



**MASSLAND E-NEWS**

**The Newsletter of the Massachusetts Land Conservation Community**

**November 2, 2010**

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Items of interest to the Massachusetts land protection community.

For more news and information, go to <<http://www.MassLand.org>>

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*"Pay the thunder no mind - listen to the birds. And don't hate nobody."*

*-- Eubie Blake (1883-1983), American Pianist and Composer --*

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## MLTC News

### 1) MLTC IMPORTANT DATES

*Please mark your calendars now for these two crucial meetings*

#### **Friday, December 10, 2010 - Steering Committee Meeting**

\*Set up a Nominating Committee which will recommend candidates for the Board of Trustees to the Annual Meeting

- \*Post-election wrap-up and strategy discussion
- \*First report of the Wind Power Discussion Group

### **Friday, February 11, 2011 - MLTC Annual Meeting**

#### **\*Election of the Coalition's first formal Board of Directors.**

*It is essential that as many Coalition land trusts send representatives for vote for the Board.*

- \*Guest speaker and informative discussions.
- \*Year-end reports by Staff
- \*Treasurer's Report and Budget Approval

We hope your land trust will decide to participate in the important work of the Steering Committee.

#### ***State Filing Reminder***

**On or before March 1:** Massachusetts Form 3ABC for nonprofits owning the fee in property

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### **2) MASS LAND TRUST COALITION 20<sup>TH</sup> ANNIVERSARY CELEBRATION A SUCCESS!**

Last Friday, 185 of our colleagues and friends joined us for a fun-filled evening to mark the 20th Anniversary of the Massachusetts Land Trust Coalition. The Coalition would like to thank our speaker, the honorees, the patrons, the sponsors, and all who attended and made this Celebration of Land Conservation so enjoyable!

*Check out Charlie Wyman's blog post on the celebration dinner at Mass Audubon's new land protection blog [Gaining Ground](#).*

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### **3) HEARD AT RALLY**

October 2 – 5th, Hartford Connecticut  
By Kathy McGrath

*Rally workshop materials will be available to anyone on the LTA website until year end at the LTA Learning Center, Rallynet, go to <http://learningcenter.lta.org> then click on the RallyNet image.*

For Coalition staff rally began with the State Land Trust Association & Service Center Meeting October 3. We were delighted when Rand Wentworth's welcoming remarks informed us that LTA would pursue an "alternative to accreditation for small land trusts and those not eligible." LTA will be looking for "design ideas" for this program. In July of 2008 the Coalition proposed the Registration Program as one alternative; details at: [www.massland.org/files/RegistrationProposalforWeb.pdf](http://www.massland.org/files/RegistrationProposalforWeb.pdf)

The substantive discussions of the day included:

#### **Collaborations and Mergers that Build More Mission Effective Organizations**

Discussion of options of merging, sharing management and support services, and fiscal sponsorship. *How to make this work:* Missions of the organizations must be compatible; effective leadership and documented agreements and process are critical; organizations must build personal relationships and trust through frequent interaction.

Mark Robinson of The Compact of Cape Cod Conservation Trusts described his very successful model of providing professional services to TCCCT member land trusts.

#### **State Legislation to Safeguard & Defend Protected Lands**

Non-profits are especially vulnerable to condemnation:

- \* Their land is cheap – no structures, value reduced by conservation easement
- \* Conservation easements may not be recognized as property rights

*To combat:* educate the condemning authorities; shore up legislation, especially the eminent domain statutes, (example, No Carolina), recognize CE as property interest, holder must get notice of a possible taking.

### **Conservation Easements Held by Government Agencies: A Growing Concern**

Concern is municipalities hold easements they aren't aware of, accept easements without proper documentation, don't evaluate easement's worth, don't monitor or enforce, yield to pressure to convert to other municipal uses (e.g. schools, athletic fields, energy siting).

*Some suggestions:* LTA become involved with national organizations in proposing solutions; land trusts take a stake in the problem, possibly volunteer to monitor; land trust service centers help to educate municipalities; ask municipalities how we can help .

