



MASSACHUSETTS LAND TRUST COALITION

Steering Committee (SC)

MEETING MINUTES

Friday, September 17, 2021 10:00 AM – 12:15 PM

Virtual via Zoom

Participants: On record at Massachusetts Land Trust Coalition (MLTC and/or Massland)

Hand-outs:

- Minutes of June 11, 2021 Steering Committee Meeting (On MLTC's member's website)
- Agenda (Email from Robb Johnson)
- Robb Johnson, Exec. Dir. Staff Report (Attachment A)
- MLTC Policy Update (Email from Robb Johnson, Attachment B)

Call to Order: At 10:02 AM Kathy Orlando, Steering Committee Chair, called the meeting to order, and reviewed the meeting's zoom procedural process.

1. Chair Report. Katherine "Kathy" Orlando, SC Chairperson.

- a. Kathy welcomed everyone and each participant provided their name, title, organization, and location. Attendance on record.
- b. William "Buzz" Constable moved and Cynthia Henshaw seconded the motion to accept the SC Minutes of June 11, 2021 available to members at <http://massland.org/steering-committee>). Hearing no discussion Kathy called the vote. **VOTE:** Unanimous.
- c. Next meetings: Friday, December 10 (location/method TBD). The following meetings are scheduled for 2022: Fridays March 11 (MLTC Annual Meeting) and June 10th, 2022.

2. Staff Reports.

- a. **Jen Plowden, LTA Program Manager for New England** (jplowden@lta.org), provided the following LTA update:
 - i. Rally is October 5th – 7th, 2021 and early registration at a reduced price ends on Monday, September 20th. The meeting will be virtual.
 - ii. LTA working diligently on abusive conservation easements through tax shelter syndications. This past Wednesday, the House Ways and Means Committee passed revised language to advance the Charitable Conservation Easement Program Integrity Act as part of reconciliation legislation to curb abuse. Currently working on building bi-partisan support. See LTA's toolkit for supporting this with elected officials: <https://www.landtrustalliance.org/charitable-conservation-easement-program-integrity-act-advocate-toolkit>. Buzz thanked Jen and LTA for their work and noted that MLTC has endorsed this Act and worked collaboratively to get passed.
 - iii. The budget reconciliation bill which has been approved by the United States House Agriculture Committee includes increased funding for urban and rural forestry programs. LTA is advocating for farm conservation in this legislation.
 - iv. The Infrastructure Investment and Jobs Act includes disaster mitigation and environmental restoration.
 - v. 2023 Farm Bill is LTA top priority. If interested, contact Jen to be involved in working group.
 - vi. 30 x 30 Executive Order. Jen acknowledged MLTC's work on conservation and LTA advocating for land trust (LT) work.
 - vii. Energy Infrastructure. LTA continues to educate on this legislation concerning siting and respect for conserved lands. Please contact Jen if you want to work on this.
 - viii. LTA is advocating to allow LT organizations to be eligible for FEMA program funding. Contact Jen if interested in working on this.

- ix. Jen welcomed all to contact her with questions.
- b. **Robb Johnson MLTC Executive Director** provided the following MLTC updates (*See Attachment A*)
 - i. New Conservation Advisory Council (CAC) is having their first meeting today.
 - ii. Strategic Planning process launched in July (see pp. 6 - 7) and it will conclude in May. A consultant will be used and desired outcomes were reviewed. Robb asked for input on the current logic model. Please email or call him. Everyone invited to participate in upcoming focus groups.
 - iii. Stronger Together: Networking and Learning Collaboratives were reviewed. Robb conducted a live poll to assess interest on topics for future sessions. Results:
 - 1. 24% N/A (not affiliated with a LT)
 - 2. 29% Risk Management for Land Trusts (assessing risks; insurance; S&P for acquisitions, land stewardship and programs, financial sustainability and controls)
 - 3. 44% Leadership Succession Planning (preparing for departures, planned and unplanned, of key staff and board members; building leadership pipeline)
 - 4. 44% Board Member Boot Camp (roles/responsibilities; fundamentals of land protection and stewardship, land trust S & P).
 - 5. 44% Advancing Racial Justice, Equity and Inclusion for Land Trusts
 - 6. 2% None of these
 - iv. The Mass Land Conservation Conference (MLCC) is in active planning for March 26th. Currently planning a live conference. Hybrid is not a current option but keynote may be live streamed.
- c. Cynthia Henshaw (East Quabbin Land Trust Executive Director, MLTC Board). The Land Trust/State Agency Retreat is scheduled for Nov. 4th (Thu/Live) and Nov 5th (Fri/Virtual) (See p.8). Cynthia encouraged of everyone to participate and email her with suggestions.
- d. Robb launched a poll on everyone's desire for virtual vs. live retreat. Due to the pandemic, no overnight option is included. Jen Plowden asked if masks and vaccinations would be required. Support for requiring those was voiced in chat. This has not been discussed but issue will added to the agenda for today's board meeting. Poll results:
 - i. 56% would likely attend in-person event on Thursday
 - ii. 10% would be likely not to attend due to COVID concerns
 - iii. 34% would be likely not to attend due to factors not related to COVID

