equal Form 990, Part I, line 12.) | | 5 | 101,626,803. |

Part XII Reconciliation of Expenses per Audited Financial Statements With Expenses per Return.

Complete if the organization answered "Yes" on Form 990, Part IV, line 12a.

| | | | | |
|---|--|----|------------|-------------|
| 1 | Total expenses and losses per audited financial statements | | 1 | 95,348,167. |
| 2 | Amounts included on line 1 but not on Form 990, Part IX, line 25: | | | |
| | a Donated services and use of facilities | 2a | | |
| | b Prior year adjustments | 2b | | |
| | c Other losses | 2c | | |
| | d Other (Describe in Part XIII.) | 2d | 1,902,761. | |
| | e Add lines 2a through 2d | 2e | 1,902,761. | |
| 3 | Subtract line 2e from line 1 | | 3 | 93,445,406. |
| 4 | Amounts included on Form 990, Part IX, line 25, but not on line 1: | | | |
| | a Investment expenses not included on Form 990, Part VIII, line 7b | 4a | 1,663,829. | |
| | b Other (Describe in Part XIII.) | 4b | 222,283. | |
| | c Add lines 4a and 4b | 4c | 1,886,112. | |
| 5 | Total expenses. Add lines 3 and 4c. (This must equal Form 990, Part I, line 18.) | | 5 | 95,331,518. |

Part XIII Supplemental Information.

Provide the descriptions required for Part II, lines 3, 5, and 9; Part III, lines 1a and 4; Part IV, lines 1b and 2b; Part V, line 4; Part X, line 2; Part XI, lines 2d and 4b; and Part XII, lines 2d and 4b. Also complete this part to provide any additional information.

PART III, LINE 4:

COLLECTIONS AND RELATION TO EXEMPT PURPOSE: THE GARDEN'S COLLECTIONS

INCLUDE LIVING PLANTS, HERBARIUM SPECIMENS, ART OBJECTS, BOOKS, PRINTS, AND EPHEMERA. THE GARDEN HAS NOT CAPITALIZED THE COLLECTIONS. THE GARDEN'S COLLECTIONS ARE MAINTAINED FOR PUBLIC EXHIBITION, EDUCATION, AND RESEARCH IN FURTHERANCE OF PUBLIC SERVICE RATHER THAN FOR FINANCIAL GAIN.

COLLECTIONS ARE THE MOST VALUABLE ASSETS OF THE GARDEN AND ARE PROTECTED, KEPT UNENCUMBERED, CARED FOR, AND PRESERVED. GARDEN POLICY REQUIRES THAT PROCEEDS FROM DEACCESSIONING WILL BE USED TO EITHER ACQUIRE OTHER ITEMS OR TO PROVIDE DIRECT CARE TO EXISTING COLLECTIONS.

Part XIII Supplemental Information (continued)

PART V, LINE 4:

THE GARDEN HAS ADOPTED INVESTMENT AND SPENDING POLICIES FOR ENDOWMENT ASSETS TO PROVIDE LONGTERM CAPITAL APPRECIATION TO SUPPLY FUNDS FOR THE SPECIFIED PURPOSES FOR WHICH THE ORIGINAL ENDOWED GIFTS WERE GIVEN. THE TIME HORIZON FOR THE ENDOWMENT IS PERPETUITY. THE INVESTMENT ASSETS OF THE GARDEN ARE FULLY OUTSOURCED ON A DISCRETIONARY BASIS TO AN EXTERNAL PROFESSIONAL INVESTMENT MANAGEMENT FIRM. THE INVESTMENT COMMITTEE OF THE BOARD OF TRUSTEES HAS RESPONSIBILITY FOR SETTING THE GARDEN'S INVESTMENT POLICY STATEMENT.

PART X, LINE 2:

TAX STATUS: THE GARDEN IS A SECTION 501(C)(3) CHARITABLE ORGANIZATION EXEMPT FROM FEDERAL INCOME TAXES UNDER SECTION 501(A) OF THE US INTERNAL REVENUE CODE (IRC). IT HAS BEEN CLASSIFIED AS A PUBLICLY SUPPORTED CHARITABLE ORGANIZATION UNDER SECTION 509 (A)(1) AND QUALIFIES FOR THE MAXIMUM CHARITABLE CONTRIBUTION DEDUCTION BY DONORS. IN ADDITION, THE STATE AND THE CITY OF NEW YORK (THE "CITY") HAVE CLASSIFIED THE GARDEN AS NONPROFIT IN CHARACTER, AND AS SUCH, THE GARDEN IS EXEMPT FROM PAYMENT OF INCOME TAXES TO THE STATE AND THE CITY. FASB ASC 74010056, ACCOUNTING FOR UNCERTAINTY IN INCOME TAXES, PRESCRIBES THE MINIMUM RECOGNITION THRESHOLD A TAX POSITION MUST MEET IN CONNECTION WITH ACCOUNTING FOR UNCERTAINTIES IN INCOME TAX POSITIONS TAKEN OR EXPECTED TO BE TAKEN BY AN ENTITY BEFORE BEING MEASURED AND RECOGNIZED IN THE FINANCIAL STATEMENTS. THE GARDEN HAS REPORTED NO POTENTIAL LIABILITIES FOR UNCERTAIN TAX POSITIONS AT JUNE 30, 2021 OR 2020. ON DECEMBER 22, 2017, THE TAX CUTS AND JOBS ACT OF 2017 (THE "ACT") WAS SIGNED INTO LEGISLATION. THE ACT INCLUDES NUMEROUS CHANGES IN TAX LAW RELATED TO TAXEXEMPT ORGANIZATIONS, INCLUDING, BUT NOT LIMITED TO, A 21% EXCISE TAX ASSESSED AGAINST EXECUTIVE COMPENSATION OF COVERED

Part XIII Supplemental Information (continued)

INDIVIDUALS, UNRELATED BUSINESS INCOME TAXES ON QUALIFIED TRANSPORTATION FRINGE BENEFITS, AND A REDUCTION IN THE FEDERAL INCOME TAX RATE FOR CORPORATIONS FROM 35% TO 21%, WHICH TOOK EFFECT FOR TAXABLE YEARS BEGINNING ON OR AFTER JANUARY 1, 2018. THE GARDEN RECORDED A DEFERRED TAX ASSET (DTA) BECAUSE IT WAS DETERMINED THAT THE DTA WILL BE FULLY UTILIZED PRIOR TO THE EXPIRATION OF ITS NET OPERATING LOSSES. THESE PROVISIONS WERE CONSIDERED, AND NONE WERE IDENTIFIED THAT WOULD AFFECT THE TAXEXEMPT STATUS OF THE GARDEN AS OF JUNE 30, 2022.

