



## The Newsletter of the Massachusetts Land Conservation Community

November 28, 2008

Volume 8, Number 17

Items of interest to the Massachusetts land protection community.

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

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**" Laws change; people die; the land remains."**

- Abraham Lincoln, (1809-1865), 16<sup>th</sup> U.S. President; Message to Congress, December 1, 1862 -

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Is your organization a member of MLTC? Check out our list at

<http://www.MassLand.org>

You can support MLTC individually by becoming a Friend. Contributions of any amount will help support our work.

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## **MLTC News**

### **1) "WILDLIFE & CLIMATE CHANGE" CONFERENCE A BIG SUCCESS!**

On Saturday, November 15, a diverse group of nearly 200 conservation leaders came together at Bentley College to hear about the impacts of climate change on New England wildlife and ecosystems and to discuss strategies and opportunities for action. The Massachusetts Land Trust Coalition took a lead role in organizing the conference and Coordinator Bernie McHugh made the welcoming remarks and introduced the audience to the topic.

"Responding to Climate Change: Working Together to Conserve Wildlife, Plants and Habitat", the first conference of its kind for the Commonwealth and nation, brought together scientists, land stewards, hunters, anglers, government officials, advocates, foundation officers, policy-makers and others. The goal of the conference was for participants to consider applied conservation strategies, resources and approaches to climate change and begin building a network of practitioners to coordinate future conservation efforts to protect Massachusetts wildlife.

Participants heard first from Mary Griffin, Commissioner of the Mass. Dept. of Fish & Game and Mish Michaels, WBZ-TV's award-winning environment reporter & meteorologist, then saw presentations on:

- \* The Climate Change Problem and the Need for Adaptation Strategies for Wildlife
- \* What is Being Done in Massachusetts and Elsewhere
- \* How Leading Massachusetts Conservation Organizations Are Responding

Senator Stephen Brewer was recognized at lunch for his leadership in getting funding restored to the state's Natural Heritage & Endangered Species Program. (Representative Steven Kulik could not attend but will be honored later.)

Massachusetts, with its progressive, habitat-based State Wildlife Action Plan, is uniquely positioned to lead the way on climate change adaptation strategies for wildlife. You can get information on the Action Plan here:

<http://wildlifeactionplans.org/massachusetts.html>

Conference co-sponsors were Manomet Center for Conservation Sciences, Massachusetts Department of Fish & Game, New England Wild Flower Society, Massachusetts Land Trust Coalition, The Nature Conservancy's Massachusetts Office, Mass Audubon, the Environmental League of Massachusetts, and the National Wildlife Federation.

**The organizers wish to extend special thanks to Jane and Bruce Winn of 4 Winns Video Productions for generously providing conference video taping and editing services at no cost!**

Conference materials and video clips will be available on the Web soon.

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## News

### **2) STATE BUDGET CUTS AFFECT ENVIRONMENTAL PROGRAMS**

- From Mass Audubon's Beacon Hill Weekly Roundup by Jack Clarke, Director of Public Policy & Government Relations, Jennifer Ryan, Legislative Director and the Mass. Environmental Collaborative by Nancy Goodman, Vice-President for Policy at the Environmental League of Mass.

#### **Deep Cuts to Environmental Programs in State Budget**

In the face of a \$1.4 billion shortfall, Governor Patrick announced deep cuts to the state budget. The state employs 68,000 people. Labor and workforce, environmental affairs, and higher education were the deepest cut. Programs in the Executive Office of Energy and Environmental Affairs (EEA) saw \$17.696 million (7.33%) cut out of EEA's total budget of \$241 million. \$8 million of those cuts were elimination of earmarks in various line-items, particularly in the urban and state parks line-items. This leads to an anticipated loss of 136 staff out of a 1,000 person statewide headcount cut. Many positions will be lost by not filling vacancies, but an undetermined number of staff will be laid off. Environmental agencies never recovered from the 2002 fiscal crisis, and are falling further below the 1% mark of the entire state budget.

Reductions were not made unilaterally; rather they were the product of discussions with cabinet heads and the Governor. The priorities of the Governor for the environmental agencies were to keep land protection programs intact, continue to fund frontline staff, including permitting and parks staff, maintain momentum for recently passed legislation, and to continue strong investment in clean energy. A full accounting of cuts can be found on the Governor's website.

