



The Newsletter of the Massachusetts Land Conservation Community

April 13, 2009

Volume 9, Number 4

PLEASE READ - SPECIAL NOTES:

1) We recently had a technical problem and I have had to rebuild the MassLand subscriber list. If you receive two or more copies, it is because I have multiple email addresses for you. Please let me know at which address you wish to receive the MassLand E-News.

2) Land Trusts - please consider forwarding this issue to ALL your Board members. We would like all of them to have the opportunity to subscribe.

3) I apologize for this issue's length - there's a lot happening!

Thank you!

Bernie McHugh, Editor

Items of interest to the Massachusetts land protection community.

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

Please send items of interest to Info@MassLand.org

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"Just as they were when Rachel Carson published 'Silent Spring' nearly 50 years ago, birds today are a bellwether of the health of land, water and ecosystems. From shorebirds in New England to warblers in Michigan to songbirds in Hawaii, we are seeing disturbing downward population trends that should set off environmental alarm bells." -- Kenneth Lee Salazar (b. 1955), U.S. Secretary of Interior and Senator --

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News

1) LARGEST ENDANGERED SPECIES PERMIT PROTECTS OVER 1,000 ACRES

Land Conservation Agreement Will Protect Thousands of Acres, Support 'Smart Growth' and Wind Energy Projects. Pact is latest step in redevelopment of A.D. Makepeace lands

- From Exec. Office of Energy and Environmental Affairs -

BOSTON - An initial agreement to preserve thousands of acres of critical habitat and open space - and clear the way for an innovative eco-friendly smart growth development project - in southeastern Massachusetts has been reached between the Massachusetts Department of Fish and Game and A.D. Makepeace Company, the world's largest cranberry grower and the largest private landowner in eastern Massachusetts, Energy and Environmental Affairs Secretary Ian Bowles announced today.

The three-phase land deal, which involves purchase by the state agency of 160 acres in Plymouth and Wareham and two long-term options to purchase thousands of other acres that will be protected under conservation restrictions in the meantime, will support smart growth development projects that Makepeace is pursuing elsewhere on its properties. Makepeace is also considering plans to install wind turbines to support its own operations, and evaluating the possibility of a sizeable wind farm in a remote location.

"This is the full package - with land conservation where it matters most, development concentrated where it makes the most sense, and renewable energy where the resource is available, A.D. Makepeace is demonstrating a new model for creative, environmentally sensitive development," said Secretary Bowles. "Today, we cap more than a decade of collaboration and negotiation between the Commonwealth and one of our largest landowners. The agreement will protect important habitat forever at the same time that it enables development to move forward, creating jobs and growth."

"The company, and the Makepeace family, are fully committed to preserving this property, despite its appeal for development," said Michael P. Hogan, president and CEO of the A.D. Makepeace Company. "We believe that the proximity of conservation land to our River Run village will enhance the value of the village, while the transaction helps the Commonwealth to achieve its land conservation goals."

Hogan credited the Plymouth Planning Board and conservation advocacy groups, including The Nature Conservancy, Six Ponds Association, Wildlands Trust, Mass Audubon, and the Wareham Land Trust for their support of the TDR (Transfer of Development Rights) bylaw which made the innovative River Run plan possible.

Under a three-part agreement finalized today, the Department of Fish and Game will purchase 160 acres from Makepeace for \$3.4 million, and also obtain options to purchase land that will be held under conservation restrictions required by endangered species permits. Included in the purchase is land near Halfway Pond in Plymouth and the Maple Springs property in Wareham. The funds derive from the \$1.7 billion Energy and Environment Bond Bill enacted last year, and are part of the Patrick Administration's five-year capital plan.

"These are ecologically important properties in Pine Barrens habitat that supports a variety of rare species, including the Northern Red-bellied cooter, Eastern Box Turtle, and a variety of rare insects and freshwater mussels," said Department of Fish and Game (DFG) Commissioner Mary Griffin. "This acquisition sets the stage for a much more extensive conservation plan we will pursue in cooperation with Makepeace, local communities, and the land conservation community over the next 30 years."

The second phase involves a 20-year option to acquire Makepeace property along the Agawam River corridor. Makepeace is currently in the process of developing its mixed-use River Run project on a portion of this property, but other portions will be protected and managed under permit from DFG's Natural Heritage and Endangered Species Program and conservation restrictions. Covering more than 1,000 acres, the endangered species permit is the largest area ever protected by the Natural Heritage and Endangered Species Program. Rare species supported in the area include New England Blazing Star and the Barren's Buckmoth, as well as declining shrub land birds such as the Brown Thrasher, Prairie Warbler, and Whip-poor-will.

The third stage of the conservation effort involves a 30-year option to purchase several thousand acres of environmentally sensitive land west of Myles Standish State Forest in an area known as "Frogfoot," as well as a block of land south of the forest called Maple Springs North, should Makepeace decide to pursue development opportunities on any of its property in that area.

A.D. Makepeace has also committed to implement and provide funding for long-term management of the protected Pine Barrens, maintaining habitat for rare species while reducing the risk of uncontrollable large-scale wildfires. In addition, Makepeace has agreed to support a Pine Barrens monitoring and research project in southeastern Massachusetts.

These conservation plans, in combination with Makepeace's River Run and Tihonet mixed-use and commercial developments, are made possible by Plymouth's Transfer of Development Rights Bylaw, under which permanent protection of environmentally significant open space allows for denser development elsewhere. This innovative "smart growth" approach both preserves important natural habitats and concentrates development where it is most appropriate.

Hogan credited the Plymouth Planning Board and conservation advocacy groups, including The Nature Conservancy, Six Ponds Association, Wildlands Trust, Mass Audubon, and the Wareham Land Trust, for their support of the Transfer of Development Rights Bylaw, which made the River Run plan possible.

