



**Massachusetts Land Trust Coalition (Massland)  
Steering Committee Annual Meeting Minutes  
March 6, 2020 / 10:00 AM – 12:30 PM  
Great Meadows National Wildlife Refuge Conference Room,  
73 Weir Hill Rd, Sudbury MA**

**Attendance:** On record at MLTC office

**Hand-outs:**

- Minutes of December 13, 2019 SC Meeting (Member login at <http://massland.org/steering-committee>)
- Agenda for March 6<sup>th</sup> meeting (MLTC Website)
- Public Policy Update (Linda Orel) (Attachment A)

**10:10 Call to Order.** Kathy Orlando, Steering Committee Chair called the meeting to order and welcomed everyone. Attendees introduced themselves.

**Minutes of the December 13<sup>th</sup> Meeting.** Buzz Constable moved and Lisa Vernegaard seconded to accept the Minutes of the SC meeting on December 13<sup>th</sup>. Hearing no further discussion, Kathy Orlando called the vote. VOTE: Unanimous.

**Proposed SC meeting dates for 2020 Update.** The SC meeting dates for 2020 will be: Friday, June 19<sup>th</sup> (Westborough); *Wednesday*, Sept 23<sup>rd</sup> and Friday, Dec 11<sup>th</sup>. Locations for the September and December meetings to be determined.

**Staff Report.** Robb Johnson, Executive Director, summarized as follows:

1. *Massachusetts Land Conservation Conference (MLCC).* Saturday, March 28<sup>t</sup>
  - a. Record number of registrations; early bird rate ends March 9<sup>th</sup>.
  - b. Young Land Professionals (YLP) gathering the night before and 10 student scholarships awarded.
  - c. YLP leading pilot of a new mentoring program at the conference.
  - d. Seeking your photos and a brief description of conservation successes.
  - e. MLTC board meeting will discuss contingency plans for MLCC if the COVID 19 virus emerges as an issue requiring a re-schedule.
2. *Record-Keeping Initiative.* This joint initiative with LTA is based on LTA's work in other states. The plan is to expand beyond the 6 land trusts (LTs) that participated this year. Intended for all volunteer or minimally staffed LTs and next round may be advisory assistance only.
3. *LT Needs and Services.* Please provide feedback on needs and services your LT would like to have to Robb Johnson.

**Executive Director (ED) Evaluation.** Please provide any feedback to Buzz Constable, President, on ED's performance before the next SC meeting in June.

**FY21 Board Slate and Elections.** Kathy Orlando thanked the Nominating Committee and the board slate was presented for vote as follows:

- Buzz Constable 2020 - 2023 (3 years)
- Robert Wilber, 2020 – 2023
- Cynthia Henshaw, 2020 – 2023
- Mark Robinson, 2020 -2021 (special one-year term to serve as treasurer if needed)
- Janet Milkman 2020 – 2023. Janet’s bio was presented as current Executive Director of the Barnstable Land Trust and she has non-profit experience outside land conservation.

Rita Grossman moved to vote for the board slate as presented and Dorothy McGlincy seconded the motion. Kathy Orlando hearing no further discussion called the vote. **VOTE:** Unanimous

**Young Land Professionals (YLP) update.** Nick Rossi summarized the recent activity:

1. Working on mentorship program. There are currently eight student mentees and more mentors are needed. Goal is for mentee to have at least one conversation with mentee before and after conference and meet and spend time with mentee at the conference to answer questions and to provide input on their goals and plans. Modeled after a program at the Regional Conservation Partnership Network gathering last fall.. This is a commitment over 4-6 weeks in total. Please contact Nick if you are interested in serving as a mentor.
2. Lincoln Land Institute is having an internship program this year to link new professionals with experts. Please contact Nick if you are interested in the details on this program.
3. YLP is organizing a “first timers” breakfast at the Conference and an evening event at the MA Audubon’s Broad Meadow Brook Conservation Center with Brad Clark (DCR water) talking about managing the Quabbin Reservoir for climate resilience. MLTC is providing the food. There will be a social event at Redemption Rock brewery afterwards.