PART XI, LINE 2D - OTHER ADJUSTMENTS:

| | |
|---------------------------------------|------------|
| COST OF GOODS SOLD | 2,695,218. |
| FUNDRAISING EXPENSE | -792,457. |
| OTHER | 150,000. |
| TOTAL TO SCHEDULE D, PART XI, LINE 2D | 2,052,761. |

PART XII, LINE 2D - OTHER ADJUSTMENTS:

| | |
|--|------------|
| COST OF GOODS SOLD | 2,695,218. |
| FUNDRAISING EXPENSE | -792,457. |
| TOTAL TO SCHEDULE D, PART XII, LINE 2D | 1,902,761. |

PART XII, LINE 4B - OTHER ADJUSTMENTS:

| | |
|----------------------|----------|
| DEFERRED TAX BENEFIT | 222,283. |
|----------------------|----------|

**SCHEDULE F
(Form 990)**

Department of the Treasury
Internal Revenue Service

Statement of Activities Outside the United States

▶ Complete if the organization answered "Yes" on Form 990, Part IV, line 14b, 15, or 16.

▶ Attach to Form 990.

▶ Go to www.irs.gov/Form990 for instructions and the latest information.

OMB No. 1545-0047

2021

Open to Public
Inspection

| | |
|--|---|
| Name of the organization NEW YORK BOTANICAL GARDEN | Employer identification number 13-1693134 |
|--|---|

Part I General Information on Activities Outside the United States. Complete if the organization answered "Yes" on Form 990, Part IV, line 14b.

1 For grantmakers. Does the organization maintain records to substantiate the amount of its grants and other assistance, the grantees' eligibility for the grants or assistance, and the selection criteria used to award the grants or assistance? Yes No

2 For grantmakers. Describe in Part V the organization's procedures for monitoring the use of its grants and other assistance outside the United States.

3 Activities per Region. (The following Part I, line 3 table can be duplicated if additional space is needed.)

| (a) Region | (b) Number of offices in the region | (c) Number of employees, agents, and independent contractors in the region | (d) Activities conducted in the region (by type) (such as, fundraising, program services, investments, grants to recipients located in the region) | (e) If activity listed in (d) is a program service, describe specific type of service(s) in the region | (f) Total expenditures for and investments in the region |
|---|-------------------------------------|--|--|--|--|
| CENTRAL AMERICA AND THE CARIBBEAN | | | INVESTMENTS | | 32,025,248. |
| EUROPE (INCLUDING ICELAND & GREENLAND) | | | INVESTMENTS | | 3,793,930. |
| EAST ASIA AND THE PACIFIC | | | PROGRAM SERVICES | SERVICE PROVIDERS | 90,165. |
| EUROPE (INCLUDING ICELAND & GREENLAND) | | | PROGRAM SERVICES | SERVICE PROVIDERS | 19,512. |
| EUROPE (INCLUDING ICELAND & GREENLAND) | | | PROGRAM SERVICES | MERCHANDISE VENDOR | 53,556. |
| SOUTH AMERICA | | | PROGRAM SERVICES | SERVICE PROVIDERS | 137,658. |
| NORTH AMERICA | | | PROGRAM SERVICES | SERVICE PROVIDERS | 66,044. |
| EAST ASIA AND THE PACIFIC | | | PROGRAM SERVICES | MERCHANDISE VENDOR | 733. |
| 3 a Subtotal | 0 | 0 | | | 36,186,846. |
| b Total from continuation sheets to Part I | 0 | 0 | | | 111,285. |
| c Totals (add lines 3a and 3b) | 0 | 0 | | | 36,298,131. |

LHA For Paperwork Reduction Act Notice, see the Instructions for Form 990.

Schedule F (Form 990) 2021

Part IV Foreign Forms

- 1** Was the organization a U.S. transferor of property to a foreign corporation during the tax year? *If "Yes," the organization may be required to file Form 926, Return by a U.S. Transferor of Property to a Foreign Corporation (see Instructions for Form 926)* Yes No
- 2** Did the organization have an interest in a foreign trust during the tax year? *If "Yes," the organization may be required to separately file Form 3520, Annual Return To Report Transactions With Foreign Trusts and Receipt of Certain Foreign Gifts, and/or Form 3520-A, Annual Information Return of Foreign Trust With a U.S. Owner (see Instructions for Forms 3520 and 3520-A; don't file with Form 990)* Yes No
- 3** Did the organization have an ownership interest in a foreign corporation during the tax year? *If "Yes," the organization may be required to file Form 5471, Information Return of U.S. Persons With Respect to Certain Foreign Corporations (see Instructions for Form 5471)* Yes No
- 4** Was the organization a direct or indirect shareholder of a passive foreign investment company or a qualified electing fund during the tax year? *If "Yes," the organization may be required to file Form 8621, Information Return by a Shareholder of a Passive Foreign Investment Company or Qualified Electing Fund (see Instructions for Form 8621)* Yes No
- 5** Did the organization have an ownership interest in a foreign partnership during the tax year? *If "Yes," the organization may be required to file Form 8865, Return of U.S. Persons With Respect to Certain Foreign Partnerships (see Instructions for Form 8865)* Yes No
- 6** Did the organization have any operations in or related to any boycotting countries during the tax year? *If "Yes," the organization may be required to separately file Form 5713, International Boycott Report (see Instructions for Form 5713; don't file with Form 990)* Yes No

Part V Supplemental Information

Provide the information required by Part I, line 2 (monitoring of funds); Part I, line 3, column (f) (accounting method; amounts of investments vs. expenditures per region); Part II, line 1 (accounting method); Part III (accounting method); and Part III, column (c) (estimated number of recipients), as applicable. Also complete this part to provide any additional information. See instructions.

PART I, LINE 3:

ACCRUAL METHOD

SCHEDULE F, PART II AND PART III

ACCRUAL METHOD OF ACCOUNTING USED TO DETERMINE AMOUNT TO DISCLOSE FOR CASH GRANTS.

**SCHEDULE G
(Form 990)**

Supplemental Information Regarding Fundraising or Gaming Activities

OMB No. 1545-0047

Complete if the organization answered "Yes" on Form 990, Part IV, line 17, 18, or 19, or if the organization entered more than \$15,000 on Form 990-EZ, line 6a.

2021

Open to Public Inspection

Department of the Treasury
Internal Revenue Service

▶ Attach to Form 990 or Form 990-EZ.

▶ Go to www.irs.gov/Form990 for instructions and the latest information.

Name of the organization **NEW YORK BOTANICAL GARDEN** Employer identification number **13-1693134**

Part I Fundraising Activities. Complete if the organization answered "Yes" on Form 990, Part IV, line 17. Form 990-EZ filers are not required to complete this part.

