



Steering Committee (SC)

MINUTES *DRAFT*

Wednesday, September 23, 2020 10:00 AM – 12:15 PM
via Zoom (Recorded)

Participants: On record at Massachusetts Land Trust Coalition (MLTC)

Hand-outs:

- Minutes of July 19th Steering Committee Meeting (On file MLTC)
- Robb Johnson's ED summary (Attachment A)
- Representative Joan Meschino's keynote presentation on 2050 Roadmap (Attachment B)
- Linda Orel's MLTC Public Policy Update 9.23.2020 (Attachment C)

1. **Call to order.** At 10:03 AM Kathy Orlando, Steering Committee Chair called the meeting to order, welcomed everyone and reviewed the virtual meeting logistics. Introductions with all participants noting name, location, and organizational affiliation(s). (Participant virtual attendees on file with MLTC)
2. **SC Minutes of June 19, 2020.** Henry Woolsey moved and Andy Magee seconded the motion to accept the minutes as presented. Hearing no comments, Kathy Orlando called the vote. **VOTE:** Unanimous
 - a. Next meetings: Friday Dec 11, 10 AM (via Zoom) and proposed months for 2021 are March, June, September, and December. Robb summarized that we will resume the usual Friday schedule and he noted that there were no holiday conflicts with these Fridays.
 - b. The first meeting of 2021 will be on March 5th at 10:00 AM and the presumed mode will be virtual.
3. **MLTC Staff Report:** Robb Johnson provided the following update (See Attachment A):
 - a. *Membership renewal* is going on now. Membership follows the fiscal year which begins on July 1st. Robb thanked all those who have renewed thus far and encourages everyone to do so.
 - b. *State Agency and Land Trust Retreat* will be a virtual event on November 12th and 13th. The planning group is exploring options for having regionally organized outdoor events such as walks with the goal of capturing some of the historical vibrancy of the retreat and to provide options for networking. Please stay tuned for more information.
 - c. *Record-Keeping Initiative* is ongoing and has started its second year and applications are being reviewed now.
 - d. *New Job Board* on MLTC's website will enhance the ease of access without locating prior eNews. To be posted soon under "Resources" on the website.
 - e. *2021 Massachusetts Land Conservation Conference (MLCC):* Plans are assuming pandemic conditions will persist through March; therefore, MLCC will use a virtual conference platform over two days to reduce the amount of "sitting" time. Keynotes are being researched and planning committee meetings are ongoing. The MLCC website page will be updated soon. LTA is using a virtual platform this October for Rally.