[http://www.mass.gov/bb/gaa/fy2009/app\\_09/sect\\_09/h200.htm](http://www.mass.gov/bb/gaa/fy2009/app_09/sect_09/h200.htm)

Of particular note is a deep cut to Riverways of \$200,000 (out of a total budget of \$650,000) and a deep cut of \$650,000 to the Office of Technical Assistance (out of a total budget of \$1.7 million). Funding for the Natural Heritage Program which was just restored in this budget was maintained at the \$250,000 level.

EEA Secretary Ian Bowles pointed out that because the Department of Energy Resources and the Division of Public Utilities are largely funded through assessments rather than from the General Fund, these entities did not see significant cuts. The same holds for Coastal Zone Management which is funded from capital dollars and other sources. He also noted that because the Dept. of Environmental Protection saw such significant cuts during the last economic downturn, they tried not to cut DEP deeply.

## **SUMMARY OF CUTS**

**\*Office of the Secretary of Energy & Environmental Affairs:** \$2.8 million cut; total budget \$24.6 million

including Administration \$716,000; Recycling \$650,000; Environmental Police \$757,000

**\*Department of Environmental Protection:** \$3.4 million cut; total budget \$62.3 million

including Administration \$2.4 million in programs absorbed by off budget sources; Clean Air Act Permitting \$100,000; Hazardous Waste \$45,000; Wetlands Permitting Retained Revenue \$797,000

**\*Department of Fish and Game:** \$2 million cut; total budget \$21.3 million

including Administration \$50,000; Riverways \$200,000; Division of Fisheries and Wildlife \$500,000; Hunter Safety \$75,000; Wildlife Habitat Purchase \$500,000; Waterfowl Mgmt. \$40,000; Fishing & Boating Access \$50,000; Marine Fisheries \$572,000; Marine Recreational Fisheries \$32,000

**\*Department of Agricultural Resources:** \$1.1 million cut; total budget \$19.3 million

including Administration \$562,000; Agricultural Innovation Ctr \$500,000

**\*Department of Conservation and Recreation:** \$8.3 million cut, mostly earmarks; total budget \$101.8 million

including Administration \$1.0 million; Watershed Mgt. \$605,000; Stormwater Mgt. \$198,000; Beach Preservation \$368,000; Office of Dam Safety \$390,000; Trailside Museum \$300,000; State Parks \$2.32 million; Summer Jobs Prog. \$150,000; Urban Parks \$2.52 million; State House Rangers \$130,000; Urban Park Seasonal \$150,000; Central Artery Parks \$165,000

**\*Department of Public Utilities:** \$500,000 cut; total budget \$9.6 million

**\*Department of Energy Resources:** \$71,000 cut; total budget \$2.5 million

It will take time for the full effect of the cuts to be felt in terms of staff, as the agencies now must reposition funds and priorities. There may be additional cuts within the year if revenues continue to decline, but the Governor cut deeply and early in an attempt to avoid additional cuts.

The administration is now considering further reduction in costs by reorganization of agencies and programs. The Governor will soon be filing an Article 87 reorganization plan with the legislature and Executive Office of Energy & Environmental Affairs Secretary Ian Bowles will meet with Lieutenant Governor Murray to discuss the potential reconfiguration of his agencies. The Governor filed an Article 87 reorganization at the beginning of his term, joining energy and environment into one secretariat. Article 87 reorganizations can only be voted up or down by the legislature and are not subject to amendment.