- 1 Indicate whether the organization raised funds through any of the following activities. Check all that apply.
- a Mail solicitations
 - b Internet and email solicitations
 - c Phone solicitations
 - d In-person solicitations
 - e Solicitation of non-government grants
 - f Solicitation of government grants
 - g Special fundraising events
- 2 a Did the organization have a written or oral agreement with any individual (including officers, directors, trustees, or key employees listed in Form 990, Part VII) or entity in connection with professional fundraising services? Yes No
- b If "Yes," list the 10 highest paid individuals or entities (fundraisers) pursuant to agreements under which the fundraiser is to be compensated at least \$5,000 by the organization.

| (i) Name and address of individual or entity (fundraiser) | (ii) Activity | (iii) Did fundraiser have custody or control of contributions? | | (iv) Gross receipts from activity | (v) Amount paid to (or retained by) fundraiser listed in col. (i) | (vi) Amount paid to (or retained by) organization |
|--|-------------------|--|----|-----------------------------------|---|---|
| | | Yes | No | | | |
| BUCKLEY HALL EVENTS - 17-19 MARBLE AVENUE, PLEASANTVILLE, | CONSERVATORY BALL | | X | 1,016,531. | 66,031. | 950,500. |
| BUCKLEY HALL EVENTS - 17-19 MARBLE AVENUE, PLEASANTVILLE, | ALL OTHER EVENTS | | X | 812,286. | 61,334. | 750,952. |
| BUCKLEY HALL EVENTS - 17-19 MARBLE AVENUE, PLEASANTVILLE, | ROSE DINNER | | X | 577,505. | 48,248. | 529,257. |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| Total | | | | 2,406,322. | 175,613. | 2,230,709. |

- 3 List all states in which the organization is registered or licensed to solicit contributions or has been notified it is exempt from registration or licensing.
- AK, AL, AR, CO, CT, FL, HI, IL, KS, MA, ME, MI, MN, NC, NJ, NV, NY, OH, OK, PA, RI, SC, TN, UT, VA, WA, WI, WV

Part II Fundraising Events. Complete if the organization answered "Yes" on Form 990, Part IV, line 18, or reported more than \$15,000 of fundraising event contributions and gross income on Form 990-EZ, lines 1 and 6b. List events with gross receipts greater than \$5,000.

| | | (a) Event #1 | (b) Event #2 | (c) Other events | (d) Total events | |
|-----------------|--|---|--------------|------------------|---------------------------------|------------|
| | | CONSERVATORY BALL | ROSE DINNER | 2 | (add col. (a) through col. (c)) | |
| | | (event type) | (event type) | (total number) | | |
| Revenue | 1 | Gross receipts | 1,016,531. | 577,505. | 812,286. | 2,406,322. |
| | 2 | Less: Contributions | 864,051. | 490,879. | 690,443. | 2,045,373. |
| | 3 | Gross income (line 1 minus line 2) | 152,480. | 86,626. | 121,843. | 360,949. |
| Direct Expenses | 4 | Cash prizes | | | | |
| | 5 | Noncash prizes | | | | |
| | 6 | Rent/facility costs | | | | |
| | 7 | Food and beverages | | | | |
| | 8 | Entertainment | | | | |
| | 9 | Other direct expenses | 472,537. | 165,628. | 390,359. | 1,028,524. |
| | 10 | Direct expense summary. Add lines 4 through 9 in column (d) | | | | 1,028,524. |
| 11 | Net income summary. Subtract line 10 from line 3, column (d) | | | | -667,575. | |

Part III Gaming. Complete if the organization answered "Yes" on Form 990, Part IV, line 19, or reported more than \$15,000 on Form 990-EZ, line 6a.

| | | (a) Bingo | (b) Pull tabs/instant bingo/progressive bingo | (c) Other gaming | (d) Total gaming (add col. (a) through col. (c)) |
|-----------------|---|--|---|---|---|
| Revenue | 1 | Gross revenue | | | |
| Direct Expenses | 2 | Cash prizes | | | |
| | 3 | Noncash prizes | | | |
| | 4 | Rent/facility costs | | | |
| | 5 | Other direct expenses | | | |
| | 6 | Volunteer labor | <input type="checkbox"/> Yes _____ % <input type="checkbox"/> No | <input type="checkbox"/> Yes _____ % <input type="checkbox"/> No | <input type="checkbox"/> Yes _____ % <input type="checkbox"/> No |
| | 7 | Direct expense summary. Add lines 2 through 5 in column (d) | | | |
| | 8 | Net gaming income summary. Subtract line 7 from line 1, column (d) | | | |

9 Enter the state(s) in which the organization conducts gaming activities: _____

a Is the organization licensed to conduct gaming activities in each of these states? Yes No

b If "No," explain: _____

10a Were any of the organization's gaming licenses revoked, suspended, or terminated during the tax year? Yes No

b If "Yes," explain: _____

- 11 Does the organization conduct gaming activities with nonmembers? Yes No
- 12 Is the organization a grantor, beneficiary or trustee of a trust, or a member of a partnership or other entity formed to administer charitable gaming? Yes No
- 13 Indicate the percentage of gaming activity conducted in:

| | | |
|-------------------------------|-----|---|
| a The organization's facility | 13a | % |
| b An outside facility | 13b | % |
- 14 Enter the name and address of the person who prepares the organization's gaming/special events books and records:

Name ▶ _____

Address ▶ _____

- 15a Does the organization have a contract with a third party from whom the organization receives gaming revenue? Yes No
- b If "Yes," enter the amount of gaming revenue received by the organization ▶ \$ _____ and the amount of gaming revenue retained by the third party ▶ \$ _____
- c If "Yes," enter name and address of the third party:

Name ▶ _____

Address ▶ _____

16 Gaming manager information:

Name ▶ _____

Gaming manager compensation ▶ \$ _____

Description of services provided ▶ _____

- Director/officer
- Employee
- Independent contractor

17 Mandatory distributions:

- a Is the organization required under state law to make charitable distributions from the gaming proceeds to retain the state gaming license? Yes No
- b Enter the amount of distributions required under state law to be distributed to other exempt organizations or spent in the organization's own exempt activities during the tax year ▶ \$ _____

Part IV Supplemental Information. Provide the explanations required by Part I, line 2b, columns (iii) and (v); and Part III, lines 9, 9b, 10b, 15b, 15c, 16, and 17b, as applicable. Also provide any additional information. See instructions.

SCHEDULE G, PART I, LINE 2B, LIST OF TEN HIGHEST PAID FUNDRAISERS:

(I) NAME OF FUNDRAISER: BUCKLEY HALL EVENTS

(I) ADDRESS OF FUNDRAISER: 17-19 MARBLE AVENUE, PLEASANTVILLE, NY 10570

(I) NAME OF FUNDRAISER: BUCKLEY HALL EVENTS

(I) ADDRESS OF FUNDRAISER: 17-19 MARBLE AVENUE, PLEASANTVILLE, NY 10570

(I) NAME OF FUNDRAISER: BUCKLEY HALL EVENTS

**SCHEDULE J
(Form 990)**

Department of the Treasury
Internal Revenue Service

Compensation Information

For certain Officers, Directors, Trustees, Key Employees, and Highest Compensated Employees
 ▶ Complete if the organization answered "Yes" on Form 990, Part IV, line 23.
 ▶ Attach to Form 990.
 ▶ Go to www.irs.gov/Form990 for instructions and the latest information.

OMB No. 1545-0047

2021

Open to Public Inspection

Name of the organization

NEW YORK BOTANICAL GARDEN

Employer identification number

13-1693134

Part I Questions Regarding Compensation

1a Check the appropriate box(es) if the organization provided any of the following to or for a person listed on Form 990, Part VII, Section A, line 1a. Complete Part III to provide any relevant information regarding these items.

- | | |
|--|--|
| <input type="checkbox"/> First-class or charter travel | <input type="checkbox"/> Housing allowance or residence for personal use |
| <input type="checkbox"/> Travel for companions | <input type="checkbox"/> Payments for business use of personal residence |
| <input type="checkbox"/> Tax indemnification and gross-up payments | <input type="checkbox"/> Health or social club dues or initiation fees |
| <input type="checkbox"/> Discretionary spending account | <input type="checkbox"/> Personal services (such as maid, chauffeur, chef) |

b If any of the boxes on line 1a are checked, did the organization follow a written policy regarding payment or reimbursement or provision of all of the expenses described above? If "No," complete Part III to explain

2 Did the organization require substantiation prior to reimbursing or allowing expenses incurred by all directors, trustees, and officers, including the CEO/Executive Director, regarding the items checked on line 1a?