3. Committee and Working Group Updates

- a. Young Land Professionals (YLP) – Stephen O’Grady (Orleans Conservation Trust) provided the following update. YLP meeting at the MA Audubon’s Tidmarsh sanctuary very successful.
- b. Agriculture – Kathy Orlando (Sheffield Land Trust, MLTC SC Chairperson). Kathy noted ongoing efforts with the Farm Program (Federal) and state-wide with Department of Energy Resources (DOER) specifically with solar siting. Kristen Sykes noted that there will be a vote to raise the cap for APRs.
- c. Jenny Hansell (jhansell@bnrc.org), the Berkshire’s Natural Resource Council (BNRC) gave an update on a current lawsuit between BNRC and a private landowner abutting the trailhead entrance to a 600 acre BNRC parcel who claimed that the BNRC’s trails/trailhead parking area was in violation of local zoning. The town’s building inspector said BNRC was in compliance, however the town’s ZBA voted with the abutter and the case is now in land court. BNRC is pursuing a ruling to protect public access and has engaged in activities to mitigate trailhead access disturbances. If BNRC loses this case, it could have a pervasive impact for all land trusts. Buzz Constable commented that the MLTC SC should refer this to the MLTC Amicus Committee to follow and comment if or when it progresses to a comment period and mentioned that there are similar cases elsewhere in MA. Buzz questioned whether Terra Firma defended this type of issue and it does not. Please contact Robb with any questions. An amicus brief would be filed once a Land Court decision is made unless there’s a settlement. Jenny noted that BNRC’s articles of incorporation did not include education and they

are working on correcting this, in order to increase the likelihood that they would benefit from protections of the “Dover Amendment”. Ultimate goal is to change Zoning Board bylaws to accommodate non-motorized activities on public trails. Buzz summarized the public benefits of trails on protected open space including education opportunities and health benefits. If you are interested in tracking this, please let Rob Warren know. It was noted that state-owned land is except from local zoning. The importance of local zoning bylaws noted. Rob Warren said that a PR approach may be worth consideration given the overwhelming increase use of public land during the pandemic and the public may be more receptive to possible threats to access.

4. **State Agency Updates –Melissa Cryan** (EEA/Division of Conservation Services) provided this update and noted that both John Gioia, CR Reviewer and Kurt Gaertner, Asst. Secretary for Environmental Policy, are not able to attend today.
 - a. Grant money has been allocated to the different agencies and Melissa reviewed all acquisitions and costs to date. Kristen Sykes noted that webinars on the state’s grant programs are being planned.
 - b. Resilient Land Initiative (RLI) status. The RLI pan is currently going through the approval process.
 - c. Staffing updates. Forest and Land Coordinator interviews are in progress. Robert “Bob” O’Connor’s position, Forest & Land Policy Director (EOEEA), interviews will be starting soon.
 - d. Melissa noted that on Tuesday, Governor Baker will be announcing the PARC and District grants awards in Lowell. Melissa thanked Kurt and Tom Anderson, EEA Program Coordinator for their recent assistance with the tremendous workload with two staff positions open.
 - e. Henry Woolsey asked about the stability of the bond cap. Melissa noted that the current cap is below \$500M. EEA bond cap increased from \$238M in FY21 to \$309M in FY22.
 - f. Ashley Davies noted that the first statewide Farmland Action Plan is being drafted.
 - g. Melissa also will be asking for input on updates to the Statewide Comprehensive Outdoor Recreation Plan (SCORP). Kirsten asked for participation from Environmental Justice communities for this update.
 - h. Robb asked for those interested in hearing about farm related issues, as MLTC has created a sub-list of interested contacts. Please email him to add your name to the list. Robb encouraged everyone to participate in the State Agency retreat.

5. **Policy & MLTC Policy Committee Update – Emily Myron** (TNC Policy Manager), **Kristen Sykes** (AMC)
Emily Myron gave the following update (See Attachment B):
 - a. There has been a 300% increase in use of public parks and conservation lands and noted an increase in LT memberships. Increasing staff and resources for stewardship needed. Emily noted that these are the messages being communicated to legislatures. Please give your input to your legislators.
 - b. The FY22 Green Budget successes were highlighted.
 - c. Worked with Sen. Anne Gobi to get MassWildlife reimbursed for lost income due to discounted and free fishing licenses for seniors as the average age of applicants has increased.
 - d. FY22 Capital Plan funding has increased to assure adequate staffing for climate change. Increased funding for restoration and conservation work. Emily thanked everyone for their work on these successes.
 - e. America Rescue Plan Act (ARPA). The State legislature is currently having public hearings on how to allocate spending. MA Audubon, TNC, MA Rivers Alliance, MACC, and MLTC are involved and advocating for nature-based solutions, work force development, outdoor recreation and more. Moving towards a green and just recovery and Emily noted the effectiveness of reaching out to your legislators. An action alert will be sent for this advocacy. Contact Emily or Robb for more information on reaching out to State legislators.
 - f. Emily Myron gave a brief update on state and federal legislation. See Attachment B for summary of each bill. Robb noted that the Policy Update was emailed to everyone who registered for this SC meeting.

