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MLTC STEERING COMMITTEE (SC) MEMBERS MEETING - MINUTES

U.S. Fish and Wildlife Center
300 Westgate Center Drive, Hadley, MA
Friday, September 15, 2017 / 10:00 AM - 1:00 PM

Hand-outs (H.O.):

- Agenda & May 12th 2017 SC Minutes (MLTC website)
http://www.massland.org/files/MLTC_SC_Minutes_12May2017_Accepted_Final.pdf
- Mohawk Trail Woodlands Partnership (Bob O'Connor)
www.massland.org/files/MohawkTrailWoodlandsPartnership_MLTCSep2017.pdf
- Municipal Vulnerability Preparedness Program – Guidance for Land Trusts (Steve Long, TNC)
www.massland.org/files/MVPforLandTrusts.pdf
- June 13, 2017 Letter to Committee Chairs on PILOT legislation
www.massland.org/files/2017Jun_HB1565_PILOT_LandTrusts.pdf
- Coalition to Preserve Non Profit Services letterhead
- Policy Update for MLTC Sept 2017 (Steve Long, TNC)
www.massland.org/files/PolicyUpdate_MLTC_Sept2017.pdf
- Farm Bill talking points (LTA)
http://www.massland.org/files/LTA_FarmBill_Recs_09202017.pdf

Attendees: Attendance on record at MLTC office.

10:05 AM Kathy Orlando, MLTC SC Chair called the meeting to order and attendees introduced themselves.

1. **Steering Committee Minutes** of May 12, 2017 **meeting:** Rob Warren moved and Mark Robinson seconded to approve minutes. **VOTE:** Unanimous.
2. **Agricultural Preservation Restriction (APR) Program Update. Kathy Orlando, MLTC SC Chair**
 - a. **Importance of opposing House Bill 458** filed by Rep. Keiko M. Orrall: (see attached sample testimony for format – it includes multiple bills) This bill would remove a section from Mass General Law (MGL) 184 sec 31 concerning agricultural preservation restrictions by striking in lines 44-45 the following: “other acts or uses detrimental to such retention of the land for agricultural use.” That is essential language the equivalent of what is included in all the restrictions in that section including conservation restrictions, preservation restrictions, watershed preservation restrictions and affordable housing restrictions.
 - b. Kathy Orlando noted a better approach to address the issues which have led to the filing of this bill would be to address the APR procedures through regulations, policies or guidelines; not changing the intent of the APR program through a revision of MGL. Integrity of the APR program must be maintained through MGL. Conservation community should provide testimony opposing the change to MGL. The APR Program recently clarified that although there is an annual June 30 application deadline, if a farm protection project comes up at another time of year that cannot wait for the deadline and there is an additional source of funding to please let the APR Program staff know about the project to explore if timing accommodations can be made.
 - c. **Federal Farm Bill:**
 - i. Decreased funding has reduced services and capacity over the past five years.
 - ii. There is a strong need to advocate for increasing the Agricultural Land Easement funds to protect farmland in the next Farm Bill.
 - iii. Kathy Orlando and others are also exploring additional alternate, parallel sources of funding from foundations and other philanthropic sources. Anyone who would like to participate in

this initiative, please contact Kathy Orlando or Rich Hubbard. Forever Farmland, an emerging regional conservation partnership (RCP) is also involved. The Agricultural Funding Working Group is the tentative name of this initiative.

- iv. Latest Farm Bill removed the option for Land Trusts (LT) to pre-acquire agricultural preservation restrictions to bridge timing gaps when the state's time-frame is longer than what a family can wait for. This change is due to a different interpretation of language. Group wants the pre-acquisition option reinstated, to prevent the loss of farms due to timing gaps.
- v. Leigh Youngblood suggested a sales tax for conservation and noted that the Minnesota model, with over 25 years of experience, has been very successful. A long-term philanthropic or private bond for farm conservation was also suggested.
- vi. Bill Labich and Spencer Meyer from Highstead (<http://highstead.net/index.html>) are also discussing the Farm Bill funding issue.
- vii. The Land Trust Alliance (LTA) has been working on adding 100% forestry properties to be eligible projects. There are strong concerns that with reduced funding already creating a situation where only a small portion of projects requesting funding are able to be protected, this will further reduce the efficacy of the program. It was suggested that a better approach would be to create another program for forestry with additional funding sources to increase the amount of fund available and the amount of conservation.
- viii. Also noted that a number of LTs in the Connecticut River Valley, the Pioneer Valley and Vermont have applied for a grant from the Natural Resources Conservation Service for farm and forestry protection through watershed protection. This is federal funding. Regional Conservation Partnership Program (RCPP) funds are a subset of the conservation funds from the Farm Bill.
- ix. Question was asked about hydroponic marijuana and hemp farming in Massachusetts, impervious surfaces, and negation of existing farm land. Guidelines are pending.

