



MASSACHUSETTS  
LAND TRUST  
COALITION

## State Public Policy Update

September 25, 2026

➡ Information shown in **bold** is new since the June 12 State Public Policy Update.

Under the guidance of our Policy Committee, MLTC focusses its administrative and legislative advocacy on increasing state investment in land conservation and the work of land trusts, and maximizing the integrity of lands of significant conservation value, including those that have been previously protected.

### 2025-2026 Legislative Priorities

The 2025-2026 legislative session started on January 2, 2025 and will conclude at the end of 2026.

MLTC's top priorities for the session are:

- **Yes on 6 to Protect Water and Nature** (previously "Nature for All Bill")  
The Protect Water and Nature initiative will be **Question 6 on the November 2026 statewide ballot in Massachusetts**, and the campaign is now in full swing. Question 6 would generate up to \$100 million per year for land and water conservation from the existing state sales tax on sporting goods. The new Nature for All fund would conserve forests, farms, and wildlife habitat, protect clean water, and create and improve local parks.

The coalition is now over 115 organizations strong and growing every day. In the last several weeks, Governor Healey, Lieutenant Governor Kim Driscoll Bill McKibbin, Gina McCarthy, and Bob Durand all endorsed Yes on 6.

There are several ways to support the campaign and get involved:

- Joining the coalition is easy! Fill out this [form](#) to add your name to the list of [supporting organizations](#).
- Help spread the word! Email your members. Invite them to [Pledge to Vote Yes on 6](#), volunteer. Share information at your next event! Email templates, social media graphics and printable flyers are all available in the [Digital Toolkit](#)
- [Donate](#). Contributions will go toward communicating with voters across the state. 501c3 donations to ballot campaigns count as direct lobbying expenses under federal IRS rules.

See <https://www.natureforma.org/> for more information.

- **Environmental Bond Bill/Mass Ready Act ([S.3064/H.5518](#)), *An Act to Build Resilience for Massachusetts Communities***

For the first time since 2018, the state legislature is expected to pass an environmental bond bill that will define capital spending priorities. For the next several years, the state's annual capital budget for environmental programs will be driven largely by the bonding authority set in this bill. A number of policy provisions are likely to be attached and become law when the bill is signed. MLTC is part of a large Coalition advocating for key priorities to be included. A Conference Committee is currently working on reconciling the House and Senate versions into a final bond, **authorizing up to \$3.6 billion in potential future state spending on environmental projects, including land**

acquisition, restoration, and water supply protection.

Among Coalition priorities adopted in the Senate version were key elements of a drought management bill that Mass Rivers has long championed, key elements of air quality task force legislation, wetland restoration permit streamlining, restrictions on use of rodenticides, and expanded funding for coastal resilience. MLTC is working closely with our Coalition partners on communicating to the Conference Committee and joined the bond coalition letter [here](#). Many of our partners are urging that the final bill not include a provision of the Senate bill that would apply a “preference modifier” for state grants to municipalities that have local zoning, wastewater and wetland rules that do not exceed state regulations. Under the guise of streamlining permitting for housing, this provision would disadvantage many communities that have thoughtfully adopted local regulations to protect sensitive wetlands and water resources. MLTC joined this [sign-on letter](#), and on June 10<sup>th</sup> Commonwealth Beacon published a [thoughtful Op-Ed](#) by Dot McGlinchy on why this proposal is misguided.

MLTC led an unsuccessful effort to attach an amendment to the Senate version of the bill that would have required municipalities to hold a public hearing before waiving their right of first refusal when notified that properties enrolled in Ch. 61, Ch. 61A or Ch. 61B are facing conversion to a non-conservation use. **There are no plans to push that issue further during this session.**