- i. The effort to increase the cap on CLTC via the budget process was not successful. She thanked everyone who reached out to their legislators and noted the advocacy approach is being re-evaluated, as the underlying bill remains pending in the legislature. Has heard concern that this program just helps those who are wealthy and is not a good use of funds. Hoping to better engage on this issue.
- ii. Public Land Protection Act. Emily thanked Dorothy (Dot) McGlincy from MACC and Robb from MLTC for their work on this effort to require that previously protected Article 97 land that is repurposed be replaced to achieve a no net loss. The bill passed in the House and is pending in the Senate. Robb noted that there will be a strategy meeting with Sen. Jamie Eldridge this afternoon on this legislation now called An Act Preserving Open Space in the Commonwealth.
- iii. Kirsten noted that EEA is reviewing the Act Establishing the Office for Outdoor Recreation. The Appalachian Mountain Club (AMC) is a good go to reference for this.
- iv. The State's Clean energy and climate plan deals with what we need to do between now and 2030 for the climate bill. Plan is being revised to match bill. Will be opportunities to engage in this process.

Federal Policy:

- v. In regards to the Charitable Conservation Easement Program Integrity Act, please thank Congressman Richard E. Neal if you are in his district for his work on this.
 - vi. TNC is working on low impact solar siting.
- g. Kristen Sykes gave this update.
- i. There have been state improvements on trail networks especially rail trails in the Commonwealth this past year.
 - ii. Land and Water Conservation Fund (LWCF). She thanked everyone for their work on getting the Great American Outdoors Act passed last year, which permanently funds the Land and Water Conservation Fund. Please contact Melissa Cryan at EEA if you want to work with a municipality to apply for a stateside LWCF grant.
 - iii. The Interior Department has an interest in funding urban land protection. Reach out to Kristen, Melissa, or Emily Myron at TNC with your ideas. Emily noted that there are plans to do a listening session with tribes in the future.
 - iv. Everyone thanked Melissa Cryan for her work on Land and Water as Massachusetts is being recognized nationally as a model of success for using this funding effectively. AMC and TNC are working with the state to help direct stateside LWCF dollars into historically disinvested and unserved communities.
 - v. Kristen discussed state bill S590, An Act Encouraging the Use of Renewable Energy on Agricultural Land, which encourages dual use and may result in degradation of Chapter 61 land and prime farm land. There is no evidence that vegetables can be grown under solar and rush to clean energy on easily accessible sites is putting prime agricultural land at risk. Bill S590 is currently in committee and hearings. Please email Kristen with any questions. Heidi Ricci, MA Audubon, noted dual use is being encouraged for chapter 61A lands with land owners getting reimbursed with solar incentives. Solar is now being used on cranberry bog sites with installations of chemically treated poles in canals. DOER is taking siting seriously and is reviewing data on siting and impacts. Data on forest land and agricultural land is being evaluated. Goal is to develop a study on solar siting and the environmental community is being invited to participate under global solutions act. Heidi Ricci (Mass Audubon) will be coordinating work on this with Steve Long (TNC). Please email Heidi on this if you are interested in being included. In response to a question, golf courses that have gone out of business are being used for solar.
 - vi. Please contact Heidi if questions on Mosquito control. For the "Mosquito Control for the 21st Century Task Force", the state hired a consultant to review the state's program and there is NO quantifiable data demonstrating the effectiveness of pesticides. The impact of these pesticides on human health and other species has to be evaluated. Significant concern that the current

state government seems determined to eliminate opt out options for towns and private landowners. 35 communities requested to opt out of spraying and were denied. See MA Audubon's blog on this topic. There is currently a reform bill proposed to address the issue.

6. **Featured Discussion: Valuing Nature's Services (Attachment C) – Christa Collins** (Director of Land Protection, Sudbury Valley Trustees) provided an update on MLTC's committee to develop specific methods for communicating the economic impact of land conservation to municipal decision-makers.
 - a. The working group has been meeting for 2 years to explore ways to make the economic case for land conservation based on academic analysis and to develop a toolkit for LTs to use. Christa noted a parcel-specific tool is not practical as the denominator of acreage has to be large enough for analysis.
 - b. An RFP has been drafted to find professional consultants to develop the toolkit. The challenge is having a customizable toolkit to address demographic variation, urban and rural, etc. and user friendly to community users. She thanked Paul Catanzaro, UMass extension and MLTC board member, for his review of the RFP.
 - c. The committee did an RFI and so far has gotten excellent input from two firms: Headwaters Communication and Water Words that Work. Would most likely cost about \$25K to develop the toolkit and hope to get it completed in nine months, however, the committee is considering a tighter schedule for a toolkit demonstration at the MLCC.
 - d. Current plan is to connect with one or more consultants and have another working group meeting to release an RFP. The committee will reach out to western MA to assure all of the state's communities are represented in the RFP.
 - e. What would be useful? How customizable will this be? Robb noted that Cost of Community Services (CSS) studies have been around and useful, however, the goal of this effort is to think more comprehensively beyond tax revenue issues and include the impacts of open land on human health, tourism, and ecosystem services. The toolkit should help town officials better understand the fiscal impact of ecosystem services for the specific community.
 - f. Buzz thanked Christa for her extensive and steadfast work on the complexities involved for this work! Ashley Davies was also thanked for her work on this when she was at SVT. If anyone has ideas about consultants, please email Christa. If anyone is interested in seeing the RFI, please contact Robb for more in depth information.
 - g. There was a request to include Open Space Committees in this committee's process.
 - h. The Clark University and TNC study, the Avoided Deforestation Report was referenced: SEE https://d279m997dpfwgl.cloudfront.net/wp/2021/09/USCA_final_report_avoided_defor_NENY-1.pdf and <https://www.nature.org/en-us/newsroom/forest-carbon-hotspots-identified-us/>
 - i. Kathy asked that food, agricultural aspects and supply chains be included.
7. Announcements. Robb noted that our Zoom settings have been set to allow people to copy and save the chat from today's and future Steering Committee meetings.
8. **12:11** Buzz moved and Rob Warren seconded the motion to adjourn. Hearing no further discussion, Kathy called the vote. **VOTE:** Unanimous

