

Southeastern MA Land Trust Convocation **Saturday, Feb. 11, 2012**

Thank you Mark for that kind introduction. All of you know Mark as an important conservation leader in this region. Having had the good fortune of working with Mark over many years, you should also know that he is widely recognized as a leader statewide, and one of our most respected voices and experts in the field.

Good morning. I would like begin by extending greetings from Essex County Greenbelt's home on Cape Ann, or as it called "the other Cape." Now, Cape Ann may be smaller and not as well known, but I do want to boast that we have spirited away one of your native daughters. All of us at Greenbelt are thrilled to have the special talents of Vanessa Johnson, formerly of Brewster, on our staff as project manager. As you see on your program, Vanessa will be co-presenting a workshop this morning on the new state tax credit.

I am honored to have this opportunity to speak with you this morning. As Mark noted, I'm the newly elected president of the MLTC board, and I'll start by giving you a brief overview of our work and what we have in store.

I would also like to offer some observations on a few other topics of importance to our work as land trusts, and specifically: conservation funding; land stewardship; and making a connection with our public.

MLTC

-we are your statewide organization. We aim to help build the capacity of the MA land trust community; to facilitate communication; and to act as an advocate for policy to advance the work of land trusts. How do we do this:

1. MLTC acts as a forum and convener for addressing issues important to conservation
-most prominent is through the annual Mass Land Conservation Conference coming up on March 24th in Worcester which we co-convene with TTOR
 - 450 to 500 participants makes it the largest statewide gathering of practitioners in the country (Southeastern MA in the top as well)
 - 35 workshops on a wide range of topics
 - encourage you to attend if you can: www.massconservation.org (brochure)
 - this year's theme is Working Lands:Farms, Forests and Conservation
2. In addition to the conference, we sponsor regular gatherings of land trusts through quarterly steering committee meetings; through the annual land trust/state agency retreat; and by sponsoring forums to address specific topics such as siting wind turbines on conservation land (I understand a hot topic on the Cape!); the treatment of conservation lands by local assessors (a program spearheaded by Mark) and the drafting a new statewide standard CR

3. We also publish a regular E-newsletter with a wide range of topics, and information of events and programs; and a list-serve on land protection and stewardship

4. We hope to become a more effective and consistent organization in the delivery of service to the land trust community. MLTC incorporated last year as a 501 c 3; and we have just launched a search for a half-time ED. The job description can be found on www.massland.org. If anyone here is interested in applying, we'd love to hear from you. Also welcome your help to spread the word.

5. So, we are entering a new and more prominent phase at MLTC. We are very interested in learning about how we may be most helpful to all of you, and will likely be reaching out through surveys, gathering and other means.

6. Finally, you should know that your region is very well represented on the MLTC board, and I couldn't be more pleased and grateful as I start my job as president to have as colleagues:

Mark Robinson from the Compact; Peggy Stevens of the Westport Conservation Trust; Karen Grey of the Wildlands Trust; and two new members to the board, Mike Lach of the Compact and Harwich Conservation Trust, and Kathleen O'Donnell of the Cohasset Conservation Foundation

Let me know move on to offer some comments on a few prominent issues for our business.

First is conservation funding

As we all know, the last few years have been particularly good for public financing of conservation. In fact, it can be argued that we've never experienced a better time.

-Since 1999: 4006 projects; 233,000 acres; more than \$500m invested

-Combination of market forces, less competition from developers, more willing sellers, and unprecedented levels of public funding have enabled to do deals as never before. We've actually had a couple of years where more land was being saved in MA than developed

-While some of the same market conditions may be with us for some time, it appears that the flush days of public funding may be over, or at least diminished

-The word from the state is that the levels of open space capital, at \$50million/year for the last five years, are coming down. Increasing competition for fewer dollars has resulted in many of us losing out for the first time on conservation partnership grants, PARC grants or other funding programs.

-There's a similar story on the federal side. Just this week we learned about the latest effort by Congress to divert Land and Water Conservation Fund dollars to highway projects.

-And with municipal budgets under continuing stress, the competition for tax dollars is ever increasing, and the appetite for open space projects is inevitably affected.

It appears we are entering a period of diminishing support for the kinds of financial partnerships that have fueled our recent conservation success. So what do we do?

It seems to me there are a number of things we can and should be doing.

1. Fight for the capital budget. Keep at the administration and push for the highest allocation possible. Other needs are at the table, and we want to make sure conservation is not left off or out.

2. While the administration has made clear it will not move to introduce a new environmental bond in the near term, we do need to organize and gear up for a new bond a year or two out. As you know, it is the bonding that provides the authorization for all capital funding. Our current environmental bond accounts are running thin and are being supplemented by what are called patches. This is a short term solution, and a new bond bill will be needed.

3. Let Congress know that we care about the Land and Water Conservation Fund. There are well organized efforts that have secured the support of our delegation, including both of our U.S Senators. We need to keep up the pressure.

4. Be political. As the saying goes, elections have consequences. We need to make conservation funding a part of upcoming campaigns. Gov. Patrick made his commitment of \$50 million in open space funding as a candidate in his first election. We have another gubernatorial election coming up in a couple of years. At all levels of office, know the position of your candidates on this issue.

5. Let's not forget about tax incentives. Gifts of land are still possible, and they are enabled by tax benefits. Most land purchases these days also have a bargain component.

-On the federal side, the enhanced benefits for CRs got caught up in the year-end mess of the last Congress. While I'm not sure that we'll get a permanent fix this year, we should at least see another extension for two years.

-You all know that MA has a new state tax credit. This can be a significant incentive as it extends up to \$50k or 50 percent of the appraised value of the gift – both CRs and fee gifts. So, as an illustration, if you make a gift valued up to the \$50k cap and your state tax liability is say \$5k, you would pay no state tax and the Commonwealth will send you a check of \$45k for the difference. This is powerful stuff.

