



Steering Committee Agenda
June 11, 2019 10:00 AM – 12:50 PM
Great Meadows National Wildlife Refuge Conference Room
73 Weir Hill Road, Sudbury, MA 01776
MINUTES

Attendance: On record at Massland

10:09 Kathy Orlando, Steering Committee Chair convened the meeting, welcomed everyone and Introductions were made around the room.

1. **Review of Minutes** (available to members at <http://massland.org/steering-committee>). Buzz Constable moved and Lisa Vernegaard seconded the motion to accept the minutes as presented. **VOTE:** Accepted with one abstention

2. **Massachusetts Land Trust Coalition Update – Buzz Constable**
 - Buzz Constable thanked everyone, especially Barbara Chrenko, who has assured work is done since Carolyn's departure. Both part time staff members and board officers will assure that all work is done. Buzz will be coordinating essential activities during the interim.
 - Buzz confirmed that organizational priorities are continuing including eNews and membership renewals which will be mailed by the end of the month.
 - The board is updating the strategic plan and Buzz has encouraged everyone to review and provide feedback to him or other board member.
 - The needs assessment of the land trust (LT) community is being discussed by the board.
 - Buzz thanked Kevin Case, LTA and gave a brief update of the recent meeting of the eastern state organizations.

3. **Conference report Cynthia Henshaw**
 - The recent Massachusetts Land Conservation Conference (MLCC) was very successful and 30% of attendees in were first timers.
 - Planning for next March's MLCC is in progress. Top choice keynote topic is carbon capture. Please give speaker or topic suggestions to Loring Scwharz or Henry Woolsey.
 - Bob Wilber commented on positive trend of appealing to younger attendees and made a plea to increase participant diversity.
 - Post conference evaluations suggestions included a plea for more advanced trainings and round tables were positively reviewed as was the table for "first timers".
 - Cynthia noted that financially, the conference is a slightly better than break-even event.
 - Buzz thanked Miriam Scagnetti for her past work and noted she will continue for next year.

4. **Young Land Professionals (YLP) Update –Nick Rossi, Mass Audubon**
 - The group has been meeting regularly. At their annual meeting in March new officers were announced including Nick Rossi as president. See website for all officers and upcoming events: <http://massland.org/programs/young-land-professionals>.

- Recent networking event topics: current conservation challenges and the history of the Essex watershed.
- There is a new initiative to facilitate college graduates in finding job opportunities in conservation.
- An idea was proposed for MLTC to have a networking event annually for young professionals similar to the dinner after the LTA Rally. Regional and statewide options discussed including having a dinner the Friday evening before the MLCC, or an independent event. Further discussion on best options (e.g. hike, dinner, cocktail hour) for networking and the need to include the broader conservation community including Mass Association of Conservation Commissions, regional land trusts, LTA, and the watershed associations. Bob Wilber and Leigh Youngblood suggested the state agency/LT retreat model and Regional Conservation Partnership event as options for expanding to include YLPs. Lisa Vernegaard suggested that there be evaluations to identify most successful and effective networking events and strategies.
- Loring suggested including this group within the strategic planning process.
- It was noted that many LTs allow their young professionals to participate in events on work time.