**State Agency Updates.** Bob O’Connor (Executive Office of Energy and Environmental Affairs / EEA) provided the following updates:

1. The Resilient Lands Initiative is progressing and MLTC is involved. Maps were displayed showing urban farming opportunities for Springfield and Worcester. The goal is to update the state-wide land conservation plan.
2. Melissa Cryan, Department of Conservation Services (DCS), gave a grant update:
  - a. Land and Water grant applications due 3/31/2020 with award limits (\$200K - \$750K)
  - b. National Land and Water competitive grant named Outdoor Recreation Program will be broadcast through EEA website. EEA to select 4 applications that will compete nationally.
  - c. LAND, PARC and Conservation Partnership grants to be announced by MLCC at end of March.
  - d. Drinking Water and Landscape Partnership to be announced soon.
  - e. EEA grant workshop very well attended.
  - f. There are 13 Conservation Districts (defined by county) that provide an opportunity to create project-based partnerships for conservation initiatives. Funding up to \$45,000.
3. The Healthy Soils Initiative’s Healthy Soils Action plan is progressing, with a proposed release date of September 2020. The Mass chapter of the Northeast Organic Farming Association (NOFA) is following proposed legislation. Soils are second largest reservoir of carbon with oceans being the first. This initiative is part of the net zero emissions goal by 2050. EEA reaching out to traditional farmers with focus groups using the Donahue Institute. Bob also noted that lawns account for 400,000 acres of land statewide. Cultivated land and hay fields account for 200,000 acres. Lawn irrigation constitutes more than 50% of public water supplies based on local research done on the Cape. Concurring comments

were made by those present noting the amount of resources needed for lawn maintenance and possibilities for private land owners to diversify and naturalize their lawns while conserving water while reducing or eliminating the use of pesticides, herbicides, and fertilizers.

4. As of this meeting, there will be seven more EEA public meetings on the 2050 net zero goal for the Global Warming Solutions Act (GWSA). Can participate live or with written feedback.  
<https://www.mass.gov/service-details/the-global-warming-solutions-act-gwsa-public-meetings>
5. For the Resilient Land Initiative, EEA would like examples of recent successful conservation projects. The Family Forest Carbon Program was noted, a partnership between the American Forest Foundation (AFF) and The Nature Conservancy (TNC), coordinated by Laura Marx of TNC, which allows small land owners to get a carbon credit. The program had been piloted in CA and elsewhere. EEA has applied for a USDA grant for carbon storage to supplement this program. Other programs noted were the Dept. of Conservation and Recreation's (DCR) working forest program (Urban and Community Forestry), Foresters for the Birds (EEA and MA Audubon), and the new program for resiliency.
6. The annual MA Town Forest conference is on April 19<sup>th</sup> in Springfield. MA has the record for annual town forest conferences held.
7. Greening the Gateway Cities Program has created 600 acres of new trees.

**LTA Updates.** Kevin Case could not attend today's meeting and Buzz Constable provided this update:

1. Kevin Case has accepted a new job as CEO and president of Mohonk Preserve in NY as of April 6<sup>th</sup> and will be leaving his position at LTA next week. We thanked Kevin for his many years of service.
2. Jennifer Miller-Herzog will be the Interim LTA Eastern Region Director. She is currently the Mid-Atlantic Senior Program Manager.

**Subcommittee and Working Group Updates.**

1. *Conservation Restriction (CR) Working Group – Rob Warren.* John Gioia thanked everyone who submitted comments and suggestions. The new CR model should be posted on the EEA's website by July 1st. Rob thanked John and noted that more information should be available by the MLCC at the end of March. A request was made for a word document of the draft, so watermarked, that could be available for comment using track changes with clear statement that it was for review. A request was made by Robb Johnson to convene a meeting to review the work to date. John thought that this was reasonable. John noted that the CR review process can be followed on the website:  
<https://www.mass.gov/service-details/conservation-restriction-review-program>.  
Mark Robinson requested that CPA driven CRs on town-owned land have a specific model readily accessible by town staff who may not be familiar with CRs. John asked for specific examples of well written CPA CRs to assist with this suggestion and noted it will be on the agenda for the next CR Working Group meeting. A request was made to share the CPA CR model once developed with LTs. 173 CRs were signed last year. Denise Pires was noted and thanked for her increased work load that included CRs and noted her expanded role.
2. *Valuing Nature's Services Working Group - Christa Collins.* The group is drafting a Statement of Need and model for LTs to use for making the economic case for land conservation while trying to address the challenge of data differences (urban, rural, land use, et al) across the state and how to incorporate those elements into the model. The Statement of Need is meant to evolve into a Request for Proposals that could be used for partnerships with academic institutions. Highstead will participate in next meeting. Christa noted the challenges with this project and asked for input especially from

western MA. The goal is to include the Cost of Community Services in addition to other measures for economic values of conserved land.