- **An Act increasing the conservation land tax credit** ([S.2083/H.3147](#), Sen Tarr and Rep. Jones)  
This bill would expand the annual cap on the state's conservation land tax credit program, resolving a long-standing waitlist for landowners willing to permanently conserve their environmentally significant properties. See MLTC's written testimony from summer 2025 [here](#). In spring 2026, the House sent its version of the bill to study, effectively ending its chances as a standalone bill this session. The Senate has extended the reporting deadline for its version of the bill to June 25, 2026. Legislative champions led efforts to pass this measure by attaching it to the Senate version of the Environmental Bond Bill and the House version of the FY27 State Operating Budget. Neither of those efforts were successful. For background on the need for this bill, see this [fact sheet](#) and [WBUR coverage](#) from Martha Bebinger.
- **FY27 State Operating Budget**  
On January 28th, Governor Healey proposed a \$63.4 billion operating budget for the fiscal year that begins on July 1. While she proposed an increase of 3.8% overall, she proposed a cut of \$19 million (roughly 4%) for environmental programs. This spring, evidencing concerns about federal Medicaid changes, economic volatility, and a pair of ballot questions that could reshape the state's revenue structure, the House and Senate passed versions of the budget that were even more fiscally cautious than that proposed by the Governor. As a member of the [Green Budget Coalition](#), MLTC worked with partners to advocate that the Conference Committee stick with the highest possible funding levels for key programs. **As expected, there were significant reductions to several key environmental programs. The Conference Committee did keep DEP over \$51 million and took the Senate’s higher number for DCR State Parks. Overall, here are the final numbers for several Green Budget priorities:**
  - EEA Admin: Level funding with FY26, not including earmarks
  - DEP Admin: \$51.1 million, not including earmarks. ~3.8% cut
  - DCR State Parks: \$105 million. ~7.1% cut
  - DER \$4.8 million, not including earmarks. ~5.9% cut
- **FY27 State Capital Budget**  
While the operating budget covers most staff and annual operating expenditures of state government, the capital budget is where most funding for land acquisition is set. Last year the

Healey-Driscoll Administration issued a two-year capital investment plan covering both FY26 and FY27, so numbers for the coming year were actually set last year. FY26 and FY27 allocations can be seen [here](#). Toggling to "View by Plan Item" shows significant reductions in some lines, due in large part to a decrease in federal funding support. Funding for EEA Agency Land Protection Programs is budgeted to drop from \$23.3 million this year to \$11.4 million next year; EEA Community Investment Grant Programs (including LAND, PARC and Drinking Water Protection) are forecast to drop from \$28.3 million to \$25.75 million; and EEA Land Protection Grant Programs (available to both municipalities and nonprofits) are slated to drop from \$13.3 million to \$4.25 million. EEA does have some discretion to adjust spending across these lines to respond to areas of greatest need.

## Other Bills MLTC Supports

**An Act investing in natural and working lands** ([H.1005/S.549](#) Rep. Meschino & Sen. Comerford) to promote acquisition and management of natural and working lands to reduce impacts from climate change. On March 19, the House bill was reportedly favorably by the House Committee on Environment and Natural Resources and referred to the House Committee on Ways and Means. **On July 9, the Senate version was reported favorably with revisions (S.669).** See testimony submitted by The Nature Conservancy [here](#). Read more about the bill [here](#). **The bills did not advance further. We will reevaluate for next session.**

**An Act relative to uniform partition of heirs property** ([H.1964/S.1239](#)), Rep. Roy, Rep. Worrell, Sen. Lovely) to increase protection for legal heirs of property owners who die without a will in place. See written testimony submitted by MLTC [here](#). The bill was reported favorably by the Senate Committee on the Judiciary, **but did not advance through Senate Ways and Means.** On March 26<sup>th</sup>, the House sent its version of the bill to study, effectively ending its chances this session. **We will reevaluate for next session.**

**An Act accelerating wetlands restoration projects** ([H.1052](#), [S.557](#), Rep. Shand, Rep. Kassner, Sen. Crighton) to facilitate expanded wetlands restoration. This bill is the centerpiece of a Mass Audubon Campaign to Accelerate Wetland Restoration across Massachusetts. Learn more about the bill [here](#). The bill was reported favorably by the Senate Committee on Environment and Natural Resources last November, and is now pending before the Senate Ways and Means Committee. **Both the House and Senate bills were reportedly favorably by the House Committee on Environment and Natural Resources but did not advance further as stand alone bills.** See a joint letter of testimony that MLTC supported [here](#). Key aspects of this bill were included in outside sections in the Environmental Bond Bill **and are expected to be adopted in the final bond bill (S.3064/H.5518).** [Mass Audubon continues to lead a campaign](#) with more than **80** partners to streamline permitting for wetland restoration projects which can require lengthy and costly permitting despite their clear benefits to the environment.