5. State Agency Update & Resilient Lands Initiative Discussion – Bob O’Connor & other colleagues

- Kurt Gaertner provided an update on new EOEEA (Executive Office of Energy and Environmental Affairs) Secretary, Kathleen Theoharides, and emphasized her experience in climate change and noted this is the first time an internal candidate has become secretary.
- The Capital budget is expected to be level funded and will require a review of EOEEA priorities.
- The Global Warming Solutions Act of 2008 requires 80% reduction of greenhouse gas emissions by 2050 in Massachusetts and it’s anticipated that the 80x50 Study contract will be signed soon as a greenhouse gas reduction initiative to review all the strategic approaches to achieve. The study will include the role of different types of landscapes in carbon capture. Anticipate recommendations for future development. A goal is to reduce farm and forest lands loss.
- The Department of Energy Resources is extending the comment period on biomass subsidy eligibility regulations under the Renewable Portfolio Standard. Last year, the state law changed to increase the use of renewable fuels by 2 percent per year instead of 1 percent per year from 2020 to 2029.
- The SMART (Solar Massachusetts Renewable Target) solar criteria, specifically the state subsidies for solar located on natural land cover, canopy, and agricultural lands are being reviewed. The goal is to incentivize solar array siting on Brownfield sites, roof tops, and disturbed sites. Kathy Orlando noted that while there are some productive and beneficial solar and agricultural combined uses that dairy and other farming types that tend not to be compatible can be put at a disadvantage – some are already losing rented or leased fields to solar developers. So, it is essential to be sure that if there are combined uses being proposed that the agricultural use by a legitimate farm is the driving force and that a solar development is not just adding on some agriculture to get around efforts to ensure farmland is not lost to solar development.
- In response to Mark Robinson’s question about the relationship between local zoning and eligibility for state incentives for solar, Kurt noted that Western MA is closed to subsidies as all the blocks have been taken and he further noted the need to get solar in greater Boston and other urban areas of density and need. Mark also noted the corporate pressure to do solar vs. residential on the Cape, including “cluster” developments with conservation restrictions.
- Kurt thanked Bob O’Connor for the Mohawk Woodland Partnership which just added their eleventh community.
- Kurt requested that the use of off highway vehicles (OHV) such as dirt bikes, snow mobiles, and ATVs on open lands be reviewed with recommendations to reduce impact.
- Kurt noted three state facilities are being repurposed that include over two thousand undeveloped acres in Munson, Templeton and Belchertown.
- Scott Morrill, of Mass Department of Transportation (Mass DOT) and OHV Coordinator summarized recent work:
 - The OHV Advisory Committee has been created to address legal and appropriate uses for OHVs, and said a trust fund has been created from OHV registry fees for education and increased enforcement.

- Snow mobile users have achieved good compliance and now the focus is on dirt bikes and ATVs (All terrain vehicles). Scott said the goal is to bring everyone “into the fold” of legal compliance and to create desirable, legal destinations for riding. This effort includes education and strong incentives for compliance. The strategy includes land conservation with areas for new uses, and the role of OHV users as stewards. Ashley Davies suggested that the Baja SAE (Society of Automotive Engineers) team from Boston University be included as they sponsor competitive design, manufacture, and race contests for OHVs.
- Lisa Vernegaard asked if electric assisted OHVs are being included in this initiative. Scott said that many trails are shared use for OHVs, cross country skiers and others, so that the safety issues generated by all electric vehicles, which are usually silent, have to be addressed.
- Rita Grossman suggested this group address the issue of the spread of invasive plant species through wheel and foot traffic contamination. She noted the work that’s being done with recreational water craft on ponds and rivers.
- Ray Lyons mentioned the use of adapted OHVs for those with disabilities and noted MA Audubon’s policy on these uses and the ADA’s (Americans with Disabilities Act) strong support.
- Bob O’Connor suggested that non-usable roads in rural communities be considered for use by reviewing regulations, incentives, and legal issues for OHV use.
- Whit Beals asked if sellers of OHVs could be mandated to inform consumers on their legal responsibilities including the private property crossings and on the strict age restrictions for use of OHVs as this is currently an issue. Scott said dealerships are being approached and the Mass Environmental Police handbook is given to purchasers.
- Scott noted that this effort is inclusive and proactive as the OHV users are passionate about their choice to use OHV.
- The Administration (through DCR) has convened a trail use group and new grants are being proposed for combined LT and OHV use land protection.
- Melissa Cryan said that 125 – 130 Conservation Partnership Grants have been awarded since the founding of this grant program in 2004. Land protection grants are due mid-July: <https://www.mass.gov/grant-programs-offered-by-the-division-of-conservation-services>
- John Gioia has reduced the conservation restriction (CR) backlog to zero since his appointment in 2018.
- Bob also acknowledged and thanked Emmanuel Owusu, EEA’s Forest and Land Regional Conservation Planner who will be leaving to launch a new non-profit organization. Emmanuel will continue part time to assist with the transition.
- *Resilient Lands Initiative:*
 - This initiative is scheduled to be launched in July and EEA is currently working with a consultant and it will begin with listening sessions on eight topics relating to climate change and resiliency (forests, farms, wildlife habitat, parks & public health, outdoor recreation, economic sustainability, water supply protection). Bob believes the value of protecting land for resilience will become self-evident. The goal is to create a committee to work on this topic that is diverse and that will serve all of the MA communities. The current plan is to focus meetings on the identified eight topics and perhaps begin with regional implementation as appropriate.
 - The metrics for goals and outcome measures are to be determined. Currently working with many groups to identify all the stakeholders who need to be participants in developing this initiative.
 - Intern Zoe Foster did two SWOT (Strengths, Weaknesses, Opportunities, and Threats) analyses for forests and farms. Agriculture will be included and as will healthy soils practices.
 - A request was made to include heat island offset and flood control data by saving land and forests.
- An Act to promote healthy soils and agricultural innovation within the Commonwealth was launched in May (H.873/S.438) with the goal to identify how soils can be made healthier, more resilient, and increase carbon storage. Bob acknowledged that the Forest Service program, iTree, is also being used as its goal is to show how urban forests are serving the community.