MMVP (Mass Municipal Vulnerability Program) was also noted. MVP grant program update will be announced in April and will probably due in July. Land conservation will need to be imbedded in a town's MVP if seeking Action Grants for land acquisition. Awards can only be given to municipalities, but land trusts can assist the town in applying. Christa Collins also noted that a new conservation assessment database is being developed by TNC. One goal is to develop models for how LT community can work best with municipalities.

3. *Amicus Committee - Buzz Constable*. Two cases (Wildlands Trust v. Cedar Hill and Wellesley Conservation Council, Inc. v. Pereira) are to be argued soon concerning Article 97 issues. MLTC has filed amici briefs and Buzz thanked MA Audubon and The Trustees staff and pro bono attorneys engaged by them for their contributions to these briefs, as their expertise was greatly appreciated.
4. *Agricultural Subcommittee – Kathy Orlando*. Group working on a guide for APRs. Kathy noted the State Supreme judicial court case (Arias-Villano vs. Chang Enterprises, Inc. et al 481 Mass 425 (2019)) that was filed with strict rulings on overtime labor. The case removed exceptions for over time labor, with the result that new rules are unrealistic for farmers and agricultural operations. LTs should be aware that there may be concerns from farmers. Farm Bureau has information on their websites. Local farmers should reach out to their legislatures for a fix. Wide reaching implications for non-profits as well for agricultural operations. It was noted that the case involved a legitimate abuse of farm workers, but the in good faith ruling has had unanticipated consequences.
5. *Policy Committee – Kristin Sykes*. This is a new committee which met in January and will be meeting three times per year. First step was drafting the approach and goals for the committee. CRs, overtime, and role of conservation in public health are three topic examples that this committee could address. MLTC's policy work is informed by monthly calls of the *Commonwealth Conservation Council* a group made up of policy leads of several statewide environmental groups, including MLTC that discusses significant statewide legislation and policy matters, such as proposed expansion of the Land Conservation Tax Credit. Loring Schwarz noted other examples of MLTC weighing in on relevant topics.

**Advocacy / Policy Updates.** (See Public Policy Update Attachment on p.7) Linda Orel summarized as follows:

1. State Budget and Capital Plan were reviewed and supported for priorities with rationale for each knowing that the items not listed as top priorities are still very important. Working on FY21 capital budget now.
2. Legislation of interest was reviewed as summarized on Attachment A. Specifically H.842/S.2014 was to assure net zero goal across future administrations. Adaptation and Mitigation Funding will probably not achieve goals for funding but urging to accomplish something this year, but, probably won't happen until after July.
3. General consensus expressed about importance of the Conservation Land Tax Credit (CLTC) and need to secure increased funding. Senate has supported in the past and will need pressure to get it into the House budget. Contacting legislators immediately to get it as a stand alone or in the House budget was recommended. The goal is to get support from senators to get it into the Senate budget. For those without current representation, reach out to the House Ways and Means chair. Mark Robinson and Rita Grossman urged action on this as CLTC is a bread and butter tool for LTs and agreed that delays caused by the waiting list are a growing issue for aging land owners. 4:1 leverage of tax dollars

for what has been accomplished with the CLTC to date. Janet Morrison also noted that in addition to the landowner benefit, there is significant public benefit, e.g., watershed protection.

4. Steve Long's summary on MVP is highlighted in the attachment.
5. It was noted that the State is investing in transportation and housing which is competing for conservation funding. Good news is the state investment in MVP program. Intention to get climate resiliency funding for next year as a new source of funding for conservation.
6. Linda Oreland and Colin Novick are going to Washington, D.C. for LTA's Lobby Days at the end of March.
7. Kristin Sykes (Policy Com) noted that state legislators Rep. McGovern and Sen. Spilka are playing a national role in the funding for the Land and Water Conservation Fund (LWCF) which is funded by drilling royalties paid by energy (fuel and oil) companies. There are two bills to assure that LWCF is permanently funded and used for national parks funding as well as state-side grants. There is much bi-partisan support for this including from the POTUS. TNC and AMC (Appalachian Mountain Club) working on these two bills.