Makepeace is also considering plans to install several wind turbines on its properties, to power its agricultural operations, support its 1,175-unit mixed-use River Run development in Plymouth, and also a potential larger installation in an interior portion of its properties.

"Finding a balance between development and conservation is critical to the future of our communities. This is the kind of agreement that is going to meet the future needs of our community while, at the same time, protect wilderness and species that make our area unique," said Senate President Therese Murray. "I am pleased that the Commonwealth and Makepeace have been able to make the commitment to our environment, conservation and smart growth."

"This is one of the best land deals the Commonwealth has ever made," said Bernie McHugh, coordinator of the Massachusetts Land Trust Coalition. "This is fabulous. It is a great expression of Governor Patrick's commitment to biological diversity and natural heritage protection."

2) DCR PARKWAYS TRANSFER REMOVED FROM HOUSE BILL

-- From Mass Audubon's Beacon Hill Weekly Roundup 4/10/2009

-- By Jack Clarke, Director of Public Policy & Government Relations, Jennifer Ryan, Legislative Director, & Christina McDermott, Assistant to the Director

This week the House voted in support of a transportation bill that includes the formation of the independent Massachusetts Transportation and Infrastructure Authority and eliminates the Massachusetts Turnpike Authority. Many amendments were added to the bill during the 13-hour session, including an amendment by Representative Paul Donato (D-Medford) removing language that would have transferred ownership of Department of Conservation and Recreation (DCR) parkways and bridges to the state highway system. Mass Audubon was opposed to this transfer due to concerns that such changes would have been detrimental to the Commonwealth's naturally and historically valuable park system. Also adopted were three amendments from Representative Frank Smizik (D-Brookline) that call for state transportation plans to take climate change and the Green Communities Act into account, as well as effects on pedestrian and bicycle access.

3) CONSERVATION PARTNERSHIP GRANTS HELP PROTECT 165 ACRES

- From Exec. Office of Energy and Environmental Affairs -

BOSTON - The Executive Office of Energy and Environmental Affairs (EEA) announced \$500,725 in FY 2009 Conservation Partnership Grants that will enable

eight nonprofit organizations to preserve 165 acres of open space in nine communities from Cape Cod to the Pioneer Valley.

Lt. Governor Timothy P. Murray highlighted the grants to fund projects that protect drinking water sources, restore habitat and provide recreational space in Amherst, Hardwick, Harwich, Holden, Marshfield, Oxford, Spencer, Westport, and Wareham at the annual Massachusetts Land Conservation Conference in Worcester.

"We're pleased to award these grants that will help local environmental organizations accomplish the important work of protecting open space in their communities," said Lt. Governor Murray. "This program, which encourages partnership between the state and land trusts and other conservationists, has led to the protection of nearly 1,000 acres over the past three years."

"Land trusts and environmental organizations like these are models of land stewardship and are key partners in carrying out the Patrick-Murray Administration's unprecedented commitment to land conservation, which led to the protection of more than 24,000 acres of parks, farmland, wildlife habitat, and forests last year," EEA Secretary Ian Bowles said. "We appreciate the hard work of these organizations to preserve these open spaces for future generations to enjoy."

The grants are designed to help nonprofit organizations purchase land or interests in land (such as conservation restrictions) for conservation or recreation. Based on the program's past success, EEA increased the maximum grant award this year from \$60,000 to \$75,000. Grants finance no more than half of total project costs.

Proposed projects are evaluated and selected based on their ability to conserve biodiversity, protect water quality, promote recreation, and preserve working farms and forests.

The nine awards announced are:

- * Dudley Conservation Land Trust - \$32,250 for the 4.2-acre Leovich Landing Acquisition, land along the banks of French River that provides non-motorized boating access and will be the trailhead of the French River Greenway trail. (Oxford)
- * East Quabbin Land Trust -- \$30,750 for the 55-acre Jakshtis Farm Conservation Initiative, to protect a farm and forested wetland that consist of prime agricultural soils and forms part of an important wildlife corridor. (Hardwick)
- * Greater Worcester Land Trust and White Oak Land Trust -- \$74,000 for the 52.9-acre Kinney Wood Project, five lots to create a greenway to connect the 3,000 acres of city of Worcester watershed land and other conservation land to complete a 712-acre hiking trail system. (Holden)
- * Harwich Conservation Trust -- \$75,000 for 6.8-acre White Cedar Woods project, which doubles the size of the adjacent Lee Baldwin Memorial Woodlands. (Harwich)
- * Kestrel Trust -- \$75,000 for the 14.5-acre Johnson Conservation Restriction project, a wooded wetland and hayfield that will add to an existing block of conserved land in the Lawrence Swamp to protect grasslands, farm land and other open space between the Fort River and Mt Holyoke range. (Amherst)
- * Massachusetts Audubon Society -- \$22,925 for the 10-acre Bechtold Land project, a parcel of forest and wetlands that will be incorporated into the 188-acre North River Wildlife Sanctuary, open for hiking and nature exploration. (Marshfield)
- * Massachusetts Audubon Society -- \$62,150 for the 13.3-acre Green III project, a parcel of wooded upland, wetlands and beaver pond that will add to the Burncoat Pond Wildlife Sanctuary. (Spencer)

* Wareham Land Trust -- \$53,650 for the 4.8-acre Agawam River Conservation Project, two parcels located along the Agawam River and near more than 300 acres of protected open space. (Wareham)

* Westport Land Conservation Trust -- \$75,000 for the 3.5-acre Bread and Cheese Brook Conservation project, to protect water resources and provide public access for hiking and fishing and connect to 100 acres of protected open space. (Westport)

EEA's Conservation Partnership Program has protected 962 acres since it was established in 2006. Funding for Conservation Partnership grants comes from the \$1.7 billion Energy and Environment Bond Bill signed by Governor Patrick in August 2008.