3. Mohawk Trail Woodlands Partnership, Bob O'Connor, EEA Land & Forest Policy Director (See H.O.)

- a. Bob O'Connor described this initiative intended to bring additional financial resources to the 21 town area through forestry. Although the number of people living below the federal poverty line has gone down in MA (11% to 10.5%), it has increased in this target area of northwest MA, the most forested and rural area of the Commonwealth.
- b. Massachusetts is 1 of 7 states without a National Forest. Bob O'Connor also noted that the eastern National Forests are different as many properties are privately owned compared to the western National Forests as they were so designated while government-owned during Teddy Roosevelt's administration. Also noted that Green Mountain National Forest ends at the state border and MA is the missing link between the National Forests of the Green Mountains and Appalachian Mountains.
- c. Concerns: have been expressed about "over reach" of government and private property.
- d. Importance of Project: Bob O'Connor summarized the highlights:
 - i. Benefits of forestry and return on investment
 - ii. Raises conservation value through resilience role of forests
 - iii. Links the US Forest Service and MA to protect resources while land in private ownership
 - iv. Creates a new model for rural development based on good forestry. All 21 towns represented in a committee format. (Similar to Heritage Corridor model)
 - v. Former critics of this idea are becoming supports as the program creates a model to work with local communities and private landowners on forestry protection.
- e. Becca Washburn noted the national program at Baxter State Park - LTA mentioned and Bob O'Connor noted the National Park/Boston Harbor Island projects as models.
- f. Funding: Grants have been awarded to Franklin Council of Governments, Franklin Land Trust and others to begin work on program goals (see HO).
- g. Several comments were made about the positive features of the program-to-date, including innovative use of wood products, wood pellet market and links to the Forestry for the Birds program.

Leigh Youngblood suggested next meeting could be at UMass building featuring wood products generated by this program.

- h. In summary, these 21 towns working with the Franklin Land Trust and two regional planning agencies, creates a new “forestry designation” with the goals of forest conservation, stewardship, and enhanced sustainable forestry with economic development based on forestry and tourism in a financially and socially viable model for small communities.

4. Municipal Vulnerability Preparedness Program. Kurt Gaertner, Director of EEA/Smart Growth / Smart Energy (See HO by Steve Long, The Nature Conservancy (TNC))

- a. Kurt Gaertner summarized this new program established in September 2016 and noted opportunities for land trusts to get involved in their community planning processes to promote nature-based solutions to address climate change impacts and resilience. More data needed to generate useful information on the dynamic of the watershed, water resources, precipitation, etc..
- b. Includes a municipal grants to assist municipalities with Community Resilience Building (CRB) and to date, 71 have been funded. Once a community becomes a Certified Community, will be eligible for EEA awards for implementation funding. Future rounds of funding will be available.
- c. This is a partnership between the TNC and Commonwealth. Workshops are being scheduled and opportunity for LTs to be involved at a local level to show usefulness of green infrastructure in adaptation, and, what will be threatened by climate change impacts.
- d. New line item in state’s budget to implement what needs to be done to protect key infrastructure.
- e. Current CRB funding is for assessment.