6. Land Trust Alliance -- Kevin Case

- Kevin thanked Buzz for attending the Northeast state association meeting.
- The Record Keeping Initiative is progressing with six Massachusetts land trusts participating in this first round with the focus on all volunteer LTs.
- Leslie Ratley-Beach thanked Ray Lyons for his work on the LTA's upcoming Legal Symposium.
- There are currently 525 LTs in TerraFirma with easement lands being the majority of property interests being insured. There have been 731 claims to date in the past six years since TerraFirma was established in 2013. Trespass cases have surpassed successor-owner claims. Original grantors claims have also increased. This program is working well and is very successful.
- National policy issues:
 - S. 170 / H.R. 1992 were introduced at the end of March to end the use of conservation easement tax shelters syndications to yield large tax deductions for their investors. Legislation intends to make these illegal while protecting legitimate donations. The Massachusetts delegation has not been co-sponsors at this time. About 1000 easements claimed per year worth about one billion dollars in 2016 have significantly increased to six billion dollars through these syndications. These are starting to present in New England. The syndications seek LTs to act as cover partners. Syndications have become very good at sounding like legitimate entities and New England land owners are starting to be approached as are affluent individuals to invest.
 - Increases are being sought for funding more wetland conservation.
 - Fourteen states, including Massachusetts, have tax credit programs for land conservation donations. However, the recent IRS ruling would eliminate the Federal tax deduction for land charitable donations where it overlapped with state programs. LTA is advocating that charitable land donations be allowed by the IRS including where there are state programs, and this will probably require a legislative solution.
 - Land and Water Conservation Fund (LWCF) was permanently reauthorized but still needs additional funding.
 - The Farm Bill is being reviewed.
 - LTA continues to build on the Common Ground effort to identify and work with non-traditional partners who need to be involved in land conservation and share common goals:
 - How to increase community preservation and make land conservation more relevant across the country. Call to action campaign to address more audiences through marketing and communication across age groups and many other demographics. How to reach those who aren't being reached. How to establish a digital marketing campaign to better reach these audiences.
 - LTA is focusing on advancing LT work and resilience work in New England and the Pacific NW and plan to expand to the Great Lakes region with a focus on carbon mitigation through land conservation. Is there a way for the LTA to establish a brokerage to give LTs access to carbon markets?
 - How to introduce renewables into our work, particularly for solar siting.
 - Registration has begun for Oct. 17 – 19 Rally in Raleigh, NC.
 - It was noted that Buzz Constable, Ray Lyons, and Leigh Youngblood have all served on LTA's legal council, with Leigh being the current representative.