Click here for more information about state-sponsored land conservation grant programs

<http://www.mass.gov/?pageID=eoeeterminal&L=3&L0=Home&L1=Land+Use%2c+Habitats+%26+Wildlife&L2=Land+Use+%26+Conservation&sid=Eoeea&b=terminaIcontent&f=eea_grants_grants_landandrec&csid=Eoeea>

4) TAUNTON RIVER GETS WILD & SCENIC RIVER STATUS

The Taunton River Watershed Campaign applauded the signing of the Omnibus Public Lands Act, which adds the Taunton River to the National Wild and Scenic Rivers System by President Barack Obama. "This designation is a major milestone in our campaign to save the Taunton River and its watershed," said Carolyn LaMarre, Executive Director of the Taunton River Watershed Alliance. "Through this legislation, Congress and President Obama have ensured that the river will remain free flowing in perpetuity, and will be protected now and in the future."

"To the many people who have been involved in bringing the Taunton River back into the public eye over the past twenty years, this is the fulfillment of a dream," said Bill Napolitano of the Southeastern Regional Planning and Economic Development District (SRPEDD), a strong river advocate since 1988. "Through this designation, the river has gained a voice and the public has received an affirmation of its commitment to the stewardship of this great river. It is also an occasion to reflect upon the hard work of those like Congressman Joe Moakley, who helped to make this day possible, but are no longer here with us to share in the joy."

5) UPPER HOUSATONIC GIVEN ACEC DESIGNATION

- From Exec. Office of Energy and Environmental Affairs -

New status adds extra measure of protection to over 12,000 acres in Lee, Lenox, Pittsfield and Washington

BOSTON - The Upper Housatonic River and its surrounding area - a region of the Berkshires comprising 12,276 acres in Lee, Lenox, Pittsfield, and Washington - was approved by Energy and Environmental Affairs (EEA) Secretary Ian Bowles as the Commonwealth's 30th Area of Critical Environmental Concern (ACEC). The new designation promises greater protection for the region's unique natural and cultural resources.

The new ACEC includes a 13-mile corridor of the Housatonic River, adjacent floodplains, tributary streams, and the western slopes of October Mountain State Forest. It augments more than 2,000 acres within two other ACECs - Kamposoa Bog Drainage Basin and Hinsdale Flats Watershed - in the towns of Lee and Washington.

"During the extensive public process that led up today's designation, my office heard from hundreds of Berkshire residents, organizations and public officials," Secretary Bowles said. "The community and regional support for this ACEC was

overwhelmingly positive, and this designation will help create an important framework for the long-term preservation and stewardship of these outstanding resources.”

Nominators of the Upper Housatonic River ACEC included U.S. Representative John Olver; state Senator Ben Downing; state Representatives Dennis Guyer, Smitty Pignatelli, and Christopher N. Speranzo; and some members of the Pittsfield City Council, Lenox Board of Selectmen, and Washington Select Board. The Berkshire County League of Sportsmen, Berkshire Natural Resources Council, Green Berkshires, and Massachusetts Audubon Society comprised the nominating steering committee.

Established in 1975, the Massachusetts ACEC Program is administered by the Department of Conservation and Recreation (DCR). Across the Commonwealth, ACECs include over 260,000 acres within parts of 76 communities. ACEC designation serves as an educational and planning tool to encourage citizens, communities, organizations and governmental agencies to work together as stewards of each area’s critical natural and cultural resources. While ACEC designation does not supersede local jurisdiction or affect the routine activities of most homeowners and businesses, proposed development projects that require state agency actions, state permits, or state funding are subject to higher environmental reviews to minimize potential adverse impacts to the resources within ACECs.

Map of the ACEC boundary:

http://www.mass.gov/Eoeaa/docs/eea/press/maps/housatonic_mapformedia5x3inches.pdf

ACEC Designation document:

http://www.mass.gov/Eoeaa/docs/eea/press/033009_acec_designation.pdf

A public meeting to answer questions about the new designation and discuss the formation of a volunteer stewardship committee will be held this spring. For further information, please visit the ACEC Program website at <<http://www.mass.gov/dcr/stewardship/acec/index.htm>> or contact ACEC Program Director Elizabeth Sorenson at 617-626-1394 or elizabeth.sorenson@state.ma.us

6) SCOTT SOARES NAMED AGRICULTURE COMMISSIONER

- From Exec. Office of Energy and Environmental Affairs -

BOSTON - Energy and Environmental Affairs Secretary Ian Bowles appointed Scott Soares of Dartmouth as Commissioner of the Department of Agricultural Resources (DAR). Soares, who will assume DAR’s top post on April 13, has been the agency’s assistant commissioner since November 2007. He will replace outgoing DAR Commissioner Douglas Petersen, who steps down April 10.

“I could not be more pleased to name Scott Soares commissioner of the Department of Agricultural Resources,” said Secretary Bowles. “Through his 13 years of service to the Commonwealth, Scott has developed a keen understanding of Massachusetts’s vibrant and diverse agricultural sector, and his enthusiasm and commitment will benefit farmers across the state, as well as all of us who enjoy local produce. I know I speak for Governor Patrick when I say that the department, and the agricultural community that depends on it, could not be in better hands.”

“I am thrilled and humbled to receive this appointment, which puts me in the best place to support the success of Massachusetts farmers,” said Commissioner Soares. “I feel confident that, under the leadership of Governor Patrick and Secretary Bowles, Massachusetts agriculture’s finest days are still ahead of it.”

The DAR's mission is to ensure the long-term viability of local agriculture in Massachusetts. The DAR is comprised of four divisions - Agricultural Development, Animal Health, Crop and Pest Services, and Technical Assistance - tasked to support, regulate, and enhance the Commonwealth's agricultural community. Through its strong partnerships with municipal and federal entities, farmers, and farming associations, the DAR's services provide support for continued successful cultivation of a thriving and diversified agricultural industry, economically and environmentally sound food safety and animal health measures, and fulfilling agriculture's role in energy conservation and production.