- f. *Stronger Together Series* is a new program launched this year that includes networking and training sessions.
 - i. The one hour networking sessions had 11 participants for stewardship and equity/inclusion had 45 participants.
 - ii. Upcoming networking session topics and registration at massland.org under “programs”.
 - iii. Robb is currently searching for faculty and welcomes ideas on content and speakers with the goal for an early 2021 launch of the in-depth training workshops. Topics include “Regional Partnerships” and “Justice, Equity and Inclusion” to achieve a representative demographic in conservation. William “Buzz” Constable suggested sending “links” and “hard” copy for tools and resources to Robb on both topics. Lisa Vernegaard said she is searching self-assessment tools on Justice, Equity, and Inclusion. Recommendations through the chat option during this meeting are on file with MLTC.
 - g. *LTA updates*: Jennifer Miller Herzog, LTA’s Eastern Division Director of Field Programs noted:
 - i. There are 3400 registrations thus far for LTA Rally. Participation is at a historic high as the virtual mode provides greater opportunity for participation.
 - ii. Working on the Charitable Conservation Easement Program Integrity Act of 2019 (S. 170 / H.R. 1992). The Senate Finance Committee report late August noted how these “deals” are abusing the tax benefit and the problem is increasing. Legislation needs to be passed as these deals are negatively impacting sound conservation. Buzz noted there was a settlement between the IRS and one of these syndications and it was not a capitulation by the IRS. More cases proceeding. See LTA’s website for updates: <https://www.landtrustalliance.org/s-170-hr-1992>
 - h. *Risk management Insurance*: Buzz Constable provided an update:
 - i. LTA is providing on Oct. 19 and 20th a risk management seminar on insurance (<https://www.landtrustalliance.org/conference/2020-risk-summit-nonprofit-risk-management-center>).
 - ii. Buzz thanked Leigh Youngblood for what she’s accomplished at Mt. Grace especially on this topic. MLTC is starting a research project on risk management insurance (not Terra Firma) and what is appropriate for land trusts on all variables including the types and costs. The goal is to have an insurance recommendation “primer” available on the MLTC website by year’s end.
4. **State Agency Updates.** Bob O’Connor provided the following update and introductions
- a. *The Resilience Land Initiative (RLI)* is moving forward with productive meetings last week and updates will be posted on the website soon. More sessions are being planned and two interns are working on the “no net loss” models and how they might work. Other looking at “vacant lots” options.
 - b. *The Healthy Soils Action Plan (HSAP)*. Tom Anderson is managing and process is moving forward. The HSAP Steering Committee plans to have an update soon and this work is relating well with the RLI.
 - c. *Article 97*. Issues relating to Article 97 issues were effectively addressed in recent bills.
 - d. *LAND and Water grants*. Melissa Cryan said applications are being reviewed with fewer applications than in prior years probably attributable to the pandemic. Unsure of announcement dates, but, progressing. If there are any actions required for funding of grants they will be announced in eNews. Bob also noted that Water grants are usually announced later in the year.
 - e. *Conservation Restrictions (CR)*. John Gioia said that the CR reviews progressing and he urged getting signed CRs that need to be recorded this year to him ASAP. It takes about 6-8 weeks to get a CR to completion once submitted. In response to a question from Buzz about deadlines, John said to have the signed CR to him by December 1st. He acknowledged all the challenges given the number of process variables. Ray Lyons suggested an early October date might be a better target.
 - f. *Other EEA updates*.

- i. Kurt Gaertner noted that last week (Climate Week) the Municipal Vulnerability Preparedness (MVP) action grants were announced which included one acquisition project awarded in Littleton. Melissa noted that MVP grants can be good options for land acquisition.
- ii. Ongoing work on 2020 Clean Energy and Climate Plan includes setting a greenhouse gas target for 2030 by the end of this year with a plan to reach the goal by 2050. Kurt noted that the plan relates to land conservation work included in the RLI. The draft will be available on the EEA's website in the near future. Overall, goals include leaving land in an open state, reducing sprawl, and improving stewardship. Rita Grossman asked about incentivizing land conservation in commercial or office park zoned areas not yet developed. Kurt noted there is uncertainty with how this will play out with pandemic but paying attention to these issues.

(Kathy coordinated the introduction of participants who joined since the meeting began and she encouraged everyone to review the "chat" feature for resources.)