Respectfully submitted,

Rita Gibes Grossman, clerk

**ATTACHMENT A
MLTC STAFF REPORT**



Steering Committee Meeting
September 17, 2021
via Zoom

Upcoming Meetings

- Friday December 10th
- Friday March 11th
- Friday, June 10th

Locations TBD based on evolving public health guidance

**Welcome and thanks to MLTC's new
Conservation Advisory Council**

- A non-governing body providing advise and support to MLTC's Board and staff
- First meeting later today!

Loring Schwarz, Co-Chair
Whit Beals
Ed Becker
Jocelyn Forbush
Mary Griffin
Laura Johnson
Wayne Klockner

Henry Woolsey, Co-Chair
Mary McFadden
Bernie McHugh
Bob O'Connor
Brian Rehrig
Mark Robinson
Wes Ward



**Priority Project:
A New Five-Year Strategic Plan for MLTC**

- Kicked off in July – will conclude by May
- Staffed by Robb and consultants Alex Howard and Gayle Gifford from *Cause & Effect* (Providence)
- Board Committee: Buzz Constable, Janet Milkman, Karen Grey and Rich Hubbard



Desired Outcomes

- A sharper vision
 - What exactly will be better because of MLTC?
 - What are we uniquely suited to accomplish?
 - What sentinel achievements should we aim for in next 10 years?
- Prioritized goals and objectives, linked to available resources
 - To focus us toward highest-leverage work
 - With metrics to tell us if we're making progress



- Our current logic model is broad -- and thin
- Any key gaps in it?
- Could we increase impact by focusing on a subset of challenges?
- Or by expanding our programs?

challenges facing land trusts today

- Increasingly complex preservation projects require advanced skills and partnerships
- Responsible land stewardship requires significant technical and legal expertise
- Academic resources to support land trust work are limited
- Training needs are constant, given turnover in land trust staff and volunteer leadership
- Limited funding slows the pace of conservation
- The challenges of climate change require new strategies
- Non-profit sustainability requires effective finance, communications and fundraising strategies
- Sustained success depends on strategies to engage new and diverse constituencies

our program response

- Organize the annual Massachusetts Land Conservation Conference
- Build and foster strong relationships with state land agencies through a co-hosted annual retreat
- Develop shared solutions to common challenges through committees and ad hoc workgroups
- Publish a monthly e-newsletter, action alerts and moderated topical listservs
- Advocate for policies and legislation that improve support for land conservation
- Support and foster peer learning through comprehensive training, networking events and a mentoring program
- Advance development of the next generation of land trust leaders through the Young Land Professionals group

outcomes

- Increased technical knowledge for land trust staff and board members
- Effective on-boarding and retention of land trust staff and volunteers
- Strong networks to foster peer-to-peer problem solving
- Effective stewardship to ensure long-term legal protection and sustainability of conserved open space
- Capable management of small and all-volunteer land trusts
- Strong and credible platforms to communicate land trust needs and concerns to policy makers
- Increased state and federal funding for land conservation
- Improved regulatory and tax incentives to foster land protection
- More conserved open space in Massachusetts!

Program Updates

Stronger Together

- Networking discussions resume Wed Sept 22: "COVID and your Fall Events". Watch eNews for more.
- Second multi-session Learning Collaborative now underway, with 29 participants from 11 organizations:
Advancing Racial Justice, Equity and Inclusion for Land Trusts
- Additional learning collaboratives in the works: Board Member Boot Camp, Leadership Succession Planning, Risk Management

Poll !

2022 Massachusetts Land Conservation Conference

Communicating Conservation: Building the Message for the 21st Century

- Planning for a **live conference: Saturday March 26** – at Worcester Tech
- **No** simultaneous hybrid, but may explore livestreaming the keynote
- Will adhere to current public health protocols
- **Contingency:** Virtual conference March 24-26, perhaps with in-field session
- Call for proposals coming early October!

Please share your expertise!



Land Trust / State Agency Retreat

- Thursday November 4th – full day, in the barn at Red Apple Farm, Phillipston. Focus: Increasing the Pace of Land Conservation
- Friday November 5th – half day, via Zoom: Focus: Partnerships with Indigenous Communities

- Agenda and registration info coming soon!
- no overnight -

Poll!



Attachment B
Public Policy Update
MLTC Steering Committee Meeting
September 17, 2021

Presented by Emily Myron, Policy Manager, The Nature Conservancy

FY22 Green Budget Success!