For more information, contact the Massachusetts Department of Agricultural Resources at 251 Causeway St., Suite 500, Boston, MA 02114, (617) 626-1700 or <http://www.mass.gov/agr>

7) VERNAL POOL GUIDELINES REVISED

In March, the Natural Heritage & Endangered Species Program (NHESP) of the Massachusetts Division of Fisheries & Wildlife released a revision to the Guidelines for the Certification of Vernal Pool Habitat ("Guidelines"). The NHESP accepts certain biological and physical documentation submitted by outside scientists, resource managers, and other interested parties as the basis for the certification of Vernal Pool Habitat. The recent revision is designed to ensure consistency between the NHESP's "vernal pool certification criteria" and the biological and physical characteristics of "Vernal Pool Habitat" in the Massachusetts Wetlands Protection Act regulations. The revised Guidelines reduces the number of facultative (indirect indicator) species acceptable for certification to four amphibians (i.e., Spring Peeper, Gray Treefrog, American Toad, and Fowler's Toad) and eliminates the "Dry Pool" method for vernal pool certification.

In addition, requirements for documenting the physical and biological characteristics of a vernal pool have been enhanced. For example, a greater number of photographs are required of the basin and any inlets or outlets, and the number of egg masses of obligate amphibian (direct indicator) species (e.g., Wood Frogs or salamanders) has been increased from two for each species to a total of five for all species combined. The revised Guidelines document is available at <http://www.nhesp.org/> at the 'Vernal Pool' tab. The NHESP has administered the state's official vernal pool certification program for over 20 years. Visit the MassWildlife website at http://www.mass.gov/dfwele/dfw/nhesp/vernal_pools/vernal_pools.htm for information about how to certify and protect vernal pools.

Another useful website with information on vernal pools, crossing signs, and additional educational materials can be found at the Vernal Pool Association website, http://www.vernalpool.org/vernal_1.htm

8) COMMUNITY PRESERVATION ACT NOW IN 142 CITIES & TOWNS

-- From Mass Audubon's Beacon Hill Weekly Roundup 4/10/2009

-- By Jack Clarke, Director of Public Policy & Government Relations, Jennifer Ryan, Legislative Director, & Christina McDermott, Assistant to the Director

This week, the towns of Seekonk and Rehoboth adopted the Community Preservation Act (CPA). Seekonk residents voted 942-824 to approve a 1.25% property tax surcharge. Rehoboth adopted 1% by a vote of 1,756 - 1,140.

In other CPA news:

* Voters at town meetings in Duxbury, Kingston and Plymouth all voted against reducing CPA surcharges.

* Northfield town meeting attendees favored reducing their CPA surcharge. If the measure passes in the May 5 election, Northfield's surcharge will be reduced from 3% to .5%.

* Six more communities will vote on CPA surcharge reduction or revocation at town meetings this spring: Hingham, Norwell, Westport, Longmeadow, Marshfield and Groveland.

* Lynnfield and Hardwick voters will have the opportunity to adopt CPA this spring.

For more information, visit our Coalition web site at:

<http://www.communitypreservation.org>

9) PRESIDENT SIGNS OMNIBUS PUBLIC LANDS ACT, PROTECTS 2 MILLION ACRES

-- From The Boston Globe --

WASHINGTON - President Obama signed legislation yesterday setting aside more than 2 million acres as protected wilderness. Obama called the new law among the most important in decades "to protect, preserve and pass down our nation's most treasured landscapes to future generations."

Obama said the law guarantees that Americans "will not take our forests, rivers, oceans, national parks, monuments, and wilderness areas for granted, but rather we will set them aside and guard their sanctity for everyone to share. That's something all Americans can support."

The law represents one of the largest expansions of wilderness protection in a quarter-century. It confers the government's highest level of protection on land in nine states. Land protected ranges from California's Sierra Nevada and Oregon's Mount Hood to Rocky Mountain National Park in Colorado and parts of the Jefferson National Forest in Virginia. Land in Idaho's Owyhee canyons, Pictured Rocks National Lakeshore in Michigan, and Zion National Park in Utah also won wilderness protection.

10) OBAMA TO REVERSE BUSH ATTACK ON ENDANGERED SPECIES ACT

-- From American Bird Conservancy --

At a celebration in March honoring the 160th anniversary of the creation of the Department of the Interior, President Obama announced his intention to reverse two rules passed in the last days of the previous administration, and to restore the Endangered Species Act (ESA) to its original full strength. Congressional language added to the recently passed FY 09 omnibus spending bill would give the Administration the ability to withdraw the rules within 60 days without having to go through the normal lengthy regulatory process requiring a public comment period. An effort mounted by Senator Murkowski and Senator Begich of Alaska to remove this provision from the bill failed by a vote of 42-52.

One of the two rules at issue removed the long-standing requirement under Section 7 of the ESA for federal agencies to consult with experts at the U.S. Fish and Wildlife Service and National Marine Fisheries Service in cases where their actions may impact endangered species. Instead, it permitted each agency to decide on its own whether or not to consult. The second rule weakened ESA protections that were afforded to the polar bear when the species was listed as threatened last year. The rule specifically stated that oil and gas development can proceed in polar bear habitat without review of how these activities may impact the species. The rule also failed to take into account the effect of climate change, which is causing the loss of sea ice and reducing essential habitat that threatens the survival of not only the

polar bear but also the Kittlitz's Murrelet. Both rules had drawn fire from conservation and environmental groups across the country.

"We are delighted that both Congress and the President have taken steps to reverse the harmful rules and restore the Endangered Species Act to its intended strength," said Darin Schroeder, Vice President for Conservation Advocacy at American Bird Conservancy. "The consultation process is one of the cornerstones of the ESA, and one of the key checks and balances that ensures protection for the 90 birds and 1,263 other animals and plants it covers. We urge Secretary Salazar to use the tools he has been given and withdraw both rules immediately."