- The land must be pre-certified, and here's where land trusts can be a big help in shepherding projects through for donors. We at Greenbelt had a couple of these at the end of last year, and Vanessa worked some real magic to get them through.

-I know the tax credit workshop later this morning will offer a lot of good information and insight on how this works.

6. Let's also not forget about local funding through the Community Preservation Act. When I look at the CPA adoption map, I see that most of SE MA and all of the Cape communities have adopted the CPA. I know it can be a challenge to put CPA to work, and we're seeing attempts in communities to opt out or to lower the surcharge percentage. However, it is still a powerful tool, and the best source of local funding available for land projects. One of the things I hope will happen is the passage of HB 765 which will provide a guarantee of the state CPA match of 75%. If cities and towns have a guarantee match, there will be greater willingness to use CPA.

6. Let me mention one last thing about funding. MA is one of only 13 states without a permanent source of land capital funding. I was surprised recently when I heard that statistic because we like to think of our state as ahead of the curve on conservation and environmental protection.

I think its time to move beyond the boom and bust cycle of bonds and budgets. What a permanent source should look like, and how it is funded, is something that the MLTC and others hope to address in the coming months. Maybe it becomes a supplement for funding through the environmental bond. For example, if we are entering a period of reduced capital through the bond, say its \$20-25 mil/year, then another reliable source could make up the difference to get us to the \$50million level that has served us so well. Anyway, we're in need of lots of good ideas on this, so keep tuned for more to come.

Stewardship

I'd like to shift gears for a moment to comment on stewardship. Our focus as land trusts is primarily on land acquisition, and rightly so – we need to strike while the iron's hot. At the same time, there is a growing concern we all share about land stewardship, and in particular the stewardship of our Conservation Restrictions.

-Let me briefly mention a few concerns about CRs

-First is not knowing what CRs are out there, and the status of the land they purport to protect. I don't expect this is a problem in this area, but there a lot of orphan CR's across MA. Many are held by municipalities, but also by land trusts.

-We have to take inventory of our CRs, complete baseline documentation, and make sure we have a process in place for monitoring and enforcement.

-And we must also build the financial resources to ensure that our oversight of our CRs can be perpetual. Are we building endowments with our CR acquisitions and through other fundraising. Transfer fees; LTA insurance.

So, there are important issues around stewardship in need of solutions. One of the areas being discussed, and perhaps this is underway in this region, is cooperative arrangements for CR monitoring between trusts. Or, for a fee, land trusts taking on monitoring for our cities and towns.

The care of our CRs, and of our fee properties, leads to my final area of observation this morning:

Connecting land to people

-because, after all, it's our projects and properties that help make the connection to our public, helping to build and sustain public support for conservation

-Reminded of this with Lower Green

-4 acres; 500K in short period of time; no chance of town funding or state grants
-no one else; great local committee; went all in; succeeded well beyond our expectations – property was acquired, and through the publicity and good will generated, we opened up a window to potentially hundreds of new supporters for conservation

-it was a reminder of the opportunity that every new project represents, and our need to exploit that to the fullest

-In thinking about building support for conservation, we also need to pay attention to few other things:

-how we communicate: surveys have shown, for example, that words like open space don't mean much to the public; but a word like water does.

- showing the benefits of conservation investment – MLTC and others exploring a project with TPL to identify the economic benefits, the returns we all receive from our investment in conservation. Similar to work they've done in other states which has show considerable leverage of conservation dollars. Could be critical in building public support for a new environmental bond, or permanent source of conservation capital

-Education of our kids. The programming that many land trusts do so well to reach kids and their families, helping build the next generation of activists.

-Simply getting people out to the land. Properties are our best ambassadors. Walks, programs, events. Emotional connection to place.

-Using current issues to engage the public interest. Perhaps no bigger issue than Climate change – MBL, another Cape connection to the North Shore. Sea level rise

-demonstrates an issue that can translate to local action. In this case, looking at the conservation land adjacent to marsh that will be critical to inland migration triggered by sea level rise.

-This is the essence of what we do as land trusts; Enabling people to make a difference close to home.

-We don't work on a grand scale here on the Cape, in SE MA, on the North Shore or anywhere in MA. It is parcel by parcel, building a protected landscape as we go. In doing so, land trusts are providing opportunities for people to engage and to feel that they can make a difference for our environment. Our seemingly insurmountable issues like climate change can somehow become a little more manageable.

I'm reminded of a talk given by Wendell Berry to a college graduating class a number of years ago. He said that "Nobody can do anything to heal a planet. The idea that anyone can do so is preposterous... The question that must be addressed, therefore, is not how to care for the planet, but how to care for

-each of the planet's millions of human and natural neighborhoods,

-each of its millions of small pieces and parcels of land, each one of which is in some precious and exciting way different from all the others.

Our understandable wish to preserve the planet must somehow be reduced to the scale of our competence – that is, the wish to preserve all of its humble households and neighborhoods."

-This is what you're doing so well in this region – Cape stats alone speak to this progress – for the last dozen years Cape Cod land trusts have been collectively completing an average of over 40 projects annually, conserving nearly 250 acres a year.

You have an intimate knowledge of the land, you know the landowners, and you are taking risks and responding to opportunities.

-Your work is a model for local initiative and cooperation.

As illustrated by the program today, there are many important topics for land trusts, and I've barely touched on a few. It is an important time for our work, one filled with challenges but also opportunities.

I want to thank all of you for the work you do. A few of us are lucky enough to get paid for this work. Most of you are volunteering your time. You are all making a difference for so many of the households and neighborhoods across your region.

-Thank you for that, and good luck with your projects and programs.