The Governor has signed into law the FY22 State Operating Budget, and all the Green Budget Coalition priorities were included, as well as earmarks for implementing the new climate law (we hope to get more money for this next year):

- **DEP: \$33,434,358** plus pull through from last year, bringing the total to **\$40M**, which was our ask. Also includes \$160,000 earmark for staff to implement that climate law
- **DER: \$3,250,000** (our ask was \$3M)
- **NHESP: \$1,000,000**, which was our ask – this is the most the program has been funded in 20 years!
- **DCR: \$50,500,000**, our ask was \$50M. It does include \$500,000 in earmarks.
- EEA, DPU, DOER Admin: each includes a **\$160,000 earmark** for staff to implement that climate law

There is also language for the first time that would reimburse the Inland Fisheries and Game Fund **annually** from the General Fund for all lost revenue attributed to the issuance of discounted or free hunting and fishing licenses. (They used to reimburse for discounted licenses – for those age 65-69 – but not the free ones – for those age 70+). This will add an additional ~\$1M a year to the MassWildlife budget, and that number will increase as more sportsmen and women over 70 continue to pursue free licenses.

FY22 Capital Plan Increases!

In June, the Baker Administration released the state's Capital Spending Plan, which included a number of increases to programs on our priorities list, including: EEA's Conservation Partnership and Landscape Partnership Programs; EEA climate programs, including MVP; DER's restoration, dam, and culvert programs; and Green Communities. There is also a new program – Greening Urban Lots and Planting River Buffers – that will provide grants to plant trees along rivers and streams and green vacant urban lots.

Call to Action

ARPA Outreach

The Massachusetts Legislature is currently hearing public input on how to spend \$4.9B in American Rescue Plan Act (ARPA). Eight statewide environmental NGOs, including MLTC, developed a [list of priorities](https://massland.org/sites/default/files/files/arpa_joint_request_letter_7.19.21-2.pdf) (https://massland.org/sites/default/files/files/arpa_joint_request_letter_7.19.21-2.pdf) for a green recovery – both to create jobs and to make significant progress toward building a more resilient Commonwealth. A letter was sent to leadership, members of the group testified at a recent hearing, and members of the group are meeting with key members of the legislature. **NOW** is the time to contact your local Senator and Representative to express support for these priorities and urge them to support significant ARPA funding for land acquisition and restoration, climate resiliency, and outdoor recreation (you can find your legislator: <https://malegislature.gov/search/findmylegislator>).

State Legislation

The following bills have been selected as legislative priorities by the MLTC Policy Committee. Notable updates are **bolded**: 2

S.1986/H.2960, *An Act increasing the conservation land tax credit* (Sens. Tarr and Hinds; Reps. Jones and Pignatelli)

- The bill would raise the annual cap under the Conservation Land Tax Credit (CLTC), the state income tax credit for donations of conservation land, from \$2 million to \$5 million - phased over three years. It would also amend the definition of a "public or private conservation agency" that may receive donations of land and provide a ten-year sunset.
- Referred to the Joint Revenue Committee; hearing not yet scheduled. Advocates will continue to work to pass the CLTC increase as a standalone bill.
- **Unfortunately, yet again, the increase to the annual cap on the CLTC was not included in the final state operating budget, despite tremendous support from legislators (unanimously adopted by the House) and the land trust community. We will be regrouping to determine the best course of action on this priority moving forward. We are also collaborating with the Department of Revenue to conduct due diligence to address concerns of legislators.**

S.524/H.851, *An Act preserving open space in the Commonwealth* (Sen. Eldridge; Rep. Balsler)

- Previously known as the Public Lands Protection Act (PLPA), this bill would prevent loss of constitutionally protected Article 97 lands by requiring replacement land, as well as notification to EEA prior to filing legislation to dispose of land. The legislation codifies EEA's current "no net loss" policy.
- This is a recommendation of the Resilient Lands Initiative (which has not yet been finalized and published by EEA)
- **PLPA was engrossed (passed) by the House on July 28 and is now in Senate Ways and Means. Supporters recently sent a letter to SWM urging swift passage.**

S.603/H.983, *An Act establishing a Massachusetts flood risk protection program* (Sen. Pacheco; Rep. Peake)

- This bill would require the state to create a new Flood Risk Protection Program (FRPP) to eliminate risk of flooding to homes and buildings by acquiring homes, small businesses, and nonprofit properties from interested owners and helping them relocate. The FRPP would cover inland and coastal properties and would be entirely voluntary. Once property is acquired, the legislation requires the removal of structures and the permanent conservation of the land. A new climate resilient landscape would serve as a natural buffer against flooding to protect communities and natural resources.
- **Rep. Peake and Sen. Pacheco are hosting a virtual briefing for legislators and staff on this legislation on October 1st.**
- Referred to the Joint ENRA committee but a hearing has not yet been scheduled.

H.2977, *An Act relative to the classification and taxation of urban public access land* (Rep. LeBoeuf)

- This bill would add a new chapter 61C entitled, Classification and Taxation of Urban Public Access Land. The bill incentivizes the protection of urban open space by reducing the acreage of land eligible for the Chapter 61 tax program to 5,000 square feet for land that is retained as defined open space or recreational resource open to the public. It also sets out parameters for valuation and changes of use.
- This is a recommendation of the Resilient Lands Initiative.
- Referred to the Joint Revenue Committee; hearing not yet scheduled.