11) INTERIOR DEPT. STUDY SHOWS SERIOUS DECLINES IN BIRDS

-- From American Bird Conservancy --

Secretary Salazar Releases Study Showing Widespread Declines in Bird Populations, Highlights Role of Partnerships in Conservation

Washington, D.C. - Secretary of the Interior Ken Salazar today released the first ever comprehensive report on bird populations in the United States, showing that nearly a third of the nation's 800 bird species are endangered, threatened or in significant decline due to habitat loss, invasive species, and other threats.

At the same time, the report highlights examples, including many species of waterfowl, where habitat restoration and conservation have reversed previous declines, offering hope that it is not too late to take action to save declining populations.

"Just as they were when Rachel Carson published Silent Spring nearly 50 years ago, birds today are a bellwether of the health of land, water and ecosystems," Salazar said. "From shorebirds in New England to warblers in Michigan to songbirds in Hawaii, we are seeing disturbing downward population trends that should set off environmental alarm bells. We must work together now to ensure we never hear the deafening silence in our forests, fields and backyards that Rachel Carson warned us about."

The report, *The U.S. State of the Birds*, synthesizes data from three long-running bird censuses conducted by thousands of citizen scientists and professional biologists.

In particular, it calls attention to the crisis in Hawaii, where more birds are in danger of extinction than anywhere else in the United States. In addition, the report indicates a 40 percent decline in grassland birds over the past 40 years, a 30 percent decline in birds of aridlands, and high concern for many coastal shorebirds. Furthermore, 39 percent of species dependent on U.S. oceans have declined.

However, the report also reveals convincing evidence that birds can respond quickly and positively to conservation action. The data show dramatic increases in many wetland birds such as pelicans, herons, egrets, osprey, and ducks, a testament to numerous cooperative conservation partnerships that have resulted in protection, enhancement and management of more than 30 million wetland acres.

The report is available at <http://www.stateofthebirds.org>

Washington Post article on the study at:

<http://www.washingtonpost.com/wp-dyn/content/article/2009/03/19/AR2009031902055.html>

Events

12) BRIEFINGS ON ENVIRONMENTAL LEGISLATION

Please join the Environmental League of Massachusetts, the Mass. League of Environmental Voters, Mass Audubon, the Mass. Environmental Collaborative and others at a series of environmental briefings.

All hearings will be in State House room #348 (House lobby) in Boston

April 16 (10am): "Brother can you spare a dime?"

These are lean times for all agencies in the Commonwealth, but especially for environmental programs. We will discuss the "Green Budget FY '10": what have we cut and what have we lost?

Presenters: Environmental League of Massachusetts and Mass Audubon

May 14 (10am): "40 Acres and a mule...no more!"

Massachusetts loses 40 acres of open space a day to development. Ironically, some of it is disposed of by municipal and state government. How do we respect municipal needs while preserving open space? Come learn about the Public Lands Preservation Act ("PLPA").

Presenters: Massachusetts Chapter of the Sierra Club and Mass Audubon

Sponsors of the Public Lands Preservation Act: Senator James Eldridge and Representative Ruth Balsler

Training

13) CHAINSAW SAFETY TRAINING

Funded through the Recreational Trails Program, The Massachusetts Recreational Trail Advisory Board (MARTAB) is sponsoring two Chainsaw Safety Training Workshops to teach and promote safe and effective chainsaw use for volunteers who are working on ice storm damage cleanup crews this spring and summer season. 7 Generations, Inc will provide instructors for two, 1-day training courses with an indoor classroom session in the morning and an outdoor field demonstration in the afternoon along trails which have experienced significant ice-storm damage. The course will include discussion and demonstration on: safety, personal protective equipment, chain saw sharpening techniques, safe starting procedures, reactive forces and kick back, notches, directional felling, limbing and bucking, springpoles, and use of wedges.

Course Dates: Saturday, April 18th & Sunday, April 19th

Time: 8am to approximately 4:30pm

Location: Doyle Conservation Center, Trustees of Reservations

464 Abbott Avenue, Leominster, MA

The cost for the course is \$20, lunch will be provided. As a requirement for the course, participants must sign a pledge to provide 20 hours of volunteer work towards ice storm damage cleanup efforts anywhere in the state. Openings for the course will be filled on a first-come, first-serve basis and will be based on filling a certain number of slots according to the seven counties in Massachusetts. Volunteers are encouraged to participate from all regions in Massachusetts. Each

course has a maximum capacity of 20 people. Class will be held rain, snow or shine so appropriate dress should be considered. Participants must bring the following to participate in the outdoor training session: Hard hat, safety glasses or face shield, hearing protection, gloves, leg protection, chain saw, fuel and bar oil.

If you would like to sign up for the course or have additional questions, please contact:

Keith Bockus, 978-840-4446 ext. 1901 (The Trustees of Reservations)

Grants

14) NEW CONSERVATION PARTNERSHIP GRANT ROUND NOW OPEN!

The Mass. Executive Office of Energy and Environmental Affairs (EEA) has announced a new grant round for the Conservation Partnership Grants program. These grants provide funding directly to non-profit land conservation groups to purchase land or conservation restrictions. All Mass. land trusts are strongly urged to take advantage of this unique program! Applications due in by July 13, 2009.

This is a very successful small program that has funded excellent projects and has contributed substantially to preserving undeveloped land in the state. Land conservation is a priority of both Governor Patrick and Secretary Bowles - take advantage of this opportunity now, and show that this and similar programs continue to be a good use of public funds for which there is strong support.

The maximum grant award for a single project is \$75,000. The maximum reimbursement amount available for a single project is 50% of the total project cost. Qualified applications will be selected on a competitive basis. The grants are due July 13, 2009.