5. **Subcommittee and Working Group Updates**

- a. *Conservation Restriction Working Group*: John Gioia said the group is meeting every other week with the goal of concluding work by late October with an updated model to this group for discussion at December MLTC SC meeting.
- b. *Valuing Nature's Services Working Group*: Christa Collins noted that the group has not met since July due to her schedule, however, a case statement has been developed which will be compiled into a tool that can be used by land trusts working with municipalities especially as municipalities are looking for tax revenue through development. Buzz suggested that Kurt be included in the tool roll-out process.
- c. *Amicus Committee*: Buzz Constable reported that the Appeals court in the Wellesley Conservation Council that the court ruled in favor of the Wellesley Conservation Council (Robert W. Pereira v. Wellesley Conservation Council (now known as Wellesley Conservation Trust) by requiring a financial reimbursement for damages incurred to the land trust by violation of CR. Nationally this is seen as a good start although incomplete legal decision process as the issue of the land trust or holder of CR has compensable damages for stumpage loss. Has happened elsewhere in country. The other case with Wildlands Trust v. Cedar Hill Retreat Center is progressing but no judgment as of yet.
- d. *Agricultural Subcommittee*: Kathy Orlando noted that the APR applications process is being changed and it will be on a rolling basis. Some the changes will be go back to pre-Farm Bill status. Kathy noted that if anyone has an interest in either the RLI or Climate Plan, please get comments in by September 25th.
- e. *Young Land Professionals (YLP)*:
 - i. Nick Rossi noted that YLP has been engaged in restarting in person, outdoor networking events designed to be "COVID" safe. Two events are planned this fall, one in SE Mass hosted by Wildlands Trust and the other event will at the MA Audubon's Arcadia Wildlife Sanctuary.
 - ii. Maggie Brown, (Essex County Green Belt), updated the work on the mentorship program for YLP intended to link new professionals with experienced ones. Design has been challenged by current pandemic. The program will start with two Google form surveys completed by mentors and mentees which will populate two Google spreadsheets. Both will be publicly available to link mentors and mentees on specific topic needs. The goal is a low maintenance but active tool for linkage that will allow immediate sign-up. She encouraged everyone interested to complete the survey ASAP:
https://docs.google.com/forms/d/e/1FAIpQLSdJIDb6h4kJargT0L2hViEA0b1lvq_WUYjS11Oj9W62eYv7PQ/viewform. She also clarified that lining of mentors is the first priority. Nick noted that mentorship was a top request from an earlier survey and Maggie clarified that this is not an internship level of mentorship. Details on the guidelines for the three levels of mentorships are in the form.

- f. *Policy Committee:* Kristen Sykes noted work as follows: ~1.25 minutes
 - i. *Federal:* Great American Outdoors Act through congress and signed by the POTUS. Provides \$900M every year for trails, open space and more. Tremendous effort to get this done and Kristen thanked all support from MLTC members and Rep. Jim McGovern who was honored with a recent event. Now, the Interior needs to do their part to get the money to the destination grant funds. Contact Margaret Everson is the relevant agency head to advocate for the completion of the process as she's chair of the task forced created to amongst other tasks, develop a strategy to maximize the impact of the Great American Outdoors Act. Please contact Kristen for more information on this. KSykes@outdoors.org
 - ii. *State legislation:* Thanked all the work done by Melissa Cryan for work on Land and Water Conservation Fund process. In addition to the many goals, one specific priority is to target communities of need.
 - iii. Solar siting work by MLTC and others to encourage appropriate siting. There is a prohibition on siting if parcel has 50% in Biomap 2. Discussions are continuing with EEA and DOER. Noted the need for vigilant monitoring of the process to assure that if last minute changes are made in legislative initiatives that they would not negate progress. Goal is to protect valued agricultural and natural lands. AFT has hosted a number of solar events between farmers and solar companies. Believe that the voice of conservation needs to be included as the goal of net zero could result in short term gains with unintended long term consequences if not appropriately sited. Kristen thanked everyone involved and encouraged everyone to follow this process closely and contact MDAR and others about maintaining the goals. She noted Bob O'Connor's work to achieve no net loss of agricultural land.
 - iv. Buzz thanked Robb and all of those working in the policy arena.

6. **Keynote Presentation and Policy Updates:** Buzz introduced special Guest Rep. Joan Meschino (D- 3th Plymouth) (see Attachment B for presentation content). Rep. Meschino expressed her appreciation for all of our effective work on conservation. Her impression is that sensitivity to conservation is growing and she presented as follows:

