



Massachusetts Land Trust Coalition, Inc.  
18 Wolbach Road, Sudbury, MA 01776  
978.443.2233 – fax: 978.443.2333  
email: [Info@MassLand.org](mailto:Info@MassLand.org)

**MLTC STEERING COMMITTEE (SC) SPRING MEMBERS MEETING - MINUTES**  
Great Meadows National Wildlife Refuge Conference Room / 73 Weir Hill Road, Sudbury, MA

Friday, May 12, 2017 / 10:00 AM - 1:00 PM

**Hand-outs:**

- Agenda & February 24<sup>th</sup> 2017 SC Minutes (MLTC website)
- Multi-paged HO: HD 3966 (An Act to Promote Health Soils - Rep. Paul Schmid III); House Bill 1063 (Maryland) healthy soils program & 2 NOFA brochures: What Can I Do About Climate Change? & Soil Carbon Restoration: Can Biology Do the Job? (Jack Kittredge, Northeast Organic Farmers Association (NOFA))
- UMass Land Protection Certificate Program\_Draft [www.massland.org/files/UMass\\_LandProtect\\_CertProgram.pdf](http://www.massland.org/files/UMass_LandProtect_CertProgram.pdf) (Paul Catanzaro)
- Policy Update for MLTC May 2017 [www.massland.org/files/Legislative\\_update\\_May2017.pdf](http://www.massland.org/files/Legislative_update_May2017.pdf) (Steve Long, TNC)

**Attendees:** Attendance on record at MLTC office.

10:11AM Kathy Orlando, MLTC Steering Committee Chair called the meeting to order and attendees introduced themselves.

1. **Steering Committee Minutes of February 24, 2017 meeting:** (electronic) Buzz Constable moved and Cynthia Henshaw seconded to approve the minutes. Discussion. Buzz Constable corrected the spelling of Associate Appellate Court Judge James Milkey's name. **VOTE:** Unanimous.
2. **Drawing Down Carbon & Restoring Ecosystems & Working Land – Sharon McGregor, Biodiversity for a Livable Climate; Jack Kittredge, Northeast Organic Farmers Association (NOFA) MASS**
  - a. **Jack Kittredge** briefly referenced HD 3966 An Act to Promote Healthy Soils (at [www.nofamass.org/content/take-action](http://www.nofamass.org/content/take-action)) to create a fund and educational resources for agricultural healthy soils management. Referenced Maryland Healthy Soils House Bill 1063 and the growing effort for sustainable agriculture.
  - b. **Sharon Macgregor (Presentation available on MLTC website) presented: "Nature Can Rescue Our Climate: Land Trusts on the Front Lines: Mobilizing the Power of Biology to Draw-down Legacy Carbon from the Atmosphere."**  
[http://www.massland.org/files/Nature\\_Rescue\\_Climate\\_SC051217.ppt.pdf](http://www.massland.org/files/Nature_Rescue_Climate_SC051217.ppt.pdf)
    - i. Prioritizing lands for protection and ecological restoration.
    - ii. Restoration efforts to support landscape use of photosynthesis to combat climate change.
    - iii. Alteration of the landscape and degradation of soils have disrupted natural process to recycle carbon.
    - iv. Paris climate agreement only goes so far to reduce anthropogenic greenhouse gas emissions of atmospheric carbon.
    - v. 4 per 1000 Plan launched by France includes 25 countries: a voluntary pledge of .4 % annual growth rate in soil carbon content through carbon farming practices and noted that cultivated soils have lost between 50-70% of their original carbon stores.
    - vi. Goal to support the role of Nature in restoring carbon sequestration role of soil.
    - vii. Noted need to restore role of keystone species, both mammals and plants; and need to restore healthy carbon, water and nutrient cycles for soil restoration. Cited "Water for the Recovery of the Climate (M. Karvcik)." Need to rehydrate continents. Carbon will follow the water. Referenced Half earth Plan (E.O. Wilson) with a detailed graphic on carbon reduction in parts per million (ppm).
    - viii. Need to transform "green lawns" to natural environments.
    - ix. Role of Land Trusts:
      1. Teach the science to town officials, citizens, etc., including funders