3 Indicate which, if any, of the following the organization used to establish the compensation of the organization's CEO/Executive Director. Check all that apply. Do not check any boxes for methods used by a related organization to establish compensation of the CEO/Executive Director, but explain in Part III.

- | | |
|---|---|
| <input checked="" type="checkbox"/> Compensation committee | <input checked="" type="checkbox"/> Written employment contract |
| <input type="checkbox"/> Independent compensation consultant | <input checked="" type="checkbox"/> Compensation survey or study |
| <input checked="" type="checkbox"/> Form 990 of other organizations | <input checked="" type="checkbox"/> Approval by the board or compensation committee |

4 During the year, did any person listed on Form 990, Part VII, Section A, line 1a, with respect to the filing organization or a related organization:

- a** Receive a severance payment or change-of-control payment?
- b** Participate in or receive payment from a supplemental nonqualified retirement plan?
- c** Participate in or receive payment from an equity-based compensation arrangement?
- If "Yes" to any of lines 4a-c, list the persons and provide the applicable amounts for each item in Part III.

Only section 501(c)(3), 501(c)(4), and 501(c)(29) organizations must complete lines 5-9.

5 For persons listed on Form 990, Part VII, Section A, line 1a, did the organization pay or accrue any compensation contingent on the revenues of:

- a** The organization?
- b** Any related organization?
- If "Yes" on line 5a or 5b, describe in Part III.

6 For persons listed on Form 990, Part VII, Section A, line 1a, did the organization pay or accrue any compensation contingent on the net earnings of:

- a** The organization?
- b** Any related organization?
- If "Yes" on line 6a or 6b, describe in Part III.

7 For persons listed on Form 990, Part VII, Section A, line 1a, did the organization provide any nonfixed payments not described on lines 5 and 6? If "Yes," describe in Part III

8 Were any amounts reported on Form 990, Part VII, paid or accrued pursuant to a contract that was subject to the initial contract exception described in Regulations section 53.4958-4(a)(3)? If "Yes," describe in Part III

9 If "Yes" on line 8, did the organization also follow the rebuttable presumption procedure described in Regulations section 53.4958-6(c)?

| | Yes | No |
|-----------|-----|----|
| 1b | | |
| 2 | | |
| 4a | X | |
| 4b | | X |
| 4c | | X |
| 5a | | X |
| 5b | | X |
| 6a | | X |
| 6b | | X |
| 7 | | X |
| 8 | | X |
| 9 | | |

LHA For Paperwork Reduction Act Notice, see the Instructions for Form 990.

Schedule J (Form 990) 2021

Part II Officers, Directors, Trustees, Key Employees, and Highest Compensated Employees. Use duplicate copies if additional space is needed.

For each individual whose compensation must be reported on Schedule J, report compensation from the organization on row (i) and from related organizations, described in the instructions, on row (ii). Do not list any individuals that aren't listed on Form 990, Part VII.

Note: The sum of columns (B)(i)-(iii) for each listed individual must equal the total amount of Form 990, Part VII, Section A, line 1a, applicable column (D) and (E) amounts for that individual.

| (A) Name and Title | | (B) Breakdown of W-2 and/or 1099-MISC and/or 1099-NEC compensation | | | (C) Retirement and other deferred compensation | (D) Nontaxable benefits | (E) Total of columns (B)(i)-(D) | (F) Compensation in column (B) reported as deferred on prior Form 990 |
|--|------|--|-------------------------------------|-------------------------------------|--|-------------------------|---------------------------------|---|
| | | (i) Base compensation | (ii) Bonus & incentive compensation | (iii) Other reportable compensation | | | | |
| (1) JOSEPH V. COSSABOOM (END 8/21) INTERIM CEO | (i) | 653,269. | 0. | 216,985. | 21,439. | 25,175. | 916,868. | 0. |
| | (ii) | 0. | 0. | 0. | 0. | 0. | 0. | 0. |
| (2) JOHN LANDI (END 8/21) CHIEF ADVANCEMENT OFFICER | (i) | 673,517. | 0. | 0. | 18,778. | 22,050. | 714,345. | 0. |
| | (ii) | 0. | 0. | 0. | 0. | 0. | 0. | 0. |
| (3) CARRIE REBORA BARRATT (END 7/20) FORMER CEO | (i) | 0. | 0. | 500,000. | 0. | 0. | 500,000. | 500,000. |
| | (ii) | 0. | 0. | 0. | 0. | 0. | 0. | 0. |
| (4) LAUREN TURCHIO COO | (i) | 410,646. | 0. | 0. | 32,190. | 37,800. | 480,636. | 0. |
| | (ii) | 0. | 0. | 0. | 0. | 0. | 0. | 0. |
| (5) SARAH GILLMAN CHIEF FINANCIAL OFFICER | (i) | 328,141. | 0. | 0. | 32,190. | 37,800. | 398,131. | 0. |
| | (ii) | 0. | 0. | 0. | 0. | 0. | 0. | 0. |
| (6) CHRISTIAN KECK VP OF IT | (i) | 304,724. | 0. | 0. | 32,190. | 37,800. | 374,714. | 0. |
| | (ii) | 0. | 0. | 0. | 0. | 0. | 0. | 0. |
| (7) JUSTIN JAMAIL GENERAL COUNSEL | (i) | 280,307. | 0. | 0. | 31,114. | 37,800. | 349,221. | 0. |
| | (ii) | 0. | 0. | 0. | 0. | 0. | 0. | 0. |
| (8) TODD FORREST VP FOR HORTICULTURE AND LIVING COLLEGE | (i) | 275,928. | 0. | 0. | 30,628. | 37,800. | 344,356. | 0. |
| | (ii) | 0. | 0. | 0. | 0. | 0. | 0. | 0. |
| (9) URSULA HOSKINS VP CAPITAL PROJECTS | (i) | 266,271. | 0. | 0. | 29,556. | 37,800. | 333,627. | 0. |
| | (ii) | 0. | 0. | 0. | 0. | 0. | 0. | 0. |
| (10) NATHAN URBACH INTERIM CHIEF ADVANCEMENT OFFICER | (i) | 260,005. | 0. | 0. | 28,861. | 37,800. | 326,666. | 0. |
| | (ii) | 0. | 0. | 0. | 0. | 0. | 0. | 0. |
| (11) BARBARA CORCORAN SENIOR PROGRAMMING ADVISOR | (i) | 243,936. | 0. | 0. | 27,077. | 37,800. | 308,813. | 0. |
| | (ii) | 0. | 0. | 0. | 0. | 0. | 0. | 0. |
| (12) MARCI SILVERMAN VP FOR MEMBERSHIP AND VISITOR EXPERIENCE | (i) | 225,019. | 0. | 0. | 24,977. | 34,428. | 284,424. | 0. |
| | (ii) | 0. | 0. | 0. | 0. | 0. | 0. | 0. |
| (13) JENNIFER BERNSTEIN (START 9/21) CEO | (i) | 190,240. | 0. | 0. | 0. | 8,989. | 199,229. | 0. |
| | (ii) | 0. | 0. | 0. | 0. | 0. | 0. | 0. |
| (14) GREGORY LONG FORMER CEO | (i) | 135,159. | 0. | 0. | 0. | 0. | 135,159. | 0. |
| | (ii) | 0. | 0. | 0. | 0. | 0. | 0. | 0. |
| | (i) | | | | | | | |
| | (ii) | | | | | | | |
| | (i) | | | | | | | |
| | (ii) | | | | | | | |

Part III Supplemental Information

Provide the information, explanation, or descriptions required for Part I, lines 1a, 1b, 3, 4a, 4b, 4c, 5a, 5b, 6a, 6b, 7, and 8, and for Part II. Also complete this part for any additional information.