5. EOEEA Update – Bob O’Connor, EEA Land and Forest Policy Director

- a. Bob O’Connor clarified that Martha Reichert has left and the deadline for Conservation Restrictions (CR) for this year is October 5th. Denise Pires is program coordinator and a new CR reviewer is being sought. The job is and will be posted until filled. Position does not necessarily require a law degree, however, must have relevant CR field experience and a law degree highly desired.
- b. Agricultural Commissions are now equal to Conservation Commissions in their ability to hold land and are eligible to submit LAND grant applications.
- c. Statewide Comprehensive Outdoor Recreation Plan (SCORP) surveys need to be done. Please respond in all categories. Melissa Cryan, DCS/EEA noted that the State is transitioning into a new portal. Please contact her if issues with the links to the survey which will be live until October 1st. Melissa.Cryan@state.ma.us (617) 626-1171 Links to survey are at: www.massland.org/ma-requests-scorp-input-lwcf-grant-program
- d. Grants and funding cycle to be announced hopefully by November. Landscape Partnership Grant status not yet known as EEA has had a budget cut. LAND, PARC and water grant program funding needs to be determined first. MLTC will be kept up-to-date on the status.
- e. License plate funding as a source for conservation funding being considered. Discussion ensued on success or lack thereof for existing vanity plates and the high threshold to have a successful one.
- f. Bob O’Connor applauded the next generation of conservation professionals and noted what began as the Commonwealth Core program with 10 positions, transitioned to Mass Lift, and has now become the TerraCore program with 36 positions.
- g. EOEEA to celebrate 40th anniversary of passing Massachusetts APR legislation on October 20th

6. Payment In Lieu Of Taxes (PILOT) Action Plan - Jen Ryan, The Trustees (See HO)

- a. Jen Ryan updated the status of legislation (HB1565) filed to allow municipalities to collect PILOTs on land trust owned properties, and the Coalition to Preserve Nonprofit Services actions-to-date to prevent passage of this legislation.. (MLTC is a member of this Coalition)
- b. As a state, MA has one of the highest numbers of non-profit organizations (NPO) and the highest number of PILOT agreements to offset the cost of services and many examples were given. As both state and municipal budgets are squeezed, this is a relevant discussion state wide and nationally. Boston and Cambridge addressed this and created a political expectation that a 25% or some portion thereof PILOT payment. This has spawned other community to adopt similar

- agreements such as city of Danvers. Although this legislation tends to focus on the higher educational and medical institutions (EDS/MEDS), all the NPOs are linked together in opposition.
- c. Jen provided a history behind the legislation, which is supported by the Mass Municipal Association (MMA) and updated that it has passed the House and although the Senate has stopped this legislation, the conversation is very active and it may re-emerge.
 - d. The Coalition to Preserve Nonprofit Services has been meeting for one year.
 - i. LTs need to make sure their elected officials understand the consequences of this legislation on the LT community.
 - ii. Jen summarized the positive impact that the LT NPOs have had on their communities and noted the Trust for Public Land's Return on Investment study for MA found a \$1 to \$4 benefit.
 - iii. Have raised funds to show community benefits of NPOs. Report should be ready by January. Discussion ensued on what is needed at the local level to facilitate this conversation and Ray Lyons emphasized that the small communities with limited tax revenue need to be included. Mark Robinson asked for an update on the state paying PILOTS to local communities for state park lands.
 - iv. Discussion ensued about balance between PILOT value to local community and negative effect on NPOs, particularly the all-volunteer LTs and small service NPOs. Jen Soper noted the historical value of DCR's former forestry program with receipts being paid to local municipalities, however, program stopped due to a lack of public understanding the role of sustainable forestry. Having LTs register their land holdings under the Chapter 61B for recreation was also mentioned.
 - v. Jen Ryan stated that group is not recommending that uniform prescriptions for PILOT programs be in the statutory language as those may be best done on a case by case basis.
 - vi. Kathy McGrath pleaded for all LT's respond to MLTC's survey: <http://massland.org/payment-lieu-taxes-legislation-proposed>
 - vii. Request made for most effective tools for educating public and legislators. Mt. Grace's toolkit for local LTs in communicating with their local municipalities was referenced, and, Leigh Youngblood noted that Mt. Grace has always paid Chapter 61 property taxes on their conserved properties; however, they do not pay property taxes on their structures/buildings. She suggested that small town LTs with minimal tax base might consider this option.

7. Legislative Update (see Steve Long, TNC, HO)

- a. Jen Ryan gave a public policy update (See HO) and noted that CPA proponents have made great progress on getting a registry fee increase to fund CP Trust Fund.
- b. A new issue of Wildlands and Woodlands being released.
- c. Progress being made on zoning reform.
- d. There is a revised process for exemptions from mosquito spraying and excluded properties need to mark every 50 feet with no spray signs. This would be very difficult for LTs. TNC is talking to DAR about this. Please submit comments to Jen Ryan about this topic.