### **Especially hot topics of discussion during the 2-day workshop period**

#### **Conservation easement amendments – how to approach.**

- \* Some are necessary to correct errors.
- \* Always amend to serve conservation and public interests.
- \* We fail if amendment asked for working land is denied and land is no longer worked.

Some states treat conservation easements as charitable trusts; land trusts must abide by the state's charitable trust laws providing transparency and third-party review for major changes. For the Massachusetts perspective, see: <http://www.massland.org/?q=library/meds-model-cr-amendment-guidelines-0>

#### **What to do when a land trust disappears**

One help - keep track of all conservation easements in a state.

Service centers could: facilitate collaboration, possibly merger; engage other nearby land trusts to help; provide assistance but not policing. More information available on the Institute for Conservation Leadership website at [www.icl.org/](http://www.icl.org/)

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## News

### **4) CONSERVATION RESTRICTION DEADLINE: NOVEMBER 15<sup>TH</sup>**

--from Irene Del Bono

Dear land trusts and others who toil in the fields providing me with CRs to review,

It is that time of year again when landowners are thinking in terms of tax deduction CRs, and I get nervous wondering if I will be able to accommodate all the CRs that you send in to me and Arthur. So I am setting up a **deadline of November 15th** to guarantee review in time for end of the year CRs. Please know that we will make every effort to review CRs right down to the last minute, but in order to assure that we don't get inundated with last minute CRs and leave some people disappointed, we need to set a deadline so we know if we need to utilize extra resources to get them done in time. So please get your completed CRs into us as quickly as possible. To speed things along and avoid confusion, it is better to send an entire package (by mail or email) rather than piecemeal, as we cannot review the CRs without all the information so piecemeal doesn't speed things along and can cause confusion. Thanks for all the hard work you do all year – I will try to do my part to get them done in time!

PS – Nicole Sicard would be so grateful if you send the FINAL locally executed CRs with a single sided copy, as our copying machine can be slow (or down) and having an extra copy is so very helpful!

Sincerely,  
Irene Del Bono

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### **5) STATE ANNOUNCES LAND PROTECTION GRANTS ON CAPE COD**

--from the Executive Office of Energy and Environmental Affairs

BOSTON – Friday, October 29, 2010 – In keeping with Governor Deval Patrick's unprecedented commitment to preserve open space and improve public parks across the state, Energy and Environmental Affairs (EEA) Secretary Ian Bowles today announced \$1 million in grants to help Barnstable and Falmouth purchase 33 acres to protect recreational land, drinking water aquifers, wetlands and wildlife habitat.

These grants, known as Local Acquisitions for Natural Diversity (LAND) grants are matched by municipal, private and nonprofit funding. Massachusetts now has more than 1.2 million acres permanently protected, and for the first time in decades, the acres of land protected from development in Massachusetts are greater than acres that have been developed.

"These grants enable municipalities across Massachusetts to set aside land specifically for recreation, habitat conservation and farming and preservation of precious water resources," said Secretary Bowles. "With the hard work of state and municipal officials, land trusts, community organizations, and private citizens, we have protected wetlands, fields and woodlands throughout our state."

Over the past four years, the Commonwealth has protected nearly 75,000 acres of land - the equivalent 54 acres per day. Among the Patrick-Murray Administration's conservation accomplishments are the creation of 44 new urban parks, the protection of 5,700 acres on 95 farms, preservation of land with nearly 30,000 acres of prime farm and forest soils and protection of 14,000 acres in 10 areas of critical forested landscape habitats across Massachusetts. Additionally, the Commonwealth has protected 9,300 acres within a half mile of drinking water reservoirs across the state.

"These grants will allow communities to create more open recreational spaces for residents and visitors to enjoy," said Senate President Therese Murray. "These areas like the ones in Falmouth and Barnstable are perfect examples of how we can utilize unused space for the enjoyment of the community."