PART I, LINE 4A:

CARRIE REBORA BARRATT, FORMER CEO, RECEIVED A SEPARATION PAYMENT OF
\$500,000 DURING THE CALENDAR YEAR 2021.

JOSEPH COSSABOOM, FORMER INTERIM PRESIDENT, RECEIVED A SEPARATION PAYMENT
OF \$307,519 DURING THE CALENDAR YEAR 2021

PART II

THE NEW YORK BOTANICAL GARDEN HAS A FORMAL PROCEDURE AND SIGN-OFF
PROCESS FOR REVIEW OF EXECUTIVE COMPENSATION.

PART II, LINES 2 - 10

COMPENSATION FOR OTHER OFFICERS AND KEY EMPLOYEES IS BASED ON
INSTITUTIONAL SALARY COMPARISONS CONDUCTED BY THE GARDEN'S HUMAN
RESOURCES OFFICE, WHICH REVIEWS SALARIES PAID BY COMPARABLE
ORGANIZATIONS TO THEIR OFFICERS AND KEY EMPLOYEES. THE COMPENSATION
COMMITTEE PERIODICALLY REVIEWS THE COMPENSATION LEVELS OF THESE
EMPLOYEES. MERIT INCREASES ARE BASED ON A FORMAL PERFORMANCE EVALUATION
PROCESS AND APPROVED BY THE PRESIDENT & CEO.

Part III Supplemental Information

Provide the information, explanation, or descriptions required for Part I, lines 1a, 1b, 3, 4a, 4b, 4c, 5a, 5b, 6a, 6b, 7, and 8, and for Part II. Also complete this part for any additional information.

PART I, LINE 3

COMPENSATION FOR THE PRESIDENT & CEO AND CERTAIN OTHER KEY EMPLOYEES INCLUDES A REVIEW AND APPROVAL BY THE COMPENSATION COMMITTEE OF NYBG'S BOARD OF TRUSTEES. THE MEMBERS OF THE COMPENSATION COMMITTEE ARE ALL INDEPENDENT VOTING MEMBERS OF THE ORGANIZATION'S GOVERNING BODY. THE PRESIDENT & CEO AND OTHER OFFICERS MAY BE PRESENT AT MEETINGS OF THE COMPENSATION COMMITTEE EXCEPT WHERE THE COMPENSATION OF SUCH EMPLOYEES IS UNDER REVIEW. THE COMPENSATION COMMITTEE OBTAINS AND REVIEWS COMPARABILITY DATA WITH RESPECT TO COMPENSATION LEVELS PAID FOR COMPARABLE JOB POSITIONS OBTAINED THROUGH THE ASSISTANCE OF AN EXPERT COMPENSATION CONSULTANT WHEN APPROPRIATE, INCLUDING FORM 990 DATA FROM OTHER LEADING MUSEUMS AND CULTURAL AND EDUCATION INSTITUTIONS, AS WELL AS FOR PROFIT INSTITUTIONS WITH WHICH NYBG MAY COMPETE FOR STAFF. THE DELIBERATIONS, DECISIONS, AND BASIS OF DECISIONS MADE BY THE COMPENSATION COMMITTEE ARE CONTEMPORANEOUSLY SUBSTANTIATED AND DOCUMENTED IN MINUTES OF APPLICABLE MEETINGS.

PART II, LINE 2

THE DIRECTOR OF THE GARDEN'S COMPENSATION IS APPROVED BY THE

Part III Supplemental Information

Provide the information, explanation, or descriptions required for Part I, lines 1a, 1b, 3, 4a, 4b, 4c, 5a, 5b, 6a, 6b, 7, and 8, and for Part II. Also complete this part for any additional information.

COMPENSATION COMMITTEE OF THE BOARD OF TRUSTEES. THE DIRECTOR OF THE
GARDEN'S COMPENSATION WAS REVIEWED BY THE COMPENSATION COMMITTEE, ALONG
WITH APPROPRIATE COMPARABILITY DATA, AND WAS DETERMINED BY THE
COMMITTEE TO BE REASONABLE.

Supplemental Information on Tax-Exempt Bonds

▶ **Complete if the organization answered "Yes" on Form 990, Part IV, line 24a. Provide descriptions, explanations, and any additional information in Part VI.**
▶ **Attach to Form 990.** ▶ **Go to www.irs.gov/Form990 for instructions and the latest information.**

Name of the organization **NEW YORK BOTANICAL GARDEN** Employer identification number **13-1693134**

| Part I Bond Issues | | | | | | | | | | | |
|---------------------------------------|----------------|-------------|-----------------|-----------------|----------------------------|--------------|----|-------------------------|----|----------------------|----|
| (a) Issuer name | (b) Issuer EIN | (c) CUSIP # | (d) Date issued | (e) Issue price | (f) Description of purpose | (g) Defeased | | (h) On behalf of issuer | | (i) Pooled financing | |
| | | | | | | Yes | No | Yes | No | Yes | No |
| A TRUST FOR CULTURAL RESOURCES | 13-1693134 | 649717QE8 | 08/14/09 | 68090000. | SEE PART IV | | X | | X | | X |
| B | | | | | | | | | | | |
| C | | | | | | | | | | | |
| D | | | | | | | | | | | |

| Part II Proceeds | | | | | | | | | | |
|--|-------------|----|-----|----|-----|----|-----|----|-----|----|
| | A | | B | | C | | D | | | |
| 1 Amount of bonds retired | | | | | | | | | | |
| 2 Amount of bonds legally defeased | | | | | | | | | | |
| 3 Total proceeds of issue | 68,090,000. | | | | | | | | | |
| 4 Gross proceeds in reserve funds | | | | | | | | | | |
| 5 Capitalized interest from proceeds | | | | | | | | | | |
| 6 Proceeds in refunding escrows | | | | | | | | | | |
| 7 Issuance costs from proceeds | 948,080. | | | | | | | | | |
| 8 Credit enhancement from proceeds | | | | | | | | | | |
| 9 Working capital expenditures from proceeds | | | | | | | | | | |
| 10 Capital expenditures from proceeds | | | | | | | | | | |
| 11 Other spent proceeds | 67,141,920. | | | | | | | | | |
| 12 Other unspent proceeds | | | | | | | | | | |
| 13 Year of substantial completion | | | | | | | | | | |
| | Yes | No | Yes | No | Yes | No | Yes | No | Yes | No |
| 14 Were the bonds issued as part of a refunding issue of tax-exempt bonds (or, if issued prior to 2018, a current refunding issue)? | X | | | | | | | | | |
| 15 Were the bonds issued as part of a refunding issue of taxable bonds (or, if issued prior to 2018, an advance refunding issue)? | | X | | | | | | | | |
| 16 Has the final allocation of proceeds been made? | X | | | | | | | | | |
| 17 Does the organization maintain adequate books and records to support the final allocation of proceeds? | X | | | | | | | | | |