12:00 Policy Update Buzz Constable

- In that none of the policy professionals could attend today's meeting, Buzz summarized as follows:
 - State Budget: The Environmental League of MA (ELM) described the budget as reasonable with increased funding for ecological restoration and the Community Preservation Act (CPA) with an estimated match of 30%, and potentially additional money to be added from the budget to the state CPA match funds.

- Climate adaptation: the issue of carbon pricing is moving forward; raising fees and getting more public transportation is moving forward.
- The Greenworks Bill is going forward which would provide additional funding for climate resilience and noted that land is important for this work in addition to other nature-based solutions.
- Payment In Lieu of Taxes (PILOT) payments are an ongoing issue in a new bill that would have a commission for how PILOT payments on state-owned lands are reviewed for improvements. LTs are not involved at this time, but, anticipate they will be. Lincoln Land Institute is involved.
- Forest utilization: an advocacy group is promoting a complete cessation of forest harvest and forest management and the LT community may be asked to take a position on this. This is an anti-cutting bill. Loring suggested being aware of who's sponsoring this.
- Loring requested everyone act to support funding for the Conservation Land Tax Credit program which is currently in conference.
- H. 842 / S. 2014 An Act to Sustain Natural and Working Lands Carbon in Communities would support EEA measurement of carbon dynamics in agricultural soils, set goals and strategies for increasing the natural carbon sink, and establish a Sustainable Climate Program for municipalities providing funding and technical assistance for sustainability.
- Noted "The Illusion of Preservation" publications from Harvard Forest address sustainability in regards to wood products. Locally sourced from MA where grown sustainably vs. elsewhere or overseas where the product may not be sustainably grown, and consider the carbon footprint of shipping of product from overseas.

12:30 Workgroup and Subcommittee Updates

- *Value of Open Space:* Ashley Davies provided an update on the second meeting of this group which included two presentations on how to achieve a more comprehensive look at what land conservation provides. Presentations at that meeting included:
 - Cost of Community Services work presented by Paul Catanzaro and it was noted that Return on Investment work done-to-date has not been as useful for some communities. Paul offered to make the template available to local communities to use on Masswoods website.
 - MA Audubon's eco-system services project on how to reduce pollution in a watershed by doing meta analyses of 13 sectors on ecosystem services with the goal of making this work available for municipalities.
- *Conservation Restriction Review:* John Gioia is reviewing feedback from LT community this fall. Please forward suggestions to him.
- *Agricultural:* Regulations for the Agricultural Preservation Restriction (APR) Program are being reviewed and the revised and include changes to the request for a waiver of the Commonwealth's Right of First Refusal (ROFR) and Option to Purchase (Option). LT and agricultural communities worked together to assure that farmers and landowners retain control over who their farms are sold to, by allowing for the farmer/landowner to withdraw a waiver request at any time in the process. See the proposed regulations on MDARs site: <https://www.mass.gov/orgs/massachusetts-department-of-agricultural-resources>

12:45 Other Business

- Sudbury Valley Trustees is having a BioBlitz on June 22nd in the High Ridge areas of Boxborough, Harvard, and Littleton.
- Peter Alden will coordinate a BioBlitz on July 6th at Walden Woods/Pond: <https://www.walden.org/explore-walden-woods/great-walden-bioblitz/>
- Mark Robinson noted a recent conference on the Cape that included the value of open space on human health and included local physicians, and Rand Wentworth. LTs should leverage the link between nature and health.
- Rich Hubbard's retirement party from the Franklin Land Trust will be June 15, 1 -4 PM at Apex Orchards.

12:55 Adjourn Rita Grossman moved and Kate Bowditch seconded the motion to adjourn. Kathy Orlando adjourned the meeting.

Respectfully submitted,
Rita Gibes Grossman, clerk