The Request for Response (RFR), application form, rating system, and program timeline are available on the Comm-PASS website at

[http://www.mass.gov/?pageID=eoeaterminal&L=4&L0=Home&L1=Grants+%26+Technical+Assistance&L2=Grant+%26+Loan+Programs&L3=Division+of+Conservation+Services+\(DCS\)&sid=Eoeea&b=terminalcontent&f=eea_dcs_dcs_conserv_partner_grant&csid=Eoeea](http://www.mass.gov/?pageID=eoeaterminal&L=4&L0=Home&L1=Grants+%26+Technical+Assistance&L2=Grant+%26+Loan+Programs&L3=Division+of+Conservation+Services+(DCS)&sid=Eoeea&b=terminalcontent&f=eea_dcs_dcs_conserv_partner_grant&csid=Eoeea)

All forms must be printed out and mailed. ***Faxed or emailed applications will not be considered.***

See the DCS website for general information <<http://www.mass.gov/eea/dcs>>

Celia Riechel
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, 9th Floor
Boston, MA 02114
617-626-1187
www.mass.gov/eea/dcs

15) NEW LAND & PARC GRANT ROUNDS NOW OPEN!

The FY10 round for Local Acquisitions for Natural Diversity grants (LAND), Parkland Acquisitions and Renovations for Communities grants (PARC) and Land and Water Conservation Fund (LWCF) grants is now open.

LAND and PARC

LAND grants provide municipalities with funding for conservation land acquisition. PARC grants provide municipalities with funding for parkland acquisition,

development of parks, and renovations of existing parks. Applications are due on July 15, 2009.

Please attend a "how to" grant workshop on Thursday, May 21, 2009 at 10:00 am in the 2nd floor conference room at 100 Cambridge Street, Boston.

For the grant application package and fillable PDF application form, visit DCS's website at: <http://www.mass.gov/eea/dcs>

LWFC

LWCF grants fund acquisition of conservation land and parkland, and the renovation or development of public outdoor recreation facilities submitted from municipalities, DCR or DFG. The RFR for this grant can be found online at www.comm-pass.com <<http://www.comm-pass.com>> . Applications are due on May 15, 2009.

From Ian A. Bowles, Secretary of the Executive Office of Energy and Environmental Affairs (EEA)

I am pleased to announce that my office, through the Division of Conservation Services (DCS), in anticipation of, and contingent upon, the availability of funds, will conduct the annual Fiscal Year 2009 grant round for the state LAND and PARC Grant Programs and for the federal Land and Water Conservation Fund Program. The filing deadline is 3 p.m. on Tuesday, July 15, 2009

LOCAL ACQUISITION FOR NATURAL DIVERSITY: LAND GRANT PROGRAM

(referenced as the Self-Help Program, 301 CMR 5.00; MGL C. 132A §11)

The LAND Program provides funds to municipal conservation commissions for the purchase of conservation land. The priority for this year's LAND grant round will be for the protection of sensitive water resources, landscape conservation, and biodiversity and resource protection. Projects which fall under lands mapped in the Statewide Land Conservation Plan, and those that augment or connect to existing conservation lands, and thereby help to preserve the integrity and health of the local or regional ecosystems, will receive greater consideration for funding.

PARKLAND ACQUISITION AND RENOVATION FOR COMMUNITIES: PARC Grant Program

(referenced as the Urban Self-Help Program, 301 CMR 5.00)

The PARC Program assists communities with the acquisition of parkland, as well as construction of new parks and renovation of existing parks. The priorities for this year's PARC grants include new park development, especially on parkland recovered from brownfield site clean-up, and projects that provide recreational opportunities to urban populations. Projects that serve to stabilize neighborhoods or are part of urban center revitalization efforts will be given special consideration as will those that provide for park equity in a community. Projects to build or renovate municipal golf course clubhouses are not being funded this year. Towns with a population less than 35,000 qualify for a grant if proposals are designed to provide statewide or regional recreational facilities or a maximum grant of \$50,000 for smaller recreational projects.

LAND AND WATER CONSERVATION FUND PROGRAM (LWCF) (Conservation or Park Projects)

(P.L. 88-578, 16 USC 4601-4, and P.L. 100-203)

This federal grant program funds the acquisition of conservation land, the acquisition of parkland, and the renovation or development of public outdoor recreation facilities

submitted from municipalities and two state agencies: the Massachusetts Departments of Conservation and Recreation and the Department of Fish and Game. Municipal projects may be considered for funding under the federal LWCF program or the appropriate DCS program - but can only be approved for funding through one grant source. Municipalities must indicate on their application that they wish to be eligible for either or both program(s). State agency and municipal application will be rated and ranked using the LWCF Rating System. The LWCF rating system does not include demographic or Commonwealth Capital points, and municipal projects compete with state agency projects. EOEEA reserves the right to fund a municipal project from the program source it deems most appropriate and most beneficial to the overall needs of the Secretariat should the applicant apply to both state and federal grant programs. Please note that while federal LWCF funds can be awarded to projects that would also qualify for either LAND or PARC funds, there are some administrative differences. Federal acquisition projects require appraisals that are done to federal "Yellow Book" appraisal standards. Federal funding does require project approval by the National Park Service, and affords an extra level of legal protection to the project site since any change of use would also require approval by the National Park Service, the federal agency that administers the LWCF program.

To learn more about these grant programs and to download an application package, please visit the DCS web page at www.mass.gov/envir/dcs. The applications are also posted on the state's procurement website at www.comm-pass.com. I recommend that communities use the application package found on the DCS web page as it is in a more user-friendly format. I invite each and every community to take advantage of this opportunity, and thank you for your partnership in land conservation and public outdoor recreation.

Sincerely,

Ian A. Bowles

16) "SAVING NEW ENGLAND'S WILDLIFE" GRANTS

The Open Space Institute is now accepting Letters of Interest for a new funding initiative in Maine, New Hampshire and Massachusetts. OSI's Saving New England's Wildlife is offering grants for projects that increase funding and support for wildlife habitat protection consistent with the implementation of the State Wildlife Action Plans. These amplification grants will help to broadcast the importance of these plans to diverse audiences. The suggested grant range is \$25,000 to \$75,000. Completed LOIs must be received by OSI by April 27, 2009.