Part III Private Business Use

| | A | | B | | C | | D | |
|---|-----|----|-----|----|-----|----|-----|----|
| | Yes | No | Yes | No | Yes | No | Yes | No |
| 1 Was the organization a partner in a partnership, or a member of an LLC, which owned property financed by tax-exempt bonds? | | X | | | | | | |
| 2 Are there any lease arrangements that may result in private business use of bond-financed property? | | X | | | | | | |
| 3a Are there any management or service contracts that may result in private business use of bond-financed property? | | X | | | | | | |
| b If "Yes" to line 3a, does the organization routinely engage bond counsel or other outside counsel to review any management or service contracts relating to the financed property? | | | | | | | | |
| c Are there any research agreements that may result in private business use of bond-financed property? | | X | | | | | | |
| d If "Yes" to line 3c, does the organization routinely engage bond counsel or other outside counsel to review any research agreements relating to the financed property? ... | | | | | | | | |
| 4 Enter the percentage of financed property used in a private business use by entities other than a section 501(c)(3) organization or a state or local government | | | | | | | | |
| 5 Enter the percentage of financed property used in a private business use as a result of unrelated trade or business activity carried on by your organization, another section 501(c)(3) organization, or a state or local government | | | | | | | | |
| 6 Total of lines 4 and 5 | | | | | | | | |
| 7 Does the bond issue meet the private security or payment test? | | X | | | | | | |
| 8a Has there been a sale or disposition of any of the bond-financed property to a non-governmental person other than a 501(c)(3) organization since the bonds were issued? | | X | | | | | | |
| b If "Yes" to line 8a, enter the percentage of bond-financed property sold or disposed of | | | | | | | | |
| c If "Yes" to line 8a, was any remedial action taken pursuant to Regulations sections 1.141-12 and 1.145-2? | | | | | | | | |
| 9 Has the organization established written procedures to ensure that all nonqualified bonds of the issue are remediated in accordance with the requirements under Regulations sections 1.141-12 and 1.145-2? | | X | | | | | | |

Part IV Arbitrage

| | A | | B | | C | | D | |
|---|-----|----|-----|----|-----|----|-----|----|
| | Yes | No | Yes | No | Yes | No | Yes | No |
| 1 Has the issuer filed Form 8038-T, Arbitrage Rebate, Yield Reduction and Penalty in Lieu of Arbitrage Rebate? | | X | | | | | | |
| 2 If "No" to line 1, did the following apply? | | | | | | | | |
| a Rebate not due yet? | | X | | | | | | |
| b Exception to rebate? | | X | | | | | | |
| c No rebate due? | | X | | | | | | |
| If "Yes" to line 2c, provide in Part VI the date the rebate computation was performed | | | | | | | | |
| 3 Is the bond issue a variable rate issue? | X | | | | | | | |

| | A | | B | | C | | D | |
|--|-----|----|-----|----|-----|----|-----|----|
| | Yes | No | Yes | No | Yes | No | Yes | No |
| 4a Has the organization or the governmental issuer entered into a qualified hedge with respect to the bond issue? | X | | | | | | | |
| b Name of provider | | | | | | | | |
| c Term of hedge | | | | | | | | |
| d Was the hedge superintegrated? | | X | | | | | | |
| e Was the hedge terminated? | | X | | | | | | |
| 5a Were gross proceeds invested in a guaranteed investment contract (GIC)? | | X | | | | | | |
| b Name of provider | | | | | | | | |
| c Term of GIC | | | | | | | | |
| d Was the regulatory safe harbor for establishing the fair market value of the GIC satisfied? | | | | | | | | |
| 6 Were any gross proceeds invested beyond an available temporary period? | | X | | | | | | |
| 7 Has the organization established written procedures to monitor the requirements of section 148? | | X | | | | | | |

| | A | | B | | C | | D | |
|---|-----|----|-----|----|-----|----|-----|----|
| | Yes | No | Yes | No | Yes | No | Yes | No |
| Has the organization established written procedures to ensure that violations of federal tax requirements are timely identified and corrected through the voluntary closing agreement program if self-remediation isn't available under applicable regulations? | | X | | | | | | |

Part VI Supplemental Information. Provide additional information for responses to questions on Schedule K. See instructions.

SCHEDULE K, PART I, COLUMN F - PURPOSE OF ISSUE DESCRIPTION
TRUST FOR CULTURE RESOURCES:

PROCEEDS OF THE BOND WERE USED TO REPAY A BRIDGE LOAN FROM JP MORGAN CHASE BANK, ORIGINATED IN 2008, FOR THE PURPOSE OF REDEEMING THEN OUTSTANDING TAX-EXEMPT BONDS WHICH HAD BEEN ISSUED IN 2002 AND 2006.

**SCHEDULE M
(Form 990)**

Noncash Contributions

OMB No. 1545-0047

2021

Open to Public Inspection

Department of the Treasury
Internal Revenue Service

- ▶ Complete if the organizations answered "Yes" on Form 990, Part IV, lines 29 or 30.
- ▶ Attach to Form 990.
- ▶ Go to www.irs.gov/Form990 for instructions and the latest information.

Name of the organization **NEW YORK BOTANICAL GARDEN** Employer identification number **13-1693134**

| Part I Types of Property | (a) Check if applicable | (b) Number of contributions or items contributed | (c) Noncash contribution amounts reported on Form 990, Part VIII, line 1g | (d) Method of determining noncash contribution amounts |
|--|----------------------------|---|--|---|
| 1 Art - Works of art | | | | |
| 2 Art - Historical treasures | | | | |
| 3 Art - Fractional interests | | | | |
| 4 Books and publications | | | | |
| 5 Clothing and household goods | | | | |
| 6 Cars and other vehicles | | | | |
| 7 Boats and planes | | | | |
| 8 Intellectual property | | | | |
| 9 Securities - Publicly traded | X | 27 | 1,904,479. | COST OR SELLING PRIC |
| 10 Securities - Closely held stock | | | | |
| 11 Securities - Partnership, LLC, or trust interests | | | | |
| 12 Securities - Miscellaneous | | | | |
| 13 Qualified conservation contribution - Historic structures | | | | |
| 14 Qualified conservation contribution - Other | | | | |
| 15 Real estate - Residential | | | | |
| 16 Real estate - Commercial | | | | |
| 17 Real estate - Other | | | | |
| 18 Collectibles | | | | |
| 19 Food inventory | | | | |
| 20 Drugs and medical supplies | | | | |
| 21 Taxidermy | | | | |
| 22 Historical artifacts | | | | |
| 23 Scientific specimens | | | | |
| 24 Archeological artifacts | | | | |
| 25 Other ▶ (_____) | | | | |
| 26 Other ▶ (_____) | | | | |
| 27 Other ▶ (_____) | | | | |
| 28 Other ▶ (_____) | | | | |