S.1875/H.2831, *An Act to reform payments in lieu of taxes for state-owned land* (Sen. Hinds; Rep. Blais)

- This bill would change the way PILOT program payments for state-owned lands are calculated for municipalities, based on recommendations in the State Auditor's December 2020 [PILOT Report \(https://www.mass.gov/report/the-impact-of-the-state-owned-land-pilot-and-solar-taxation-policies-on-municipalities\)](https://www.mass.gov/report/the-impact-of-the-state-owned-land-pilot-and-solar-taxation-policies-on-municipalities). The goal is to increase and equitably distribute of PILOT funds to make sure the formula no longer disadvantages smaller, rural communities.
- Referred to the Joint Revenue Committee; hearing not yet scheduled.

S.560, *An Act Establishing the Office of Outdoor Recreation* (Sen. Hinds)

- This bill would create a new office focused on outdoor recreation within EEA to support, promote, and market outdoor recreational activities available throughout the state. The office would coordinate with other secretariats and nonprofit and business partners, stimulate economic development, and improve the quality of life, health, and well-being of residents and visitors to the Commonwealth.
- This bill was heard by the Joint ENRA Committee on May 18, 2021, but it has not yet been moved.
- **Advocates are trying to create a new OREC via the American Rescue Plan Act legislation.**

S.556/H.937, *An Act providing for the public health by establishing an ecologically based mosquito management program in the Commonwealth* (Sen. Hinds; Rep. Gouveia)

- This bill proposes comprehensive improvements to the way the state manages mosquitoes. It establishes a new Mosquito Management Office and new Mosquito Management Board within EEA and creates a system where pesticide use is allowed only for disease control under ecologically based management plans. It also creates streamlined notice and opt out requirements, and bans pesticides containing PFAS.
- Referred to the Joint ENRA Committee; hearing not yet scheduled.

S.2147 / H.3306, *An Act to Improve Outdoor Lighting, Conserve Energy, and Increase Dark-Sky Visibility* (Sen. Creem; Rep. Garbally)

- This bill would promote energy-efficient lighting practices by requiring municipal- and state-funded projects to adopt standards for exterior lighting that meet best standards for human and wildlife habitat, require the Mass. Department of Transportation to update its criteria for road lighting, and require the Mass. Department of Public Utilities to establish incentives for energy efficient street lighting.
- Referred to the Joint Committee on Telecommunications, Utilities and Energy hearing not yet scheduled.
- This has been added as an MLTC priority since the last policy update.

State Administration

Mosquito Control Task Force

A consultant hired by the state has issued a [report \(https://www.mass.gov/service-details/mosquito-control-task-force-study\)](https://www.mass.gov/service-details/mosquito-control-task-force-study) on mosquito control. It confirms that there is no system for tracking the effects of mosquito control practices, either in reducing mosquitoes or on the impacts of mosquito spraying on people or the environment. It acknowledges that several pesticides used widely in the program are highly toxic to bees, fish, and many other beneficial species. Meanwhile, the state denied 11 of the 35 municipal requests to opt-out from spraying. The Mosquito Control for the 21st Century Task Force is developing recommendations for updating the program. See the [NOFA/Massquito website \(https://www.nofamass.org/massquito/\)](https://www.nofamass.org/massquito/) for more information on this effort and the reform bill.

Clean Energy and Climate Plan

Based on requirements adopted in March 2021 in the Next Generation RoadMap Climate Policy Law, EEA is in the process of revising its *Interim Draft 2030 Clean Energy and Climate Plan* (CECP). EEA has released a work plan that includes:

- Fall 2021: Public meetings around the 2025 and 2030 emission limits, sub-limits, and carbon sequestration baseline and goals;
- Winter 2022: Public meetings on the proposed interim emissions reduction targets and carbon sequestration goals for 2025 and 2030 and the proposed plan to achieve those targets and goals;
- By July 1, 2022: Determination of the 2025 and 2030 emissions limits and sub-limits, and release of 2025/2030 CECP.

EEA's work plan for Natural and Working Lands includes improving the inventory of natural and working lands (NWL) biogenic carbon in Massachusetts to inform the NWL carbon sequestration baseline, goals, and plan to achieve the goals. EEA is also developing a stakeholder engagement plan to inform the development of the NWL baseline, goals, and plan.

Ground Mounted Solar The MA Department of Energy Resources (DOER) and Mass GIS recently completed the [Solar Siting Analysis](#) of ground mounted solar that was developed between 2010-2019. DOER has announced it is planning on conducting an assessment of solar, including: assess how much solar could be sited in Massachusetts; identify preferred locations, barriers to development and potential solutions; assess cost implications and environmental considerations. Recently a grassroots group was formed that asking for a moratorium on large ground-mounted solar. You can learn more about the effort here <https://savethepinebarrens.org/solar-2/>

Stateside Land and Water Conservation Fund (LWCF)

The Appalachian Mountain Club and The Nature Conservancy have been working with the Commonwealth of Massachusetts to increase awareness about this program and to get more projects in historically underserved communities. This past year, two listening sessions were held about the program with municipalities, non-profits, and groups working in environmental justice communities. Webinars on the program were also presented at the MA Association of Conservation Commissions conference, MA Association of Planning Directors and with the National Park Service. These listening sessions are becoming a model for states around the country to increase awareness about the program and to direct more of these funds to the communities that need them the most.

Federal Policy

Congress is currently engaged in two significant efforts that, if successful, would bring significant programs and funding to address climate, resiliency, natural resources management, and more. Negotiations around reconciliation and infrastructure are happening *right now* and the state of play is changing constantly.