Since 1961, EEA's LAND (formerly known as Self-Help) grants have helped cities and towns acquire land for conservation and outdoor recreational uses such as hiking, wildlife watching, biking, fishing, hunting and cross-country skiing. Funding for the fiscal year 2011 LAND grants comes from the \$1.7 billion Energy and Environment Bond Bill signed by Governor Patrick in August 2008.

To qualify for the reimbursement grants, communities must fund the projects upfront. Municipalities may use grant funds for outright land purchases or partial interests, such as conservation restrictions, and for land surveys and fees associated with the transactions. The grants reimburse municipal conservation commissions between 52 percent and 70 percent of project costs up to \$500,000.

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## **6) DFG OFFICIALS AND TNC ANNOUNCE PUBLICATION OF BIOMAP2**

--from the Executive Office of Energy and Environmental Affairs

### **Department of Fish and Game Officials and The Nature Conservancy incorporate climate change impacts to land conservation planning tool.**

Thursday, October 14, 2010 - Officials from the Department of Fish and Game (DFG) and The Nature Conservancy (TNC) released a comprehensive land conservation strategy that includes an updated map of the Commonwealth's most critical lands, waters and habitats, and a plan to protect the Commonwealth's plants and wildlife in the context of a changing climate.

The new edition is an expansion of the Natural Heritage and Endangered Species Program's 2001 BioMap, which provided conservation planning guidance to agencies, land trusts and other non-profit groups by

converting 25 years of natural heritage biodiversity data into town-by-town maps showing habitats for rare species and important natural communities. Nearly 72,000 acres identified as core habitat in 2001 have since been protected, as well as over 44,000 acres of supporting natural landscape. Combined, this represents nearly 70 percent of all lands protected in Massachusetts by all conservation entities since 2001. BioMap2 expands the existing planning resource by including new analyses identifying large, intact natural landscapes and diverse ecosystems and takes into account the possible ecological impacts of climate change.

Maps, information and BioMap2 data will also be available soon from MassWildlife's Natural Heritage Program [here](#).

To read the full press release from the Executive Office of Energy and Environmental Affairs', go [here](#).

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## **7) THE CAPE COD WATER RESOURCES RESTORATION PROJECT**

--from Ebb & Flow, Division of Ecological Restoration (DER), Mass. Department of Fish and Game

[The Cape Cod Water Resources Restoration Project](#) began in dramatic fashion on September 20 in Barnstable. Strong winds over the water at Scudders Landing boat launch provided the backdrop for the event, which included DFG Commissioner Mary Griffin, as well as a keynote speech by Congressman Bill Delahunt (pictured). The ceremony marked the official start of the project focused on the natural resources of Cape Cod. DER is partnering closely with Cape Cod towns and the USDA Natural Resources Conservation Service (funders of the project) to complete five salt marsh restoration projects by the end of 2011. An additional 17 projects are being developed for construction in the future. The "Cape Cod Project" is projected to inject about \$30 million over ten years into shellfish, fish passage and salt marsh restoration projects Cape wide. Click [here](#) to read the press release and view additional photos taken at this event.

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## **Public Hearing**

### **8) WATER INFRASTRUCTURE FINANCE COMMISSION ANNOUNCES PUBLIC HEARINGS**

In recent months, the media has covered stories that highlight the importance of public investment in water infrastructure across the Commonwealth. The public is increasingly aware that burst or leaking pipes, water contamination, inadequate treatment, and flood waters can be major inconveniences and sometimes can lead to tragic outcomes.

The Water Infrastructure Finance Commission was established by Act of the Legislature pursuant to Section 145 of Chapter 27 of the Acts of 2009. The Commission is charged with developing a comprehensive, long range water infrastructure finance plan for the commonwealth and its municipalities. I was appointed Chair of the eighteen member Commission by Governor Patrick, and Representative Carolyn Dykema is the House appointee.