2. Acquire lands for protection
  3. Restore landscapes and link land conservation
  4. Wetlands protection and ecological restoration through partnerships
  5. Assist Conservation Commissions
  6. Secure funding support for these climate systems and ecosystem-directed actions.
  7. Good biodiversity = good carbon in soil.
- x. Mass Audubon's Tidmarsh Farm noted as largest restoration in NE. Bob Wilber indicated it will be used for training other LTs how to accomplish similar resiliency projects.
- c. Restoring Agricultural soils: Agricultural practices over time have reduced carbon retention of soils. Goal to increase biodiversity.
- i. Grow cover crops and reduce plowing; keep land covered; goal not to expose ground; rotate with animals
  - ii. Agricultural herbicides/pesticides destroy/disrupt critical organisms in soil.
  - iii. Ray Lyons suggested "terms" that can be put into agricultural leases to limit use of toxic chemicals such as glyphosate (Round-up), etc.
  - iv. Kathy Orlando urged a "whole landscape" approach to support biodiversity, and roles of all agricultural business, e.g. large farms, CSAs, organic, commercial, forestry, etc.)
  - v. Rita Grossman asked if the Mass Farm Bureau is in support and they will be approached.
  - vi. Discussion on how to get "best practices" to farmer land owners and noted economic impact for farmers to switch to sustainable practices.
  - vii. Whit Beals asked for some hard data, including cost data, to share with farmers. Jack Kittredge suggested NOFA website for data and science resources:  
<http://www.nofamass.org>.
  - viii. Leigh Youngblood emphasized need to show relationship between agricultural interventions to climate change mitigation. Noted farmers can be powerful change agents in addressing climate change.
  - ix. Rita Grossman advocated for engaging the environmental justice community and urban agriculture and asked about strategy for getting chemical companies on board. Suggested making the economic case to prominent business schools and getting them involved.
  - x. Cynthia Henshaw asked for a promotional article that could be used by LTs for their publications. See  
[www.nofamass.org/sites/default/files/What\\_Can\\_I\\_Do\\_About\\_Climate\\_Change.pdf](http://www.nofamass.org/sites/default/files/What_Can_I_Do_About_Climate_Change.pdf)
  - xi. Biodiversity for a Livable Climate and NOFA looking to partner with LTs on these issues.

(Late arrivals introduced themselves)

**3. EOEEA Update: Bob O'Connor, EEA Land & Forest Policy Director Update on Funding & Programs.**

- a. EEA is working with a reduced budget for land and parks projects and will do their best. Last year funded at \$38.25M this year at \$34M. Landscape Partnership Grant cycle will be announced soon.
- b. Non-capital budget funds:
  - i. Tree planting program (\$7 million per year)
  - ii. Other Capital Funds (beyond land and park capital funds)
    1. Climate change grants for town training for adaptation.
    2. Kurt Gaertner has land use planning grants monies.
- c. DCR's working forest's initiative program for forest stewardship and bird habitat plans and estate planning for landowners. Succession planning is included with farm estate planning.
- d. Ray Lyons noted the need to educate the professional community on estate planning for landowners including attorneys. Kathy Orlando noted Land for Good is working on training for attorneys. Buzz Constable and Kathleen O'Donnell are working with Boston Bar Association. Paul Catanzaro said estate planning included in their landowner program, and, resources are on MassWoods website <http://masswoods.net/>. Christa Collins (SVT) noted Farm Credit East (Jonathan Jaffe) as another useful resource.
- e. Conservation Land Tax Credit program in the House budget.

- f. Secretary Beaton has a big initiative for sustainable forestry and harvesting under a forest management plan with a professional forester has increased from 10% to 46% of all harvesting from 2003-2016. The acreage enrolled in Chapter 61 and the Forest Stewardship Program has almost doubled from about 250,000 to almost 500,000 acres. EEA has been doing Forest Forums for stakeholders: landowners, foresters and conservationists for the last 12 years.
  - g. Martha Reichert on CRs at EEA. (Bob O'Connor welcomed Martha back from her maternity LOA)
    - i. Working on grant-related CRs. IRS CR amendment issue was discussed. Martha Reichert encouraged LTs working on CRs involving a land owner tax deduction, to please call her ASAP as these are being managed on case-by-case basis. Use September 2016 Model CR. See MLTC Guidance on CR amendment clauses at: [www.massland.org/files/MLTC\\_CR\\_Amendments\\_Attnys02252017.pdf](http://www.massland.org/files/MLTC_CR_Amendments_Attnys02252017.pdf)
    - ii. Martha Reichert requested CR case studies for what works and doesn't. Discussion ensued. Janet Morrison asked why there's no reserved right for forest management or agriculture. Whit Beals urged that the CR model be updated to allow these options. Martha Reichert said ultimate goal is to have different CR models which will allow these options and provide guidance on the website for these programs.
    - iii. Martha Reichert thanked everyone for their patience with her LOA and with the transition of Irene Del Bono's retirement noting that the Department is still down one attorney.
    - iv. Rich Hubbard advocated for a "locked" CR Model and noted that a CR that is almost completed with the approval process should not be side-tracked with changes.
    - v. Kathleen O'Donnell noted a similar problem of Town Counsel reworking EEA's CR model.
    - vi. Martha noted she has "unlocked" the model CR. Martha Reichert requested that Town Counsel should use the September 2016 CR model and to call Martha Reichert (617-626-1011) with any questions about a need for changes.
    - vii. Active recreation for CPA related CRs needs to be addressed, and, Janet Morrison requested standard language for surface water supply systems in the CR model to determine when DEP review required.
  - h. Melissa Cryan [melissa.cryan@state.ma.us](mailto:melissa.cryan@state.ma.us).
    - i. LAND and PARC grant deadline of July 12<sup>th</sup> and noted grant application training workshops will be held May 17 and 18.
    - ii. Conservation Partnership grants applications are due July 17th.
    - iii. SCORP update due in September and public meetings will be held as well as a survey being done of the public. Land trusts can provide input on SCORP to Melissa.
4. **Land Protection Certificate Program (LPCP): Paul Catanzaro, UMass Extension.** Paul Catanzaro introduced the program proposal and asked what core knowledge and experience should be included? The enormous amount of skill and experience required for land conservation was acknowledged. Draft proposal available online at: [www.massland.org/files/UMass\\_LandProtect\\_CertProgram.pdf](http://www.massland.org/files/UMass_LandProtect_CertProgram.pdf)
- a. Discussed opportunities for the LPCP to "speed up" the process for training land protection specialists and noted it's a first round proposal.
  - b. LPCP is not a major, but, would offer students the opportunity to add a "certificate" to their degree and noted this is not a "certification."
  - c. Paul Catanzaro clarified LPCP is directed to graduate students as they have a broader depth of experience than do the undergrads in general.
  - d. Considering opportunities beyond Massachusetts with online capacity.
  - e. Essential knowledge and skills that would be needed:
    - i. Land owner relationships; social; science; Non-profit management; real estate
    - ii. Rita Grossman suggested using standard LT mission model of land protection, stewardship, and community engagement for guidance and noted existing non-profit management certificate programs (e.g. Institute for Non-profit Practice /Tufts University)
    - iii. Rich Hubbard referenced using LTA Standards & Practices.
    - iv. Becca Washburn in support, and seeing a need.