8. LTA Update – Rebecca Washburn, Northeast Director, Land Trust Alliance

- a. LTA's new salary and benefits survey results will be released in November. Please complete ASAP if your organization has yet to do so. <https://www.landtrustalliance.org/2017-land-trust-salaries-and-benefits-survey>.
- b. Rally (Oct 26th – 28th) is in Denver and it was noted that more than 100 attendees will be from MA. The MA dinner room has been reserved at 535 16th Street at the Appaloosa Restaurant. Please rsvp to MLTC if you want to attend. Details will be available through MLTC.
- c. The Land certificate program being developed through UMass and LTA is progressing and will incorporate LTA Standards and Practices.
- d. LTA accreditation commission has released new accreditation requirements manual and Becca Washburn requested feedback either through the LTA Commission site or directly to her. Goal revision was to increase accessibility and feedback is needed to determine if goal was accomplished.

- e. Talking points on Farm Bill are attached.
- f. Upcoming Trainings:
 - i. Essex County Greenbelt, MLTC and LTA sponsoring workshop on CRs on September 21st.
 - ii. Considering another Water Words that Work workshop.
 - iii. On December 7th in Greenland, NH: Water Words that Work training on language that works for discussing climate change. This will be posted in MLTC's Enews. Becca said an effort underway to create a network for training local climate change related work.

9. Proposal for MA Stewardship Network – Laura Mattei, Sudbury Valley Trustees

- a. Laura presented this proposal for regional sharing of volunteers which is based on the University of New Hampshire's (UNH) cooperative extension service which has been very successful.
- b. MA Stewardship Network would create a hub to link volunteers and those in need of volunteers. Laura Mattei said current work is to better understand the UNH program to develop draft model for MA noting the most attractive feature is that it maximizes shared resources and keeps volunteers engaged.
- c. Advantages of new program include:
 - i. Opportunities for users of volunteers to get support and ideas.
 - ii. Enhances regional information.
- d. Program will be renamed with different tracks for those looking to volunteer vs. those looking for volunteers. Discussions are ongoing with TerraCorp and MACC. (Mark Robinson welcomed MACC's new Executive Director, Dorothy (Dot) McGlincy, who was present.)
- e. Laura asked for LTs to review UNH program and provide her with feedback and suggestions. And, indicated that UNH will register volunteers if a MA LT were to use site, however, the new MA Network will do registration. Laura is in touch with Karen Lombard and others from Western MA with similar interest.

10. MLTC Reports. Kara Campbell provided this update:

- a. Next Steering Committee meeting scheduled for Nov. 17th at the Barn in Grafton.
- b. MLTC renewals have been mailed. Please renew.
- c. Events:
 - i. Essex County Greenbelt, MLTC and LTA workshop on CRs as noted above.
 - ii. The 14th Joint Land Trust / State Agency Retreat will be at the Harvard Forest on October 19-20. Invites and agendas to follow.
 - iii. Workshops being scheduled for December and February including an advanced Executive Director workshop. A June workshop on climate change being planned.
 - iv. Mass Land Conservation Conference will be on March 24th. Details to follow.
- d. Current financial report. MLTC's 990 will be filed and MLTC in good financial status.
- e. ED's report deferred as Marylyn Gentry not present.

11. Report on Young Land Professionals Group (YLP). Kara Campbell, MLTC Outreach Coordinator, noted that the group is up and coming with much interest. For the October retreat, there will be a YLP panel.

12. Other Issues:

- a. Reggie Hall, Director, Conservation Loans for The Conservation Fund (TCF), said TCF Leadership Network is giving grant awards for food and security transportation grants (e.g. Shipping container purchase and retro-fit for refrigeration project).
- b. Reggie Hall requested participation for an upcoming TCF survey on using debt to finance conservation and he encouraged everyone to consider TCF for future acquisitions.

12:50 PM Kathy Orlando, hearing no further discussion, called for a motion to adjourn the meeting. Rita Grossman moved and Mark Robinson seconded to adjourn. **VOTE:** Unanimous

Respectfully submitted,
Rita Gibes Grossman, clerk