Kristin also noted that the state is working on SMART siting regulations for solar arrays. Dave Outman noted the need to include agricultural lands as well as forests in lands that are excluded from incentives for solar development.

**MLTC Survey of Massachusetts Land Trusts.** Buzz Constable summarized the findings from this joint effort by MLTC and UMass for Paul Catanzaro who could not attend today's meeting. He thanked the funders and MLTC staff, including Kathy McGrath who assisted as a consultant. He noted the blend of land trust and professional survey input. The analysis is still in progress. There was an exceptional response rate of 76% with 111/136 respondents. The survey was emailed on November 26<sup>th</sup>, with weekly follow-up until the cut-off on Feb 15<sup>th</sup>. In preliminary results, land protection priorities varied, but habitat preservation consistently is ranked a high priority across LTs. For MLTC work, the following activities were highly ranked including state level advocacy on climate change, local funding, and information on relevant legislation and legal actions. Buzz thanked all the LTs who responded and participated. Final results should be available in June.

**MLTC priorities for FY21.** Since starting in October, Robb Johnson said he's focused on getting input on LT member's needs. He noted that the MLTC budget is being discussed at the board meeting, and, if a modest growth in income is realized, that funding could be directed to LT programming pending need. He said based on the survey data, MLTC's work is highly valued and more details will be available once the data analysis is completed.

**Announcements/Other Business.**

1. Bob Wilber noted that in the recent MA primary, voters ranked climate change as 3<sup>rd</sup> most important issue in the country.
2. Buzz Constable noted MA Audubon's new edition of Losing Ground with goal of 50% of undeveloped land in MA to be protected by 2050. The "50 by 50" is an urgent goal considering current sprawl development and the need for land conservation to provide resiliency in addressing climate change.
3. There will be a Resilient Lands Initiative focus group on March 12<sup>th</sup> at 6P at Fisheries and Wildlife (Westborough). All are welcome. More than 13 focus groups are active and focused on diverse representation for urban, rural, water, agriculture et al.

4. Amy Janovsky asked that feedback from the MVP efforts be provided to MLTC to provide resource information for LTs about what's working and what isn't.
5. John Hess, president of The AVIS, brought up the issue of insurance, specifically from CHUBB that the LT would not be covered for sexual abuse that could occur on stewardship activities. Adding that coverage would cost \$2500 with \$50K deductible. Regardless of whether AVIS decides to purchase the coverage, AVIS is considering best practices to reduce risks related to sexual abuse. He noted that AVIS has not previously required waivers to be signed for outings and volunteer stewardship activities. AVIS is reviewing sample waiver forms to draft one for stewardship activities. They are looking for input from others on issues such as the limits of liability, what kind of training should be provided and how would that impact volunteers. Robb Johnson noted that Amy had posted this issue to the listserv and was also referred to AMC's website for sample materials. Many issues were raised including the high cost of riders for board insurance, whether a new policy should be purchased, should each staff member or volunteer have a CORI done and what does this mean for waivers and release forms for events that are run on LT properties. Where to draw the line and how will this affect spontaneous participation? If your LT has policy and/or waivers or your LT has concerns about this, please get feedback to Robb Johnson ASAP.

Don MacIver noted that insurance was a topic of concern in a recent survey by SVT's Metrowest Conservation Alliance. Robb noted that this exclusion has been in CHUBB's language but is recently come to be a focus. Kristin Sykes noted AMC's policies and she also noted that Bay Circuit Trail is also tackling this topic of insurance and liability. She suggested a webinar on this might be helpful and should include other topics like safe stewardship (e.g. chainsaw use). Robb noted that harassment based on gender, race, etc. needs to be addressed and asked for volunteers who would be willing to join Robb and AVIS to work on this. Statement of problem and request for volunteers will be included in eNews.