The Commission has been meeting regularly since May and will hold a series of hearings across the state, and invites local municipal officials, water department and water district officials, groups and agencies interested in water policy, environmental and consumer protection groups, professionals in the fields of water supply engineering and pricing, and other interested members of the public to participate. I encourage you to attend the public hearing and to distribute this notice to those who may be interested in attending. If you have any questions please do not hesitate to contact my office.

#### **The Commission invites written and brief oral testimony on the following:**

- \*Issues in identifying and understanding the water, waste water, and storm water infrastructure needs of the Commonwealth;
- \* Issues with the current and potential capacity to finance these needs;

- \* Recommendations on ways to meet operation, maintenance, and capital needs of municipal water systems in the Commonwealth;
- \* Recommendations on potential changes in local, state, and federal approaches to water infrastructure financing;
- \* Fair and equitable means of financing water infrastructure investments, including the role of fees, rates, taxes, loans, grants, and other financial vehicles;
- \* The technical and financial feasibility of sustaining public water systems, conservation and efficiency programs, wastewater systems and storm water systems of municipalities and the commonwealth;
- \* Potential for cost savings through consolidation, coordination, reorganization, or regionalization;
- \* Potential for cost savings through innovations in water technology

Very truly yours,  
 James Eldridge  
 State Senator  
 Middlesex & Worcester District

**Wednesday, October 13, 10 am**  
 Room A-2 State House - Boston, MA 02133

**Wednesday, October 20, 10 am**  
 Forbes Municipal Building - 45 West Main St, 2nd Floor, Room 23/24  
 Westborough, MA 01581

**Wednesday, November 10, 2010, 10 am**  
 Main Theater, Tilden Arts Center - Cape Cod Community College  
 2240 Iyannough Road - West Barnstable, MA 02668  
 (877) 846-3672

**Monday, November 15, 2010, 10 am**  
 Pioneer Valley Planning Commission 60 Congress Street - Springfield, MA 01104-3419 (413) 781-6045  
**Questions can be directed to Brendan Jarboe at 617-722-1120 or [Brendan.Jarboe@masenate.gov](mailto:Brendan.Jarboe@masenate.gov)**

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## Events

### **9) TAUNTON WATERSHED STUDY DEMONSTRATION PROJECTS PRESENTATION** --from *ELM Bulletin*

**Thursday, October 21, 9:30-11am**  
 Ocean Spray Cranberries Headquarters  
 1 Ocean Spray Drive, Lakeville-Middleboro

**Phase I** of the Taunton River Watershed Study included a water budget analysis of the watershed and concluded that the water resources throughout the watershed have been heavily impacted by the human intervention in the natural water cycle. The report recommended that future development focus on smart growth tools and the principle of "keeping water local" in order to maintain and restore normal groundwater elevations and base flows in the main stem, tributaries and wetlands of the Taunton River Watershed, for the protection of water for future generations of humans and wildlife.

**Under Phase II** of the Study, Horsley Witten Group, Inc. has been working with local communities and partner organizations in the Taunton watershed to develop six demonstration project designs and two sets of example

Code Reform recommendations. These projects are recently complete and we would like to share them with you!

*This presentation is free and open to the public.*

**Highlights: The presentation will highlight three local projects including: an on-site wastewater design for the commissary building at Lakeville's Ted Williams Park, a LID design for the driveway at the Ocean Spray Cranberries manufacturing facility, and Lakeville code reform recommendations.**

For more information, go to <http://www.horsleywitten.com/tauntonwatershed>.

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## Workshops

### 10) THREE VOLUNTEER RECRUITMENT AND MANAGEMENT WORKSHOPS

The [Massachusetts Service Alliance](#) is offering three workshops on volunteer recruitment and management this fall: *Volunteer Management Boot Camp*, on **Wednesday, November 3** in Worcester; *Taking a Fresh Look at Volunteer Recruitment*, on **Wednesday November 10** in Leominster ; and *Building the Sustainability of Your Volunteer Program*, on **Tuesday, November 16** in Waltham. The registration fee for each of these programs is only \$30. Click [here](#) or contact Naomi Weiner at (617) 542-2544 ext. 218 or [nweiner@mass-service.org](mailto:nweiner@mass-service.org) to sign up or for more info.