Budget Reconciliation

Democrats in Congress are currently engaged in budget reconciliation, a process by which Congress can advance budget decisions with only 51 votes in the Senate. House and Senate Committees are currently deciding how to spend the money in the agreed upon budget resolution – totaling \$3.5T. This is a tremendous opportunity to advance action on climate change and provide significant funding for natural resource and resiliency priorities. Efforts are underway to include the Charitable Conservation Easement Program Integrity Act, which could provide a \$7B pay-for and was included in the House Ways and Means mark-up of the bill. There is still a long way to go in this effort, and the final package will likely include less money than in the initial budget resolution. Note: this reconciliation process only relates to funding, not policy.

Bipartisan Infrastructure Package

In July, a group of 22 Senators introduced a bipartisan infrastructure package in the Senate (\$1.2T; [\\$550B in new spending](#)). It swiftly passed the Senate and is now being considered by the House. This bipartisan bill reflects a strong understanding of how our lands and waters are as much a part of America's infrastructure as roads and bridges, and how climate action is an imperative for our communities. Tracking by The Nature Conservancy shows that more than \$200 billion in this bill will go toward conservation, restoration, climate change, and energy-related provisions.

ATTACHMENT C

A TOOLKIT FOR COMMUNICATING THE VALUE OF NATURE'S SERVICES REQUEST FOR INFORMATION

August 2021

Summary

There is a growing need for cities and towns to better understand the economic and ecological impacts of land conservation to their local community. The Massachusetts Land Trust Coalition (MassLand) seeks a consultant to create a suite of communication materials to support land trusts and municipalities as they encourage conservation and wise land use planning decisions at the local level. Materials will need to incorporate the most recent and relevant economic and climate change data to help explain and demonstrate the value of conserved land, at a variety of scales and across the urban to rural continuum, to a community's economic wellbeing and quality of life. Emphasis should be placed on those economic values and benefits that accrue most directly at the local level, and especially to its municipal government and taxpayers.

We invite prospective consultants to contact us with ideas about how to better define deliverables, and about cost and timeline for such a project.

About Us

MassLand advances land protection across Massachusetts by providing education, tools, networking, and advocacy support for land trusts and their partners. As the state association for land trusts, MassLand unifies, strengthens and connects more than 140 land trust members across the state; serves as the voice of land trusts on state policy issues; facilitates partnerships among conservation entities; and builds capacity of the conservation community through technical assistance, workshops, forums and one of the nation's largest annual land conservation conferences.

Generally speaking, land trusts in Massachusetts work to permanently conserve and care for open space properties (including forests, farms, wetlands, beaches, parks and community gardens). Our members range from large statewide organizations with over 100 staff to all-volunteer organizations working within a single town. Virtually all land trusts in Massachusetts depend on cooperative partnerships with municipalities for at least some of the land conservation work that they do.

Background and Project Purpose

Over two decades ago, a method for comparing the local fiscal impact of development vs. open space and agricultural preservation was developed and promoted by organizations such as the American Farmland Trust. The resulting "cost of community services" studies (CCS) were conducted across the country, and helped to illustrate to local planners and decision-makers that residential development often costs a municipality more in services than it generates in revenues over the long term. Though useful, these studies are limited to analyzing municipal tax revenues vs. costs of municipal services, and thus overlook other ways that intact farms, forests, wetlands and other forms of open space provide economic value at the local and regional scale. More recently, the numerous ways open space creates economic value have been the focus of a rapidly growing field of study among economists and ecologists, producing a wealth of studies that focus on quantifying the value that "ecosystem services" provide. The full range of economic benefits of strategic land conservation can and should be considered as part of the municipal planning and decision-making process.

In 2019, MassLand established a working group to revisit the now-outdated CCS studies, using the additional research on ecosystem services to articulate and create a case statement for the economic importance of land protection, targeted primarily for those who make land use and investment decisions at the municipal level. Members of the working group included MLTC staff and board, as well as representatives of local, regional, and statewide land trusts.

The fact that land conservation preserves natural services that have economic benefits well-documented, but has not made it into collective consciousness. Many local and decision-makers continue to look at conserved land as antithetical to community development and tax revenue goals, as it is exempt from property taxation. Open space acquisition typically requires significant up-expenditures, and planners often lack the means to evaluate the long-term benefits of investments. However, in addition to averting the cost burden that added development could bring, preservation of healthy functioning ecosystems provides tangible services like healthy recreational opportunities, locally sourced food and wood products, clean air and water, ground water recharge, flood-risk mitigation and urban cooling. Most or all of these ecosystem services will grow in importance as climate change intensifies.

Over the course of the past year the working group has compiled a catalog of work that highlights the essential and often undervalued role these services have played in our communities. This project seeks a consultant who will cull from that body of work – and any more recent studies – the most relevant and tangible data points to support a case for local investment in natural services.

It is critically important that municipalities understand the crucial role the ecosystem services provided by conserved open space plays in stabilizing and supporting their communities. A partnership between the Massachusetts Land Trust Coalition and other stakeholders such as municipal, regional, and statewide planning, finance and conservation associations to distribute this information could have significant benefits in helping Massachusetts communities prepare for climate change.