29 Number of Forms 8283 received by the organization during the tax year for contributions for which the organization completed Form 8283, Part V, Donee Acknowledgement **29**

| | Yes | No |
|---|-----|----|
| 30a During the year, did the organization receive by contribution any property reported in Part I, lines 1 through 28, that it must hold for at least three years from the date of the initial contribution, and which isn't required to be used for exempt purposes for the entire holding period? | | X |
| b If "Yes," describe the arrangement in Part II. | | |
| 31 Does the organization have a gift acceptance policy that requires the review of any nonstandard contributions? | | X |
| 32a Does the organization hire or use third parties or related organizations to solicit, process, or sell noncash contributions? | | X |
| b If "Yes," describe in Part II. | | |
| 33 If the organization didn't report an amount in column (c) for a type of property for which column (a) is checked, describe in Part II. | | |

**SCHEDULE O
(Form 990)**

Department of the Treasury
Internal Revenue Service

Supplemental Information to Form 990 or 990-EZ

Complete to provide information for responses to specific questions on
Form 990 or 990-EZ or to provide any additional information.

▶ Attach to Form 990 or Form 990-EZ.

▶ Go to www.irs.gov/Form990 for the latest information.

OMB No. 1545-0047

2021

Open to Public
Inspection

Name of the organization

NEW YORK BOTANICAL GARDEN

Employer identification number

13-1693134

FORM 990, PART I, LINE 1, DESCRIPTION OF ORGANIZATION MISSION:

USES. IT IS THE GARDEN'S MISSION TO IMPROVE PUBLIC UNDERSTANDING OF THE
NATURAL WORLD, HORTICULTURE, AND THE RELATIONSHIPS BETWEEN PLANTS AND
PEOPLE. IT IS ALSO THE GARDEN'S MISSION TO EXPAND HUMANITY'S KNOWLEDGE
OF PLANTS AND HOW THEY ARE UTILIZED.

FORM 990, PART III, LINE 1, DESCRIPTION OF ORGANIZATION MISSION:

IT IS ALSO THE GARDEN'S MISSION TO EXPAND HUMANITY'S KNOWLEDGE OF
PLANTS AND HOW THEY ARE UTILIZED.

FORM 990, PART III, LINE 4D, OTHER PROGRAM SERVICES:

AUXILIARY SERVICES PROVIDE SERVICES AND AMENITIES FOR THE CONVENIENCE
OF THE VISITING PUBLIC.

EXPENSES \$ 10,717,076. INCL GRANTS OF \$ 32,198. REVENUE \$ 12,160,902.

FORM 990, PART VI, SECTION A, LINE 2:

WILSON NOLEN (TRUSTEE) AND MALCOLM NOLEN (TRUSTEE) HAVE A FAMILY
RELATIONSHIP.

FORM 990, PART VI, SECTION A, LINE 7A:

THE NEW YORK BOTANICAL GARDEN WAS FORMED IN 1891 AS A MEMBERSHIP
CORPORATION. MEMBERSHIP ELECTS TRUSTEES AT THE ANNUAL MEETINGS.

FORM 990, PART VI, SECTION B, LINE 11B:

NYBG'S 990 IS PREPARED BY THE CONTROLLER IN CONSULTATION WITH OTHER
OFFICERS AND STAFF AS WELL AS OUTSIDE TAX ADVISORS. THE DRAFT IS REVIEWED

LHA For Paperwork Reduction Act Notice, see the Instructions for Form 990 or 990-EZ.

Schedule O (Form 990) 2021

| | |
|---|--|
| Name of the organization NEW YORK BOTANICAL GARDEN | Employer identification number 13-1693134 |
|---|--|

BY THE CHIEF FINANCIAL OFFICER, THE CHIEF OPERATING OFFICER, THE OFFICE OF GENERAL COUNSEL, OTHER SENIOR STAFF, AND BY NYBG'S OUTSIDE TAX ADVISORS. BEFORE FILING, THE 990 DRAFT IS REVIEWED BY THE AUDIT COMMITTEE AND PROVIDED TO THE ENTIRE BOARD OF TRUSTEES VIA SECURE WEB ACCESS.

FORM 990, PART VI, SECTION B, LINE 12C:

NYBG HAS ADOPTED A WRITTEN CONFLICT OF INTEREST POLICY APPLICABLE TO TRUSTEES, OFFICERS, AND KEY EMPLOYEES AND A SEPARATE WRITTEN CONFLICT OF INTEREST POLICY APPLICABLE TO ALL EMPLOYEES. UNDER THESE POLICIES, TRUSTEES, OFFICERS AND EMPLOYEES ARE REQUIRED TO DECLARE CONFLICTS UPON BECOMING AWARE OF THEM. TRUSTEES, OFFICERS, AND CERTAIN OTHER EMPLOYEES ARE REQUIRED TO REVIEW, SIGN, AND RETURN TO THE OFFICE OF GENERAL COUNSEL AN ANNUAL FORM AFFIRMING THEIR KNOWLEDGE OF THE POLICY AND CONFIRMING THEIR COMMITMENT TO ABIDE BY THE TERMS OF THE POLICY. THE FORM ALSO ASKS THE RECIPIENT TO IDENTIFY CONFLICTS UNDER THE APPLICABLE POLICY. UNDER THE POLICY, CONFLICTS ARE DEALT WITH ON A CASE BY CASE BASIS. IN THE CASE OF EMPLOYEES, CONFLICTS ARE DEALT WITH BY MANAGEMENT UNDER THE GENERAL SUPERVISION OF THE AUDIT COMMITTEE, AND IN THE CASE OF TRUSTEES, BY THE AUDIT COMMITTEE. UNDER THE APPLICABLE POLICY, INDIVIDUALS WITH A CONFLICT MAY NOT PARTICIPATE IN THE CONSIDERATION OF THE RELEVANT MATTER OR THE ACTION TAKEN IN RESPONSE.

FORM 990, PART VI, SECTION B, LINE 15:

COMPENSATION FOR THE PRESIDENT & CEO AND CERTAIN OTHER KEY EMPLOYEES INCLUDES A REVIEW AND APPROVAL BY THE COMPENSATION COMMITTEE OF NYBG'S BOARD OF TRUSTEES. THE MEMBERS OF THE COMPENSATION COMMITTEE ARE ALL INDEPENDENT VOTING MEMBERS OF THE ORGANIZATION'S GOVERNING BODY. THE PRESIDENT & CEO AND OTHER OFFICERS MAY BE PRESENT AT MEETINGS OF THE

| | |
|---|--|
| Name of the organization NEW YORK BOTANICAL GARDEN | Employer identification number 13-1693134 |
|---|--|

COMPENSATION COMMITTEE EXCEPT WHERE THE COMPENSATION OF SUCH EMPLOYEES IS UNDER REVIEW. THE COMPENSATION COMMITTEE OBTAINS AND REVIEWS COMPARABILITY DATA WITH RESPECT TO COMPENSATION LEVELS PAID FOR COMPARABLE JOB POSITIONS OBTAINED THROUGH THE ASSISTANCE OF AN EXPERT COMPENSATION CONSULTANT WHEN APPROPRIATE, INCLUDING FORM 990 DATA FROM OTHER LEADING MUSEUMS AND CULTURAL AND EDUCATION INSTITUTIONS, AS WELL AS FOR PROFIT INSTITUTIONS WITH WHICH NYBG MAY COMPETE FOR STAFF. THE DELIBERATIONS, DECISIONS, AND BASIS OF DECISIONS MADE BY THE COMPENSATION COMMITTEE ARE CONTEMPORANEOUSLY SUBSTANTIATED AND DOCUMENTED IN MINUTES OF APPLICABLE MEETINGS.