For more information visit; http://www.osiny.org/NewEngland_Amplification_Grant

17) FARM VIABILITY PROGRAM APPLICATIONS AVAILABLE

This popular business planning and technical assistance program provides management advice and grants of up to \$75,000 to implement farm growth and sustainability strategies. Farm operators not only receive up front cash awards for signing a 5 or 10 year Agricultural Covenant, but also receive valuable consultations and visits from a team of experts to discuss farm production and management, marketing, and business planning. Typical uses of funds from the Farm Viability Program include building or repairing farm structures, modernizing field equipment, purchasing delivery vehicles and tractors, improving marketing structures or food processing capacity, and establishing a farm website.

Over 300 farms have received business planning and technical assistance from the Program in the past thirteen years. The total value of awards to farms in the same

time period exceeded \$12 million. Over 29,000 acres of farmland has been placed under short-term Agricultural Covenants.

Applications and program information are available on line at the Massachusetts Department of Agricultural Resources website www.mass.gov/agr, or you can request a copy of the application by calling the Farm Viability Program at 617-626-1723. The deadline for submitting applications is Thursday June 25, 2009.

Craig Richov
Director, Farm Viability Program
MA Department of Agricultural Resources
251 Causeway Street
Boston MA 02114-2151
617-626-1725
<http://www.mass.gov/agr/programs/farmviability>

18) "BEAVER DECEIVER" FUNDING ASSISTANCE FOR BERKSHIRE COUNTY

Beaver Funding Assistance Request

Thanks to a grant from the Nion Robert Thieriot Foundation, the Mass. Society for the Prevention of Cruelty to Animals (MSPCA) has funding to assist with installation of water flow devices to humanely, non-lethally, and ecologically mitigate beaver-related flooding in the Berkshires.

Who can participate? Any individual, town, business, or organization in Berkshire County.

What are the criteria? A willingness (of all parties involved) to resolve problems non-lethally for the long term, a site that is conducive to flow device usage, and permission of the landowners and the local Conservation Commission to install water flow devices.

How do I request assistance? Send a description of your conflict site(s) and the limitations of your budget to the MSPCA for consideration. Starting in the spring, we will evaluate the sites to determine if they are conducive to flow device usage.

Funding assistance: The amount of funding offered to each applicant will depend on the number of requests, the amount of each viable request, and the ability of each requester to pay for part of the flow device, or the maintenance contract for the device, themselves.

Deadline: Requests will be accepted throughout 2009 until funding is exhausted. Requests will be considered in the order in which they are received. Submit ASAP, please.

For more information, visit www.mspca.org/BeaverFunding

Send requests to: Linda Huebner, MSPCA, 350 S. Huntington Ave, Boston, MA, 02130 Lhuebner@mspca.org, voicemail 617-541-5104,

Please include the following information with requests:

Name: _____ Date: _____

Town: _____

Phone: _____ Email: _____

19) LIST OF GRANTS AND RESOURCES

Mass. Riverways "Riverways News Notes" monthly e-newsletter always is a goldmine of resources and grants for water and land protection.

This month's grants listing is on-line at:

<http://www.mass.gov/dfwele/river/newsletters/newsnotes32.htm#grants>

Here is a list of grants described in the latest issue:

- * Wal-Mart Foundation State Giving Program
- * EPA's Office of Wetlands, Oceans and Watersheds interactive video contest and photo project
- * EPA's Smart Growth Implementation Assistance
- * EPA's National Award for Smart Growth Achievement
- * Gulf of Maine Council on the Marine Environment's Awards
- * Gulf of Maine Council is seeking proposals for coastal habitat restoration projects
- * Cricket Foundation
- * Fund for Wild Nature
- * New England Grassroots Environment Fund
- * Mass. NRCS grant programs under the 2008 Farm Bill
- * Mass. DEP's §319 Nonpoint Source Pollution Competitive Grants Program
- * Mass. DEP's §604(b) Water Quality Management Planning competitive grant program
- * Good Earth Tea and Coffee Sweepstakes Giveaway
- * EPA Region One/New England's 2009 Healthy Communities Grant Program
- * The Save Our History Grant Program
- * EPA's Rachel Carson Intergenerational Sense of Wonder Contest
- * National Coastal Wetlands Conservation Grant Program
- * Bank of America's Neighborhood Excellence Initiative
- * Horizon Foundation
- * Mass. EEA's PARC and LAND grants
- * Mass. EEA's Conservation Partnership Grant Program
- * Starbucks' V2V (Volunteer 2 Volunteer) Program

Jobs & Contracts

20) LAND CONSERVATION PROGRAM ASS'T, ESSEX COUNTY GREENBELT

The Essex County Greenbelt Association seeks a full-time (40 hrs/week) land conservation program assistant to support our land conservation program. The individual will:

- * Maintain, update and manage our land conservation outreach database, and generate mailings;
- * Plan events and other implementation items related to the landowner outreach effort;
- * Work closely with Greenbelt's Director and Assistant Director of Land Conservation on project research tasks, internal project approval processes, including preparing agendas for Acquisition Committee and Board of Director meetings, and on landowner cultivation and followup, pre-closing due diligence, preparation of conservation restriction documents, including state and local submittals;
- * Solicit proposals and manage relationships with outside service providers, including attorneys, appraisers, environmental consultants and other contractors;

- * Perform property and landowner research at the municipal and county level, and maintain Greenbelt's library of land conservation resources, including municipal Open Space Plans, assessor's maps, state conservation planning documents and other materials;
- * Perform general land conservation research regarding best practices, new approaches, new media, and emerging trends;
- * Solicit and supervise volunteers, as needed;

The program assistant will also have extensive interaction with Greenbelt's Land Stewardship staff, GIS Manager, as well as development and administrative staff.