- a. *2050 Roadmap bill (H.4933)*, sponsored by Rep. Meschino, including key amendments on natural and working lands, environmental justice and solar siting. She filed this bill because the key to finding a solution is economic requiring a solid policy foundation. She noted that H 3983 was original bill. This bill establishes a framework for the Commonwealth's response to the climate crisis by adopting the science-based goal of net-zero greenhouse gas emissions by mid-century.
- b. *Status.* This bill is now in Conference Committee and the session has been extended due to time impact of both the pandemic and election campaigns.
- c.
- d. *Background.* She reviewed the history of Commonwealth's work on climate change beginning in 2008 with Global Warming Solutions Act 2009 – 2019 with primary focus to reduce emissions. The 2050 Roadmap Bill is an update to the GWSA and land conservation and environmental justice are key elements. She specifically commented on the tremendous collaborative effort on this bill and acknowledged David Ismay (Conservation Law Foundation) as a primary co-drafter for this legislation. She welcomed contact with any questions, concerns, or input.
- e. *Public Policy Update (Attachment C)* Linda Orel, Director of Policy (TTOR) thanked Rep. Meschino for her leadership on this bill. She also thanked Emily Myron (Government Relations Specialist at The Nature Conservancy) for her work. She gave updates as follows:
 - i. Update on State and Federal legislation and budgets which are in extended sessions.
 - ii. She specifically noted the rapid response and work on the mosquito control effort without massive detrimental and negative environmental consequences of pervasive pesticide use and noted that the law sunsets state powers in two years. She thanked MA Audubon, MACC and others for their fast response to improve the legislation which establishes a Mosquito Control Task Force.

- iii. In the list on pages 2 and 3 of the legislative priorities she noted that they are not listed in a particular order.
 - iv. She thanked TPL, AMC, TTOR, TNC and MA Audubon on SMART Solar regulations and not using state incentives to support large scale inappropriate siting's.
 - v. Everyone was encouraged to please review the Public Policy Update and follow
- f. Emily Myron gave a brief summary as follows:
- i. Sen. McGovern is the only one still co-sponsoring the Charitable Conservation Easement Program Integrity Act and to please contact your local representative on this bi-partisan bill.
 - ii. She also noted that both the pandemic and upcoming elections impacting legislative process. Need to keep conservation at high profile immediately after the election and advocates are watching respective legislation.
 - iii. See the Public Policy Update on the Recovering America's Wildlife Act (HR.3742).
- g. Q and A session proceeded.
- i. Buzz asked Rep Joan about progress on 2050 Roadmap but concerned about transportation emissions (43% now) and progress. Rep. Meschino said three things are happening:
 - 1. The Governor has been promoting the Governor Patrick initiated TCI initiative. Cap and trade approach, now doing "cap and invest". Now doing carbon pricing for transportation to incentivize dropping emissions and electrify resources.
 - 2. MA DOT is doing visioning on this process and broke it down by transportation type and process to transition to electric. See MA DOT website.
 - 3. The House did propose a transportation bond bill and a revenue bill to transform public transportation for emissions reductions but this got delayed by pandemic and she believes it will resume. Gave an example of ISO New England and impact on public health with solutions going forward.
 - ii. Leigh Youngblood had a question on the impact of the existing "Ten" Citizens Statute on environmental justice. Rep. Meschino is working with Rep. Adrian Madaro on legislation that will allow court access by any individual to file a complaint about a negative environmental impact. e.g. a compressor station location impact on an EJ community. Goal is to impact infrastructure to assure appropriate siting/construction to create affordable, safe, reliable energy without negative impact on environmental justice.
 - iii. Buzz noted court decision on utility involving an MBTA right of way in Sudbury that SVT weighed in on over an abandoned MBTA Right of Way (ROW). The state's supreme judicial court ruled that the town does not have standing on this ROW and it cannot block the agreement between the MBTA and Eversource for the utility to install a 4 mile underground transmission line. Sudbury is concerned about the environmental impact of the construction and maintenance.
7. Kathy Orlando requested additional questions should be emailed to her or Robb. Hearing no further discussion, Buzz moved to adjourn, Rita seconded the motion. **VOTE:** Unanimous.
Meeting adjourned at 12:17 PM.

Respectfully submitted,
Rita Gibes Grossman, clerk