FORM 990, PART VI, LINE 17, LIST OF STATES RECEIVING COPY OF FORM 990:
AL, AR, CA, FL, HI, IL, KS, KY, MA, MD, MI, MN, MS, NC, NH, NJ, NM, NY, OR, PA, RI, SC, TN, UT, VA
WI, WV

FORM 990, PART VI, SECTION C, LINE 19:
FINANCIAL STATEMENTS, 990 FORMS AND ANNUAL REPORTS ARE AVAILABLE ON THE ORGANIZATION'S WEBSITE, WWW.NYBG.ORG. FORM 990 ARE ALSO AVAILABLE ON THIRD PARTY WEBSITES SUCH AS GUIDESTAR AND CHARITY NAVIGATOR.

**SCHEDULE R
(Form 990)**

Department of the Treasury
Internal Revenue Service

Related Organizations and Unrelated Partnerships

▶ Complete if the organization answered "Yes" on Form 990, Part IV, line 33, 34, 35b, 36, or 37.
▶ Attach to Form 990.

▶ Go to www.irs.gov/Form990 for instructions and the latest information.

OMB No. 1545-0047

2021

Open to Public Inspection

Name of the organization **NEW YORK BOTANICAL GARDEN** Employer identification number **13-1693134**

Part I Identification of Disregarded Entities. Complete if the organization answered "Yes" on Form 990, Part IV, line 33.

| (a) Name, address, and EIN (if applicable) of disregarded entity | (b) Primary activity | (c) Legal domicile (state or foreign country) | (d) Total income | (e) End-of-year assets | (f) Direct controlling entity |
|---|-------------------------|---|---------------------|---------------------------|-------------------------------------|
| NORTH CENTRAL BRONX REAL ESTATE LCC 2900 SOUTHERN BOULEVARD BRONX, NY 10458 | REAL ESTATE | NEW YORK | 254,698. | 19,200,000. | NEW YORK BOTANICAL GARDEN |
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Part II Identification of Related Tax-Exempt Organizations. Complete if the organization answered "Yes" on Form 990, Part IV, line 34, because it had one or more related tax-exempt organizations during the tax year.

| (a) Name, address, and EIN of related organization | (b) Primary activity | (c) Legal domicile (state or foreign country) | (d) Exempt Code section | (e) Public charity status (if section 501(c)(3)) | (f) Direct controlling entity | (g) Section 512(b)(13) controlled entity? | |
|--|-------------------------|---|-------------------------------|---|-------------------------------------|--|----|
| | | | | | | Yes | No |
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Part III Identification of Related Organizations Taxable as a Partnership. Complete if the organization answered "Yes" on Form 990, Part IV, line 34, because it had one or more related organizations treated as a partnership during the tax year.

| (a) Name, address, and EIN of related organization | (b) Primary activity | (c) Legal domicile (state or foreign country) | (d) Direct controlling entity | (e) Predominant income (related, unrelated, excluded from tax under sections 512-514) | (f) Share of total income | (g) Share of end-of-year assets | (h) Disproportionate allocations? | | (i) Code V-UBI amount in box 20 of Schedule K-1 (Form 1065) | (j) General or managing partner? | | (k) Percentage ownership |
|--|-------------------------|---|-------------------------------------|---|---------------------------------|--|---|----|---|---|----|--------------------------------|
| | | | | | | | Yes | No | | Yes | No | |
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Part IV Identification of Related Organizations Taxable as a Corporation or Trust. Complete if the organization answered "Yes" on Form 990, Part IV, line 34, because it had one or more related organizations treated as a corporation or trust during the tax year.

| (a) Name, address, and EIN of related organization | (b) Primary activity | (c) Legal domicile (state or foreign country) | (d) Direct controlling entity | (e) Type of entity (C corp, S corp, or trust) | (f) Share of total income | (g) Share of end-of-year assets | (h) Percentage ownership | (i) Section 512(b)(13) controlled entity? | |
|--|-------------------------|---|-------------------------------------|--|---------------------------------|--|--------------------------------|---|----|
| | | | | | | | | Yes | No |
| THE LUESTHER T. MERTZ LEGACY TRUST FOR THE NEW YORK BOTANICAL GARDEN - 87-63, 2900 SOUTHERN BOULEVARD, BRONX, NY 10458 | SUPPORT NYBG | NY | NEW YORK BOTANICAL GARDEN | TRUST | 1,974,841. | 27,349,461. | 100% | X | |
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Part V Transactions With Related Organizations. Complete if the organization answered "Yes" on Form 990, Part IV, line 34, 35b, or 36.

Note: Complete line 1 if any entity is listed in Parts II, III, or IV of this schedule.

1 During the tax year, did the organization engage in any of the following transactions with one or more related organizations listed in Parts II-IV?

| | Yes | No |
|--|-----|----|
| a Receipt of (i) interest, (ii) annuities, (iii) royalties, or (iv) rent from a controlled entity | | X |
| b Gift, grant, or capital contribution to related organization(s) | | X |
| c Gift, grant, or capital contribution from related organization(s) | X | |
| d Loans or loan guarantees to or for related organization(s) | | X |
| e Loans or loan guarantees by related organization(s) | | X |
| f Dividends from related organization(s) | | X |
| g Sale of assets to related organization(s) | | X |
| h Purchase of assets from related organization(s) | | X |
| i Exchange of assets with related organization(s) | | X |
| j Lease of facilities, equipment, or other assets to related organization(s) | | X |
| k Lease of facilities, equipment, or other assets from related organization(s) | | X |
| l Performance of services or membership or fundraising solicitations for related organization(s) | | X |
| m Performance of services or membership or fundraising solicitations by related organization(s) | | X |
| n Sharing of facilities, equipment, mailing lists, or other assets with related organization(s) | | X |
| o Sharing of paid employees with related organization(s) | | X |
| p Reimbursement paid to related organization(s) for expenses | | X |
| q Reimbursement paid by related organization(s) for expenses | | X |
| r Other transfer of cash or property to related organization(s) | | X |
| s Other transfer of cash or property from related organization(s) | | X |

2 If the answer to any of the above is "Yes," see the instructions for information on who must complete this line, including covered relationships and transaction thresholds.

| (a) Name of related organization | (b) Transaction type (a-s) | (c) Amount involved | (d) Method of determining amount involved |
|--|-------------------------------|------------------------|--|
| (1) THE LUESTHER T. MERTZ LEGACY TRUST FOR THE NEW YORK BOTANICAL GARDEN | C | 1,020,000. | FMV |
| (2) | | | |
| (3) | | | |
| (4) | | | |
| (5) | | | |
| (6) | | | |