**12:10PM Adjournment.** Rita Grossman moved to adjourn and Cynthia Henshaw seconded the motion. Hearing no further discussion, Kathy Orlando called the vote. **VOTE:** Unanimous.

Respectfully submitted,  
Rita Gibes Grossman, Clerk

3/6/2020

## Public Policy Update

Linda Orel, Policy Director, The Trustees  
MLTC Steering Committee Meeting - March 6, 2020

### Massachusetts Public Policy

#### Operating Budget

For FY21, the Green Budget Coalition (led by ELM, TNC, The Trustees, Mass Audubon, MassRivers, AMC and MOSES) is advocating for increased funding for four programs: Department of Conservation and Recreation (DCR) state parks and recreation, Department of Environmental Protection (DEP) administration, the Division of Ecological Restoration, and the Division of Fisheries and Wildlife's Natural Heritage and Endangered Species Program (NHESP).

We are currently meeting with each member of House Committee on Ways and Means (HWM), urging them to make these items a priority in their request to the HWM Chair Michlewitz, and to cosponsor amendments during the House budget debate in mid-April.

#### Green Budget Priorities:

Line item	Agency/Office	Green Budget Ask	FY21 Gov Budget	FY20 Final
2200-0100	DEP	\$40,000,000	\$33,646,687	\$32,082,245*
2300-0101	DER	\$2,600,000	\$2,032,048	\$2,100,000*
2810-0100	DCR Parks and Rec	\$50,000,000	\$47,635,283	\$47,250,000*
2310-0300	NHESP	\$1,000,000	\$154,222	\$154,221

\* includes earmarks.

For details, please visit: <https://www.environmentalleague.org/our-work/priorities/environmental-budget/>

If you would like to be kept up to date on this effort, please contact Casey Bowers at [cbowers@environmentalleague.org](mailto:cbowers@environmentalleague.org).

#### Capital Budget

The Commonwealth Conservation Council (CCC), of which MassLand is a member, met with the Executive Office of Environmental Affairs to request funding increases to several programs, including agency land acquisition (DCR, DFG and DAR) and competitive grants to municipalities (the LAND program). We will be reaching out to Administration and Finance in March, as well. The state's FY21 Capital Plan is expected to be released in May. We expect level capital funds for environmental and capital programs, as the state increases capital dollars on transportation and housing.

### **Legislation of Interest**

**H.4465 (previously S.1767/H.2522), An Act relative to the conservation land tax credit** (*Sen. Bruce Tarr, Gloucester, and Sen. Adam Hinds, Pittsfield; Rep. Brad Jones, North Reading, and Rep. Smitty Pignatelli, Lee*)

- This bill would raise the annual cap from \$2M to \$5M over three years; amend the definition of a "public or private conservation agency" that may receive donations of land; and provide a ten-year sunset.
- The bill, with our proposed updated language, was reported favorably out of the Joint Committee on Revenue; referred to House Ways and Means.
- Many thanks to the Sudbury Valley Trustees for securing a meeting for SVT, TNC, and MLTC with Senate President Spilka to discuss the CLTC a few weeks ago.
- A budget amendment will likely be pursued again in the state FY21 operating budget. Please be on the lookout for actions you can take soon to support this effort.

**S.459, An Act protecting the natural resources of the Commonwealth** (*Sen. Jamie Eldridge, Acton; Rep. Ruth Balsler, Newton*)

- This legislation is also known as the "Public Lands Protection Act" (PLPA).
- The bill would prevent loss of constitutionally protected open space (Article 97 lands) by requiring replacement land, as well as notification to EEA prior to filing legislation to dispose of land. The legislation codifies the state's "no net loss" policy.
- Reported favorably from the Joint Committee on Environment, Natural Resources and Agriculture (ENRA) in April in November; referred to Senate Ways and Means.

**S.497, Resolve to protect pollinator habitat/ H.818, An Act to protect pollinator habitat** (*Sen. Jason Lewis, Winchester; Rep. Mary Keefe, Worcester*)

- This bill would establish a commission to study statewide opportunities for improving pollinator health by increasing and enhancing native habitat.
- Heard by ENRA in October. The bill was sent to "study." (Which means it is dead for this legislative session.)