**An Act to reimburse the George L. Darey Inland Fisheries and Game Fund** ([H.1066/S.579](#), Rep. Vieira/Sen. Durant) to consistently reimburse MassWildlife for revenue lost from providing free hunting and fishing licenses. A hearing date before the Joint Committee on Environment and Natural Resources was held on July 1, 2025. On December 18<sup>th</sup>, the Senate bill was reported favorably and referred to the Senate Committee on Ways and Means. On March 30, the House bill was sent to study, effectively ending its consideration for this session.

**An Act relative to Urban Farmland,** ([S.61/H.121](#), Sen. Gómez, Rep. Duffy) to support conversion of vacant lots and underutilized land in environmental justice communities into urban farms, community gardens, and other agricultural enterprises. A hearing before the Joint Committee on Agriculture was held last September 16<sup>th</sup>. See written testimony submitted by MLTC [here](#). On December 31<sup>st</sup>, the Senate bill was reported favorably and referred to the Senate Committee on Ways and Means. On

December 31<sup>st</sup>, the House bill was redrafted as [H. 4855](#) and reported favorably to the House Ways and Means Committee. **While Senator Gómez offered an amendment to include this bill in the Mass Ready Act, it was not included. We will re-evaluate for next session.**

**Proposal for a legislative amendment to the constitution relative to agricultural and horticultural lands** ([S.11/H.71](#), Sen. Comerford, Rep. Blais) to authorize lower tax rates for agricultural land regardless of the size of the agricultural parcel. A hearing on this bill was held before the Joint Committee on Revenue on March 25, 2025. See our written testimony in support [here](#). The Senate bill was reported out favorably on May 1, but on the same day, the House bill received an “ought not to pass” decision. Supporters are currently exploring next steps.

**An Act to report payments in lieu of taxes for state-owned land** ([S.1939/H.3032](#), Sen. Comerford, Rep. Blais) to improve equity in the distribution of state payments in lieu of taxes (PILOT) to municipalities that host state land and facilities. The bill would revise payment formulas to provide additional reimbursement for the value of ecosystem services provided by state-owned land, such as drinking water protection, habitat for endangered or threatened species, outdoor recreation, carbon sequestration, and landscape connectivity. The bill was reported favorably by the Senate Committee on Revenue last November, and is now pending before the Senate Committee on Ways and Means. On March 16<sup>th</sup>, the House sent its version of the bill to study, effectively ending its chances this session.

## State Administrative Policy Updates

### PILOT Commission on State Owned Land

In August 2025 the Governor issued an [Executive Order](#) establishing a Commission on PILOT for State-Owned Land. The first meeting was held May 20<sup>th</sup>. Wendy Ferris (The Trustees) is the appointed representative from “non-governmental organizations focused on public and private land conservation”. The Commission is charged to:

1. analyze the history and structure of the state-owned land PILOT program and assess the fiscal, equity, and policy impacts of current reimbursement policies;
2. assess the impact of state land ownership on host communities and benefits to non-host communities, especially in the context of municipal budgets, local services, housing, economic development, and ecosystem services;
3. evaluate a range of potential policy adjustments;
4. identify tradeoffs between proposals in terms of fiscal cost, land use policy goals, administrative complexity, and equity; and
5. develop a set of short- and long-term recommendations to improve the state-owned land PILOT program, including proposals that identify innovative and feasible ways to cover associated costs, such as offsetting savings, programmatic efficiencies, public-private partnerships, or regional solutions, particularly in the context of constrained fiscal conditions.

**The Commission has just begun a second round of listening sessions. Remaining listening sessions the coming weeks are below.**

- Register for listening sessions here: [Registration for PILOT Listening Sessions](#)
- Or use [this form](#) to share your thoughts on the PILOT program

**Listening sessions:**

- Sterling Town Hall: Tuesday, September 22, 2pm-3:30pm
- Groton Center: Thursday, September 24, 2pm-3:30pm
- VIRTUAL: Thursday, October 1, 5pm-6:30pm
- VIRTUAL: Tuesday, October 6, 3pm-4:30pm

A final report (date uncertain) with the Commissions' findings, analysis, and policy options.

