



June 6, 2023

The Honorable Senator Susan L. Moran, Chair  
 The Honorable Representative Mark J. Cusack, Chair  
 Joint Committee on Revenue  
 State House  
 Boston, MA 02133

*RE: Support for S.1940 and H.2839, An Act relative to the conservation land tax credit*

Dear Chair Moran, Chair Cusack, and members of the Joint Committee on Revenue,

Our organizations respectfully offer testimony in support of two identical bills before your committee: [S.1940](#) and [H.2839](#), *An Act increasing the conservation land tax credit*, sponsored by Representatives Brad Jones and Smitty Pignatelli and Senators Bruce Tarr and James Eldridge.

The Conservation Land Tax Credit (CLTC) is an important and cost-effective tool to permanently protect critical natural resources, ensuring land and water's ability to sequester and store carbon and provide a suite of other ecological, equity, and economic benefits.

Launched in 2011, the CLTC allows individual and corporate taxpayers who make Executive Office of Energy and Environmental Affairs-approved donations of land with significant conservation value to receive a refundable tax credit of 50% of the donated value of the land, up to \$75,000 (please see the attached fact sheet for more information). Over the life of the program, \$22 million in tax incentives (credits and refunds) have led to a stunning return on investment to benefit people and nature in Massachusetts:

- **\$90 million** in private land value gifted to state agencies, municipalities, water districts, and conservation organizations (a leverage of \$1 to \$4.16 donated value)
- **\$212 million** in private land value conserved (a leverage of \$1 to \$9.65 conserved value)
- **15,504 conserved acres** of certified ecologically significant land conserved in perpetuity across 150 cities and towns.

Unfortunately, because demand for this successful and credible program far exceeds the current \$2 million annual cap on the program, **landowners must wait until at least 2025** to complete complex land conservation transactions, **which is deterring landowners from participating and resulting in missed opportunities to conserve environmentally significant resources**. Expanding access to the CLTC would significantly increase the pace of land conservation, which is essential to meet the targets under the *Next Generation Roadmap for Massachusetts Climate Policy* statute and support the policy recommendations of the 2025/2030 and 2050 *Clean Energy and Climate Plans* (CECP).

Both the new climate law and the CECP recognize the essential role of natural and working lands in addressing climate change and meeting our Net Zero goals. The 2050 CECP calls for 40% of Massachusetts' lands and waters conserved by 2050, which necessitates 25,000 acres of land **be conserved every year between now and 2050**. In addition, EEA's Resilient Lands Initiative recognizes the important role of natural and working lands to protect and improve the quality of life for residents of every Massachusetts community. Consistent with these policy recommendations, **we respectfully urge you to support these bills to raise the CLTC program's statutory cap from \$2 million to \$5 million incrementally over three years**, as well as make a technical correction so that 501(c)3 nonprofit trusts organized for conservation purposes can engage in this program. The bills also include a sunset resetting the cap back to \$2 million in 10 years.

This tool is critical to state agencies, cities, towns, land trusts, and conservation organizations working to protect the Commonwealth's natural resources for future generations - local, state, and federal funds combined with philanthropic contributions are often not enough to complete complex land conservation deals.

Surveys of private landowners by the U.S. Forest Service document that family forest owners in Massachusetts are largely over the age of 65 and that about **a quarter of privately owned forest acres are owned by someone who plans to sell or transfer some or all their woods or forest in the next 5 years**. These same forest owners overwhelmingly (90%) want to see their land remain forested. These landowners are a perfect match for the CLTC program.

In 2019, Massachusetts land trusts were surveyed about the effectiveness of the CLTC. Most land trusts reported that **the CLTC program is often the deciding factor** for landowners when choosing whether to move forward to permanently conserve their property. Attached please find land trusts stories illustrating projects that demonstrate the range of circumstances in which this credit serves as the critical tool to get an important project over the finish line.

We are united by a commitment to conserve the Commonwealth's natural resources for human and natural communities. We hope you will please report [S.1940](#) and [H.2839](#) favorably.

Thank you for your time and consideration. Please feel free to contact Linda Orel at [lorel@thetrustees.org](mailto:lorel@thetrustees.org) or 617-360-1857 and Robb Johnson at [robb@massland.org](mailto:robb@massland.org) or 617-699-3248 should you have any questions.

Sincerely,

Linda Orel  
Senior Director of Government Relations  
The Trustees of Reservations

Robb Johnson  
Executive Director  
Massachusetts Land Trust Coalition

Enclosed: Conservation Land Tax Credit Fact Sheet  
2019 Land Trust Stories