Qualifications: BA/BS, 2-3 years experience in land conservation or related field (volunteer experience considered), real estate/planning/legal experience also valued, strong technological skills (Word, Excel, PowerPoint, bonus points for GIS and File Maker Pro), excellent organizational and project management skills. Please submit resume and cover letter electronically (pdf format preferred) to dts@ecga.org by April 18. EOE

About Greenbelt:

The Essex County Greenbelt Association is a member supported nonprofit land trust that has conserved over 13,000 acres of land in Essex County, Massachusetts since 1961. Greenbelt works with local communities and landowners to acquire and protect ecological areas, farmland and scenic vistas. One of our major goals is the creation of "greenbelts" consisting of river, trail, and other natural corridors, coastal systems and visually intact landscapes.

21) EXECUTIVE DIRECTOR, REGIONAL ENV. COUNCIL, WORCESTER

The Regional Environmental Council, Inc. (REC, <<http://www.recworchester.org/>>) in Worcester, MA seeks an energetic, collaborative Executive Director who shares its passion for environmental justice work. REC is looking for someone who is committed to working within a participatory team management model, has a facilitative and consensus-building leadership style, and can help take REC to its next level of growth and development. REC is a small, progressive non-profit organization that works with residents of the city's neighborhoods to address the environmental issues they face, and advocates at the local and state levels for environmentally and socially sound decisions that help build a strong, healthy and livable city.

For more information, see

<http://rs6.net/tn.jsp?et=1102520423324&e=001SGyq27M3cVjg8SZA5IHqJEOIb9sHwn-fuygvGZbPIQMnt8JgY6SndJTSQoBJUzptj-PUeFL30EP7Uq7GrCm4PFM_M-dA83jv5j2V8O9dk5h3uv2Bpm8kcGn3CGGZwOcsjgsYPLXIdxwEMAat3bTqg==> .

22) LAND MANAGEMENT CONSULTANT, ORLEANS CONSERVATION TRUST

The Orleans Conservation Trust seeks a land management consultant for 20 to 25 hours weekly. Candidates should have administrative expertise as well as outdoor skills. The consultant will monitor trust properties, represent the trust at municipal and public meetings, and assess proposals for new gifts, purchases and conservation restrictions. The consultant will plan and carry out the removal of invasives and creation and maintenance of trails as well as prepare press releases about new acquisitions and fund-raising. Since 1970, the OCT has preserved 562 acres of open space through deeded gifts, purchases and conservation restrictions.

Candidates should have a bachelor or Master's degree in an environmental field, GIS skills, two years' experience with land trusts or a related conservation field and a

familiarity with Massachusetts habitat and environmental laws. Hours and pay are negotiable.

E-mail cover letter and resume by April 30 to Susan Milton, OCT president, via oct@orleansconservationtrust.org. Please mail cover letter to Susan Milton, OCT, at P.O. Box 1078, East Orleans, MA 02643. Email the trust or call 508-360-5744 with any questions.

23) EXECUTIVE DIRECTOR, NATURAL RESOURCES TRUST OF EASTON

The Natural Resources Trust of Easton, Inc., (NRT), a member supported, 501(c)(3) non-profit land trust, seeks a seasoned leader in land conservation and environmental education to join the organization as Executive Director. The Executive Director will oversee a talented staff of educators and land conservation specialists to support the NRT's environmental education and land conservation programs within the community. The Executive Director will join an organization with a forty-two year history of protecting land and educating people of all ages on conservation and the natural environment. Qualified candidates will have 5+ years of non-profit management experience with similar mission-focused organizations.

Reporting to the President of the Board and its Directors, the full-time Executive Director (ED) will identify new opportunities for fostering the NRT's mission while overseeing the daily management and administration of a 400-acre land trust with an average \$470,000 operating budget, a full-time staff of four, part-time and camp staff, and a corps of community volunteers.

The successful candidate should possess a Bachelor's degree in environmental studies, natural sciences/resources, resource management, or related field plus demonstrated experience in land stewardship, property management, staff supervision, operations budgeting and grant management.

Download PDF full job description here:

http://www.nrtfeaston.org/download/NRT_EDPositionAnnouncement03.08.09.pdf

For more information on this opportunity please refer to the NRT's website at: www.nrtfeaston.org

Miscellany



24) NEW "LAND & WATER" PLATE SUPPORTS LAND PROTECTION - ORDER TODAY!

The Massachusetts Land Trust Coalition has been working with the Massachusetts Environmental Trust to establish a new "Land and Water Conservation" license plate program. The Trust's experience with license plate programs has demonstrated that this can be a stable and sustainable source of funding for land protection.

The Registry of Motor Vehicles requires that 3,000 plates be pre-ordered and held with checks sent in advance, before they will put this plate into production. Once the 3,000 checks are received, they will ship the plates to the vehicle owner. If the 3,000 plates are not sold in a year, they return the checks.

Please contact Bill Hinkley at MET for additional information about the plate or the program in general. He can be reached at 617.626.1177 or william.hinkley@state.ma.us

ORDER FORM & MORE INFO:
<http://www.masslandandwater.info/>

25) BECOME A FRIEND OF THE MASS. LAND TRUST COALITION!

The Massachusetts Land Trust Coalition relies on its network of Member Land Trusts and Friends of the Coalition for support. "Member" status is offered to "all non-profit, charitable organizations chartered to hold and/or convey land and/or interests in land for conservation purposes in Massachusetts". "Friend" status is offered to organizations, public entities, individuals and businesses that do not meet the requirements for membership but who wish to support and participate in the work of the Coalition.

Please join us and help support our efforts to encourage private, voluntary land protection and support sound public conservation policy. Please visit our membership page at: <http://massland.org/pages/resources/membership.html>

"The most radical thing we can do is introduce people to one another"

Prepared by:
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