The Commonwealth owns over 500 thousand acres of land across the state, and makes PILOT payments to municipalities to help offset some of the revenue lost from having those properties on the tax rolls. Municipalities with the most state-owned land are primarily in Western Massachusetts, but under the current funding formula they receive lower payments than communities in eastern Massachusetts due to lower property values

- **Conservation Restriction Backlog**

MLTC continues to advocate for resolution of the long-standing backlog in Conservation Restrictions (CRs) under review by the Executive Office of Energy and Environmental Affairs (EEA). EEA's Division of Conservation Services (DCS) reports progress on reviewing CRs more efficiently, with continued assistance from three auxiliary reviewers. Certain CRs that have been determined to be "on hold" and not proceeding at this time for reasons outside of DCS control have been removed from the list of active CRs the DCS is tracking. Any on-hold CR will re-enter the system immediately upon request of the original proponent. As of February 27, 2026, DCS was tracking a total of 220 applications currently in review. Approximately 50% were with DCS review staff and the other 50% with applicants, awaiting applicant signatures or responses. Of these, 31 recent submissions were tied to 2026 grant programs, causing a temporary bottleneck. According to DCS staff, average time from submission to approval was at that time approximately 5 months, with the goal to drop it down to 3 months. The DCS team, with assistance from EEA's IT team, has developed a proprietary CR Tracking System (CRTS), which will allow submission of CRs and document uploads, incorporate electronic messaging, and provide live status updates. This system will enable DCS to retain all information related to a specific CR in one place.

- **Updating the Model Conservation Restriction**

At the invitation of DCS, MLTC nominated a group of experienced conservation and legal practitioners to assist EEA with updating the state's model Conservation Restriction. With added members selected by DCS, the committee began its work in January 2026, and is expected to meet monthly throughout the year.

- **Open Space Act ("PLPA") Implementation**

MLTC continues to advocate for effective implementation of An Act Preserving Open Space in the Commonwealth (the "Open Space Act", formerly known as PLPA), which took effect in February 2023. Under the law implementing regulations were supposed to be promulgated by August 2024, but **as of September 24, 2026** they have yet to be issued, despite EEA having wrapped up three rounds of public comment on [draft regulations](#) in spring 2025. MACC and MLTC collaborated in a February 2026 letter to EEA Secretary Rebecca Tepper requesting a meeting on the matter. On March 6, Dot McGlinchy from MACC and Robb Johnson from MLTC were joined by Senator Jamie Eldridge in a meeting with Undersecretary Stephanie Cooper and other EEA staff, where we underlined the public interest in timely promulgation of the regulations. Though officials were unable to commit to a precise timeline, they assured us the regulations would be in full force before bill-filing for the next legislative session begins in December 2026. MLTC coordinated a group comment letter on the draft regulations in January 2025, which can be viewed [here](#). See our second comment letter from March 2025 [here](#). The state's [Open Space Act webpage](#) provides a variety of important resources on the Open Space Act, including a Tracker with information submitted about proposed Article 97 actions, and list of Article 97 petitions that passed in the last legislative session.

- **Regulatory Changes for Energy Facilities Siting**

The Commonwealth has established [new siting and permitting processes](#) for clean energy infrastructure, significantly changing the way that proposed solar and battery storage projects will

be reviewed. From April to September, the Massachusetts Association of Conservation Commissions (MACC) held a monthly series of free noontime information sessions on the new rules. **Each session was recorded and posted on MACC's website.** [See details.](#)

**The regulations and guidelines are now final and as of October 1, 2026 municipalities must use this new permitting system and issue consolidated local permits for these projects. The final rules and guidelines include quantitative mitigation for impacts to lands of high conservation value (e.g. biodiversity, carbon, farmland) although it is unclear how local officials will negotiate land protection projects for mitigation. Land trusts may have opportunities to play a role in some instances. The final rules also do not provide for ineligibility or permit denial for projects on the most sensitive “Highly Unsuitable” lands. MLTC will monitor how this plays out.**

Meanwhile, in fall 2025, updated regulations took effect for the SMART 3.0 program, which governs state incentives available for the development of certain solar energy facilities. The regulations include a new approach to scoring parcels hosting eligible ground-mount projects, using environmental/land use/electric grid criteria and a system for mitigation fees. [Learn more.](#)

## **Federal Funding changes and Executive Orders**

MLTC has posted [resources on our website](#) for those seeking information about the impacts of recent federal actions. As things continue to evolve, we'll share relevant updates on that page.