**H.763, An Act to protect Massachusetts pollinators** (*Rep. Carolyn Dykema, Holliston*)

- This bill would prohibit the use of neonicotinoid pesticides to any person other than a certified applicator. It also requires certain notifications regarding the danger of neonicotinoids.
- Heard by ENRA in October; reported favorably in November and referred to House Ways and Means.

**H.842/S.2014, An Act to Sustain Natural and Working Lands Carbon in Communities** (*Sen. Bruce Tarr and Sen. Marc Pacheco; Rep. Sarah Peake, Provincetown, and Rep. Bradley Jones, North Reading*)

- These bills would require EEA to measure carbon stored by, and released from, natural and working lands; set a goal for increasing the size of our natural carbon sink; develop a plan to reach it with public and private lands; and establish a municipal technical assistance program.
- The bills have been sent to "study." As standalone bills, they are unlikely to move forward.
- However, in January, TNC, the Trustees, and other partners were successful in amending the Senate's Next Gen Climate bill with abbreviated language that would accomplish the goals set forth in this legislation. There was a roll call vote on the language that received unanimous support, and



four Senators spoke on the floor about the importance of carbon in natural and working lands. Partners will now work with leadership in the House to ensure the natural and working lands language remains in any climate bills that move forward.

**S.2254, An Act Establishing the Office of Outdoor Recreation** (*Sen. Adam Hinds, Pittsfield*)

- This bill would establish an office of outdoor recreation for Massachusetts within the Executive Office of Energy and Environmental Affairs (EEA) for the purpose of promoting and marketing outdoor recreational activities available throughout the state, to support economic development in Massachusetts, and to improve the quality of life, health and well-being of the state's residents
- Heard by ENRA in April; reported favorably in June and referred to the Senate Ways and Means.

**H.4415 (previously H.897), An act relative to forest protection** (*Rep. Susannah Whipps, Athol*)

- This bill has been redrafted (and merged with several other bills) to establish a commission that would investigate the extent and adequacy of the management of state-owned and privately-owned forest land in the commonwealth, the study of the ecological soundness of different approaches to timber cutting, and policies as they relate to climate change, the role of biomass as a renewable or alternative energy source, the economic impact of the forestry industry under the state forest cutting law.
- This bill is now being considered by House Ways and Means.

**PILOT payments.** Several bills were filed this session. Two were reported out of committee:

- A commission to study state PILOT payments (filed by Sen. Hinds, S.1861)
- A special commission to create a PILOT program to fairly compensate cities and towns with significant amounts of non-taxable property (filed by Rep. Whipps, H.2658)

**Pesticides.** In November, ENRA heard a suite of bills related to pesticides, including some aiming to ban glyphosate sales or use on public lands. Here's a quick synopsis of each:

H.791 and H.792 were redrafted and reported out favorably by the ENRA Committee. The redraft (H.4413) would require any user of glyphosate to hold a general use permit in order to purchase and use a product containing glyphosate.

S.499 would restrict the use of products containing glyphosate on state owned lands, unless the person using the product is a licensed applicator. S.499 was reported favorably, but we do not yet know to what committee it was sent.

***Adaptation/Mitigation Funding***

**S.10, An Act providing for climate change adaptation infrastructure investments in the Commonwealth** (*Governor Baker*)

- This bill would increase the deeds excise rate, ultimately raising approximately \$1 billion over 10 years for technical and financial assistance to communities and infrastructure adaptation.
- Bill was heard by the Joint Committee on Revenue last June and is still under consideration.