- v. Loring suggested leveraging existing programs e.g. NE Wildflower Society e.g. for stewardship. And, noted that professionals e.g. estate attorney, planners, foresters, etc. may find of value.
  - vi. Don MacIver suggested Bob Durand fellowship program be referenced for guidance.
  - vii. Marylynn Gentry commented on Buzz Constable's concern about the amount of information needed for an in depth knowledge of the business but noted the value of a basic overview. Need to introduce the business side as well. Emmanuel Owusu (EEA) suggested a core curriculum with specialty tracks for non-profit management, stewardship, land protection, etc.
  - viii. It was also noted late life career changers would find this of value.
  - ix. The UMass Extension and Harvard Forest Keystone Programs were referenced.
  - x. Bob Wilber strongly encouraged capturing undergraduate students if possible and Rita Grossman noted the Hampshire College undergraduate students as a potential target pool.
  - xi. Colin Novick spoke in favor of creating a level of innovation and creativity. Independent study options were also mentioned as a consideration by Leigh Youngblood.
  - xii. Kathy Orlando suggested including the agriculture, forestry and social issues.
- f. Please get LT suggestions to Paul Catanzaro [cat@umext.umass.edu](mailto:cat@umext.umass.edu) ASAP. MLTC will assist in sending a survey to members for suggestions.

**5. LTA Update: Rebecca Washburn, Northeast Director, Land Trust Alliance Program.**

- a. Rebecca Washburn thanked Colin Novick (Greater Worcester LT) and Jen Ryan (Trustees) for participating in advocacy days in Washington, DC. Newly appointed U.S. Secretary of Interior Ryan Zinke was a keynote.
- b. LTA has hired a Climate Program Manager, Kelly Watkinson.
- c. Please provide input on leased land language in conservation restrictions to Rebecca Washburn.
- d. LTA Rally is October 26-28 in Denver, CO. Registration will be open very soon.
- e. Maine's Governor LePage is proposing non-profit land trusts pay property taxes and not be exempt. The land trust community needs to be aware and follow this issue closely.
- f. An independent film (Mark Ireland) featuring the conservation work of several Maine land trusts will be premiered on Maine public television later this month. See website: <https://www.downeastlakes.org/maine-land-trust-film-premiering-on-maine-public-television/>. Film being used to promote awareness and build support using a messaging platform and hopes to cultivate a healthy dialogue.
- g. Also in Maine, a court case being followed involving the Upper Saco Valley LT in a lawsuit with landowner who wanted to sell their land to a non-profit school on land protected by a conservation easement. The issue of content is the building a structure. Judgement blurs non-profit vs. commercial development with land protection. For ruling summary: <https://roberthlevin.wordpress.com/2017/05/16/maine-land-conservation-law-e-bulletin-may-2017/>
- h. Rich Hubbard noted that the Department of the Interior is accepting comments on their review of specific National Monuments. Comments must be submitted by July 10<sup>th</sup>. <https://www.regulations.gov/document?D=DOI-2017-0002-0001>