## **3) SUMMARY OF ENVIRONMENTAL BOND**

- From Mass Audubon's Beacon Hill Weekly Roundup by Jack Clarke, Director of Public Policy & Government Relations, Jennifer Ryan, Legislative Director

The Governor initially filed a bill proposing \$1.4 billion for EEA over five years. The final amount of this bond is \$1.7 billion

<http://www.mass.gov/legis/laws/seslaw08/sl080312.htm>, but overall spending will follow the administration's Capital Investment Plan, which projects spending \$12 billion over five years across all agencies, as detailed here:

[http://www.mass.gov/Eeoaf/docs/fy08\\_capital\\_budget.pdf](http://www.mass.gov/Eeoaf/docs/fy08_capital_budget.pdf)

Annual spending incrementally increases, reaching \$2 billion in "bond cap" for fiscal year 2012. Within the Energy and Environmental Affairs (EEA) section of the Capital Investment Plan, spending is projected to decrease, reaching \$116,376,095 in fiscal year 2012. Environmental agencies spending decreases as roads and bridges projects in the Dept. of Conservation and Recreation are completed; however, it should be noted that although total numbers decrease, investments in EEA agencies increase significantly.

A bond bill authorizes spending, but the administration appropriates it, or decides what can actually be spent within the guidelines of the final bill. Thus far, investment in water and aquatic habitat restoration programs have been very low, less than under Governor Romney, but investment in land will reach a historical high.

#### **Summary of Environmental Bond:**

This spreadsheet lists each account as filed by Governor Patrick, and the final numbers as signed by the Governor

[http://web.massaudubon.org/site/DocServer/Enviro\\_Bond\\_Final.pdf?docID=1621](http://web.massaudubon.org/site/DocServer/Enviro_Bond_Final.pdf?docID=1621)

#### **Land Accounts:**

[http://web.massaudubon.org/site/DocServer/Enviro\\_Bond\\_Land.pdf?docID=1622](http://web.massaudubon.org/site/DocServer/Enviro_Bond_Land.pdf?docID=1622)

As filed by the Governor: \$281,250,000, or \$56,250,000 per year. Final Bond: \$366,500,000. Note: Governor Patrick has committed to spending at least \$50 million per year on land, not including staff, and EEA is planning to release an annual "Land Spending Report Card".

#### **Water Accounts:**

[http://web.massaudubon.org/site/DocServer/Enviro\\_Bond\\_Water.pdf?docID=1623](http://web.massaudubon.org/site/DocServer/Enviro_Bond_Water.pdf?docID=1623)

As filed by the Governor: \$274,500,000, or \$54,900,000 per year. Final Bond: \$340,561,000. \*Actual funds for water are lower, as a number of water projects are rolled into larger accounts.

#### **4) ASIAN LONG-HORNED BEETLE QUARANTINE EXPANDS**

- From Massachusetts Forest Update, November 2008
- By Gregory Cox, Massachusetts Forest Landowners Association

More than 1800 trees in Worcester have been found to be infested with the highly destructive Asian long-horned beetle, according to recent surveys, and the quarantine area has expanded to encompass 62 square miles, including all of Worcester, much of Shrewsbury and parts of West Boylston, and Holden. A Federal Order forbids the movement of woody debris, lumber, firewood, and nursery stock that could host ALB infestations from this area. This will keep the beetle from moving via human transport. Companies that work with host material will be contacted by officials.

Affected trees will be cut down and either chipped or burned in the regulated area. This will not begin until after the first hard frost kills any remaining adult beetles. To see the exact details of the federal quarantine, see a link at < <http://www.umassgreeninfo.org> > .

The size of the infestation has grown from 700 known trees to more than 1,800 since mid September. The original cost estimate for dealing with the infestation was \$24

million. It is now expected that cost will rise accordingly. A recent article in the Boston Globe said that the federal government will pay for the cost of the tree removal, chipping and disposal by burning.

### **5) SJC RULES AGAINST NEWTON IN CPA CASE**

- From the Daily News Tribune, Oct 26, 2008

- By Chrissie Long/GateHouse News staff

The state's highest court ruled Friday in favor of a group of residents who brought suit against the city of Newton for misuse of community preservation money. City officials wanted to make improvements to two parks in Nonantum using Newton's Community Preservation Act funds.

But Jeff Seideman and the others who challenged the move argued that preservation act money cannot be used for that purpose and the Supreme Judicial Court agreed. Newton activist Guive Mirfendereski, who served as the attorney for the residents, was not surprised with the final ruling. However, he was taken aback by the city law department's handling of the case.

"As a practitioner of law, who has practiced law for years, I was so underwhelmed with the city's performance," said Mirfendereski, husband of former School Committee member Gail Glick. "Their pleadings were always anemic. It made me wonder to what extent they do this with other city business."