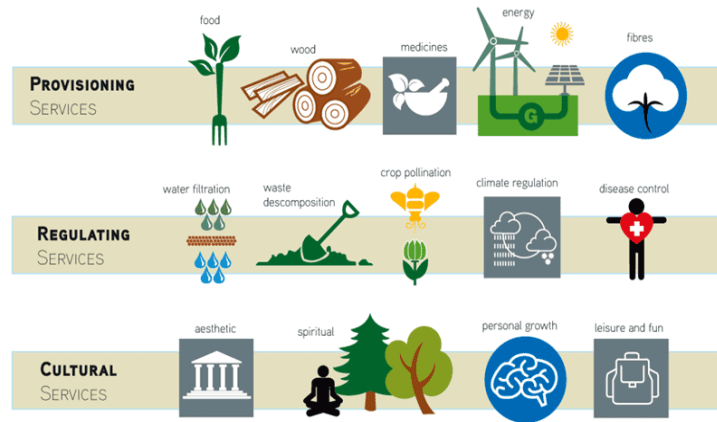
Scope of Work

The Massachusetts Land Trust Coalition seeks proposals for the creation of communication materials to support land trusts and municipalities as they make land conservation and land use planning decisions at the local level. Despite the strong support of the Commonwealth of Massachusetts for land protection, and the tremendous group of nonprofit land trusts who are active statewide, the majority of land protection projects involve local governments, either for funding, for grant applications, or simply for approval. The on-going tension between “more open space” and “more development” persists, but without the benefit of a full accounting of the costs and benefits of both. Ultimately, communities that are well informed about the economic benefits of open space will be best positioned to make good decisions about where future development should be sited.

We seek a consultant to create a set of communication pieces to help explain and defend the value of protected open space to a community’s economic picture, as well as its quality of life.

General guidelines:

WHAT DO WE GET FROM ECOSYSTEMS?



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the
state

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Figure 1: [From the UNESCO Chair - Sustainable](#)

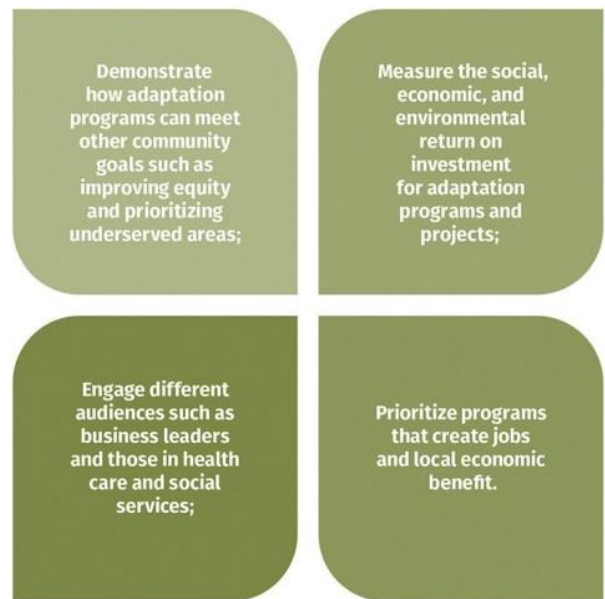


Figure 2: Headwater Economics’ outline of the different arguments for the benefits of ecosystem services.

- Deliverables could include fact sheets or presentation templates that highlight the sometimes hidden costs of development, along with the value of ecosystem services (broadly defined) over time. Information presented should include **an honest and balanced assessment of the need for local tax revenue and the often-considerable up-front cost of acquiring open space.**
- Materials should be customizable so that users can tailor their message to the community in question. For example, the value of salt marsh or the value of working forestland may be less relevant to some communities than others, so a template offering a menu of options to include in locally-tailored communication pieces would be ideal. Materials should include both a core document and additional, more detailed topic sheets so that documents themselves aren't customizable but the package is.
- Simple, effective language that is accessible to a wide audience.
- While mention should be made of global benefits, emphasis should be placed on those values and benefits that accrue to a local community, and especially to its municipal government. For example, while there is broad evidence that access to nature reduces health care costs, improves mental and physical health, etc., few of those health care costs accrue to a municipal budget and therefore may be less relevant to this focused audience. In contrast the costs of flooding or water treatment generally accrue directly to local governments and taxpayers or ratepayers. The work should rely on research that is appropriate to apply to the area of interest and uses the conservative assumptions that result in the lower-bound estimates of value.

Consultant responsibilities:

- Provide ideas and examples of communication tools that will meet project objectives for the intended target audience, specifically select boards, and boards of assessors, finance committees, and residents at a town meeting.
- Collaborate with the MassLand working group to refine target deliverables.
- Serve as lead copy writer and designer for target deliverables.
- Provide drafts for review and incorporate feedback from the MassLand working group.
- Provide transparency about methods, assumptions, and data sources, and make those available to the public as part of this work.

Responsibilities of the MassLand working group:

- Provide background on reported and observed needs of land trusts related to the topic.
- Provide access to accumulated research on the topic.
- Collaborate with consultant to refine target deliverables.
- Review and comment on drafts before finalization.
- Manage the dissemination of deliverables to target audiences.

Additional Information

- A Consultant Agreement will be signed by the parties before any time can be considered billable.
- A budget will be developed and approved prior to the awarding of a contract.
- Consultant invoices will be paid monthly.
- Consultant will maintain the confidentiality of all information gathered from MassLand and working group members in the course of the project.
- This is a 'work for hire' contract. Products will be owned by the client.