**H.3997, An Act Relative to Greenworks (House Speaker Robert DeLeo)**

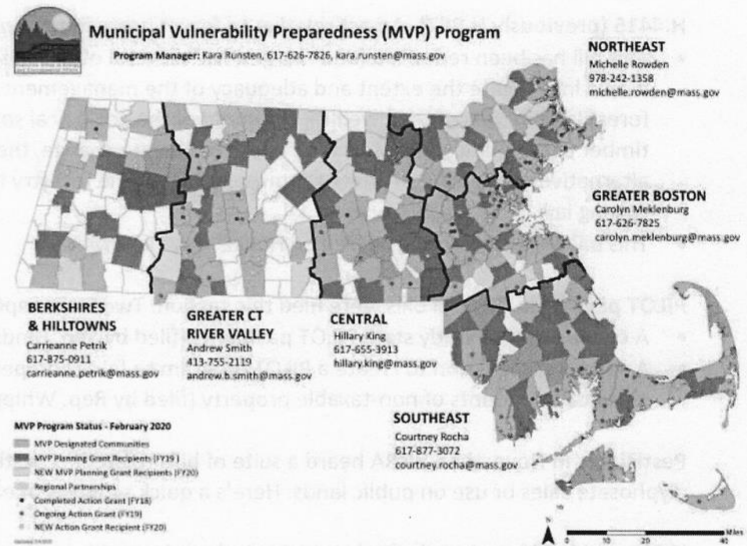
- GreenWorks would establish a \$1 billion, 10-year bond program to provide grants and loans to communities to enhance climate change mitigation and adaptation investments in infrastructure, projects and resources. The GreenWorks bill passed the House in 2019.
- Advocates from The Trustees, TNC, Mass Audubon and Mass Rivers Alliance, met with Senate Bonding Committee Chair Moore to share the priorities conservation organizations would like to see in Greenworks, including providing funding for biosequestration and ecosystem-scale projects and allowing NGOs to serve as project managers.

**Climate Change**

82% of MA communities are now participating in the **Municipal Vulnerability Preparedness Program**. In February, EEA awarded \$1M in Planning Grants to 38 cities and towns and over \$10.5M in Action Grants to cities, towns, or regional partnerships. At least one, in Gosnold, is a land conservation project (\$1.4M). Regional coordinators are listed in the graphic.

The Baker-Polito Administration released a draft of its formal determination letter establishing net zero greenhouse gas emissions as the Commonwealth's new legal emissions limit for 2050 (under the Global Warming Solutions Act). The letter begins a month-long public comment period during which the EEA will seek input and engagement regarding the details of the state's new net zero limit. The new net zero limit, together with the Commonwealth's ongoing "2050 Roadmap" planning effort to achieve that limit, will be discussed during a series of seven public meetings throughout the Commonwealth in March. Conservation partners are working hard with EEA and the Legislature to ensure that natural climate solutions (carbon stock and biosequestration) are included in the Commonwealth emissions reductions planning, programs and policies.

The MA Department of Energy Resources is expected to promulgate final regulations soon for proposed changes to the regulations regarding the **Renewable Portfolio Standard** eligibility requirements (and scaled scoring) for electricity generation from biomass, hydropower and solar. In the meantime, land trusts could consider working with towns to strengthen weak solar by-laws.



## **Federal Public Policy**

### **Land and Water Conservation Fund**

Building on the historic successful permanent reauthorization of LWCF in 2019, bipartisan bills to permanently fully fund the program at \$900M/year have been introduced in the House (H.3195) and Senate (S.1081). The entire MA Congressional delegation have signed on as co-sponsors.

Just this week (Wednesday, March 4), a bipartisan Senate bill was announced that would combine both the LWCF full funding bill (S. 1081) and the Restore America's Parks Act (ROPA – S.500), which would address the maintenance backlog. The bill is still collecting original co-sponsors, so please encourage Senator Warren and Senator Markey to sign on. The President has indicated that he will sign this bill, should it pass. More information is available here: <https://www.lwcfcoalition.com/press-releases>

### **Recovering America's Wildlife Act**

This bipartisan bill (H.3742) would dedicate \$1.3 billion annually to state fish and wildlife agencies to implement their science-driven wildlife action plans, and an additional \$97.5 million to tribal wildlife managers to conserve species on tribal lands and waters. This bill was reported favorably by the House Committee on Natural Resources in December and sent to House Budget; however, there is still no Senate companion bill.

### **Halt Abusive Conservation Easement Transactions**

The Federal income tax deduction for permanent conservation easements is a crucial land conservation tool; however, syndicated easement transactions rely on abusive appraisals to provide tax benefits to investors. The bipartisan Charitable Conservation Easement Program Integrity Act has been introduced in the House (H.1992) and the Senate (S.170) to prevent abuse while ensuring that most landowners can continue to benefit from truly charitable gifts of conservation easements. This bill would disallow a charitable deduction only when a large profit is made in a short time from the donation of a conservation easement. This bill is supported by the national land trust community. There has been no recent action.