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### 11) MA DCR WORKSHOPS ON FOREST FUTURES IMPLEMENTATION

In 2009-2010, DCR undertook the Forest Futures Visioning Process, a year-long public process to develop a renewed vision and long-term strategy for managing the 308,000 acres of land within DCR's State and Urban Parks system. Since receiving the final Forest Futures recommendations in April 2010, DCR has been working on implementing the core recommendations, including the adoption of a landscape designation system for the DCR State and Urban Parks system.

In November and December of 2010, DCR will be holding a series of six public workshops to solicit public input on the selection criteria for each of the three landscape designations that will be utilized in the process: Reserves, Parklands, and Woodlands. DCR will also be seeking input on draft management guidelines that are being developed for each of these three landscape designations. The public workshops are scheduled for:

**Monday, November 15, 2010, 6:30-8:30 p.m.**

Central Massachusetts Regional Planning Commission, Union Hall in Union Station, Worcester

**Tuesday, November 16, 2010, 6:30-8:30 p.m.**

North Middle School, 350 Southampton Rd., Westfield

**Thursday, November 18, 2010, 6:30-8:30 p.m.**

Berkshire Athenaeum, 1 Wendell Ave., Pittsfield

**Monday, November 22, 2010, 3 p.m. - 5 p.m.**

100 Cambridge St, Boston

**Tuesday, November 30, 2010, 6:30-8:30 p.m.**

Bristol County Agricultural High School, 135 Center St, Dighton

**Thursday, December 2, 2010, 6:30- 8:30p.m.**

Essex Agricultural & Technical High School, 562 Maple St, Danvers

For more information on these upcoming workshops, or the landscape designation process, please feel free to contact Jessica Rowcroft at either [jessica.rowcroft@state.ma.us](mailto:jessica.rowcroft@state.ma.us) or at 617-626-1380.

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## **12) WHOLE MEASURES: TRANSFORMING COMMUNITIES NOV. 16-18**

Whole Measures: Transforming Communities by Measuring What Matters Most

Dates and Times: Tuesday November 16 – Thursday, November 18, 8:30 a.m. – 5:00 p.m.

Location: Interaction Institute for Social Change, 70 Fargo Street, Suite 908 Boston, MA 02210

Tel: 617-535-7100

Cost: \$650 (lunch and snacks provided)

Whole Measures offers a flexible approach to describing and measuring the relationships and impact we seek to create in our communities and organizations. It helps us to understand how to evaluate our work in a holistic way that aligns with our values and communicates that we are making real and lasting change. Whole Measures provides the foundation for a highly integrated, whole systems approach that effectively embraces a wide variety of issues such as social equity, biodiversity, human rights, ecosystem health, civic engagement, and economic vitality.

The Center for Whole Communities <<http://www.wholecommunities.org/>> and the Interaction Institute for Social Change <<http://www.interactioninstitute.org/>> collaborated and created a workshop that explores the ten values-based practices detailed in Whole Measures <<http://www.measuresofhealth.net/>> . The workshop provides the practical and transformational skills needed to collaboratively implement these practices in your organization or community. This experience is particularly well suited to those charged with engaging diverse stakeholders in a community or organizational change initiative.

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## **Grant Opportunities**

### **13) URBAN & COMMUNITY FORESTRY CHALLENGE GRANT PROGRAM**

--from Ebb & Flow, Division of Ecological Restoration (DER), Mass. Department of Fish and Game

The U.S. Forest Service's [National Urban and Community Forestry Challenge Cost-Share Grant Program](#) provides support for urban and community forestry projects that have national or multi-state application and impact. Preference will be given to program development, research, and collaborative efforts that address the following priority issues: how management of urban and community forests can help mitigate greenhouse gas emissions or help communities adapt to climate change, the influence of urban and community forests upon public health, and the influence of urban and community forestry upon economic development. Click [here](#) to apply or for more info; the application **deadline is November 29, 2010**.

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