**6. Legislative Update: Steve Long, The Nature Conservancy, current policy issues.** Steve Long distributed the hand-out available at [link] and highlighted the following:

- a. State operating budget: the House included an increase in the cap on the Conservation Land Tax Credit (CLTC). Revenue forecasts have plummeted and any additions to the budget will be challenged. Marylynn Gentry thanked Steve Long for all his work and Steve acknowledged everyone's support and actions.
- b. Senate Ways and Means to post their budget this week. Be ready to respond.
- c. FY 18 Capital plan released yesterday for State and Federal monies. Most of the amounts went down for EEA as already noted.
- d. Climate change. EEA's Municipality Vulnerability Assessment launched. A bottom-up program from stakeholders. LTs come in as EEA and Governor are very interested in using nature-based solutions. LTs urged to get communities to apply for funding for assessments. See HO. There will

be training sessions for service providers and EEA plans to work with 50 communities in the first year. Application will be forthcoming in an MLTC email.

- e. Justine Kent-Uritam (Upper Charles Land Trust ED) noted there is no state direction for water supply preservation. Proposed that the State enable Boards of Health to regulate water usage. Justine said despite the drought designation being eased, there are still drought issues. Steve Long gave an update on State's efforts to address this issue; however, there is no authority to regulate private wells. Steve Long suggested contacting Julia Blatt and MA Rivers Alliance.
- f. Current Public Hearings on Greenhouse Gas Emissions and Reduction and Energy regarding the implementation of the Energy Diversity Law. Lisa Vernegaard said the hearings are a very valuable means of educating the public and the State policy makers are receptive. Currently, mitigation language in the Request for Proposals. Emphasize nature's role.
- g. Federal 2018 Farm Bill Senate and House hearings have begun before current 2014 Farm Bill expires in September 2018. Innovative agricultural practices are being used in MA and the Mohawk Trail High School Initiative was referenced.
- h. Steve Long summarized that it's a tough fiscal environment and there's a need to pool resources & be vigilant.
- i. Colin Novick noted there's a tax bill in DC which is proposing to eliminate charitable donations as tax deductions, including a cap for charitable donations at \$100K.

**7. Legal Update: Kathleen O'Donnell, MLTC, on SJC cases.**

- a. Smith v Town of Westfield case to take a named playground land area to use for a new school building. Kathleen O'Donnell thanked the Trustees and MA Audubon for joining MLTC in submitting an amicus brief on this case. Brief available at: [www.massland.org/files/SJC-12243\\_13\\_Amicus\\_Brief.pdf](http://www.massland.org/files/SJC-12243_13_Amicus_Brief.pdf). Assoc. Justice Milkey said SJC needs to review. Mintz Levin provided pro bono services to draft an amicus brief and the case was heard in April. Argument was that if the playground was designated, signed and used as open space, an extra document would not be needed to validate it as open space. Also mentioned was that the Town cannot transfer a deed to itself. The case was heard by the justices on April 6<sup>th</sup> and a decision is expected this summer. Buzz Constable listened to the case, and, thought the amici briefs will probably play a key role.
- b. Shrine of Our Lady of La Salette v. Board of Assessors of Attleboro. Appellate court said all properties are taxable as the non-profit spaces are being used for income generating activities such as weddings, events, etc., and therefore could be taxed. Higher court over-ruled. Implications for LTs. Be aware of activities that can trigger a tax, e.g., leasing space. Make sure property is correctly described.
- c. Whit Beals stated NEFF properties are still being taxed by some local assessors in spite of SJC previous ruling disallowing this practice. Whit requested to make MLTC aware if other LTs have property tax assessment issues.

**8. MLTC Reports. Marylynn Gentry, Executive Director.** (Noted that MLTC treasure John Page not present).

- a. Marylynn thanked everyone for coming and noted that MLTC has 2.5 weeks left in the fund-raising match challenge. Although the challenge is 81% funded, another \$3,000 is needed. See crowdfunding site: <http://massland.org/2017-mltc-challenge-grant>
- b. Mass Land Conservation Conference update. Kathy McGrath reported a record of 574 attendees & noted evaluations with a 98% approval rating. Kathy McGrath thanked everyone for their help
- c. Kara Campbell, MLTC Outreach Coordinator, gave a report on the Young Land Professionals Group noting that 90 participants are signed up. The group met in April, appointed officers and conducted a survey with a 50% return. Minutes from the meeting will be posted on MLTC website

1:12pm

Kathy Orlando, hearing no further discussion called for a motion to adjourn. Rita Grossman moved and Buzz Constable seconded to adjourn. **VOTE:** Unanimous

Respectfully submitted,  
Rita Gibes Grossman, clerk