City officials tried to use preservation act funds—which come from a surcharge on taxes that is set aside for historical preservation, open space or affordable housing—to add a new half court for basketball; an upgraded water-play area; new fencing and a pavilion to Pellegrini Park; and a resurfaced play area, additional picnic tables and security lighting to Stearns Park.

But the court said the law that governs community preservation money does not allow the funds to be used for the rehabilitation or renovation of the parks that were not acquired or created with preservation act funds. The city, which originally lost the case in Middlesex Superior Court, appealed that decision to the state's highest court.

"We had very little doubt that the Supreme Judicial Court would go against a decision of a lower court, largely because a decision of the lower court was reasoned and had a considerable amount of pleading before it," Mirfendereski said. The Supreme Judicial Court upheld the lower court's ruling unanimously.

Jeremy Solomon, the mayor's spokesman, said, "It's unfortunate that the repairs that could have benefited so many members of (the) community will at least be put off for some time. We felt we made our best case." Asked why the city pursued the case after the lower court's ruling, Solomon said, "We are not the only community that is struggling with the language of the Community Preservation Act. There are many worthy projects that conform to the spirit of the CPA that may not be getting done because of some wording that is unclear. This is one of those cases."

Seideman doesn't see it that way. "It was so obvious," Seideman said. "It was written in plain English. It was black and white. The city should have known better than to pursue this case." The case is already serving as a benchmark for other gray areas involving community preservation funds.

Mirfendereski said he never felt like the city took this case seriously. He said the city delayed the case as much as it could, hoping to dissuade Mirfendereski and his clients from pursuing it. They also came ill-prepared, which is unfortunate Mirfendereski said, because now it affects community preservation projects across the state, by further defining its potential uses.

Mirfendereski said he worked on the case pro bono. If he charged for his time, he suspects it would have cost his clients well over \$100,000. The city declined to comment on how much taxpayer money was used to defend its position.

## **6) DCR REACHES MILESTONES IN FOREST MANAGEMENT**

- From The Citizen Forester, Nov. 2008
- By Massachusetts Urban Forestry Program

The Department of Conservation and Recreation's (DCR) Stewardship Council has approved Forestry Resource Management Plans for three of its forest districts across the Commonwealth. As the council had previously approved a fourth plan, these new approvals mean DCR now has management plans for 145,000 acres of state forest lands, out of the total 285,000 acres.

Voting unanimously, the Stewardship Council approved plans for the Western Connecticut Valley District, the Northern Berkshire District, and the Southern Berkshire District. The council had previously approved a fourth plan for the Central Berkshire District. Another four Forest Resource Management Plans are still being developed. Early in 2009, DCR will kick off a statewide public discussion of forestry issues and the optimal use of DCR forests and other lands for both the short and the long term. The discussion will include a series of public forums, and if needed, the agency will reopen the Forestry Resource Management Plans for revision based on the outcome of that process.

"Having these plans in place will enable DCR to move forward with appropriate forest management practices that have been discussed and developed by a broad group of individuals and organizations with a wide range of interests," said DCR Commissioner Richard K. Sullivan Jr. "The plans address issues such as forest thinning and timber harvesting, improving wildlife habitat diversity, managing and controlling non-native insect pests and pathogens, and providing a model of reasonable and sustainable forest management strategies for private landowners who also own forested land in Massachusetts."

DCR's Forest Resource Management Plans are meant to guide the management of more than 285,000 acres of state forests and their associated natural resources. Under the plans, forest management is conducted as part of an integrated approach to establishing long-term, sustainable levels for all resources. Because landscapes and ecosystems are dynamic and do change, the plans are designed to be adaptable to new conditions and information.

Forest Resource Management Plans for four remaining forest districts - the Eastern Connecticut Valley District and the Northeast, Southeast, and Midstate districts - are currently being developed. Until plans have been completed and approved by the Stewardship Council, DCR will restrict timber harvesting on all properties within those districts. Harvesting will be permitted only in limited situations, such as those involving public safety or mitigating a fire risk.

To view the four plans that have been approved to date, and to learn more about DCR's forestry program, visit <<http://www.mass.gov/dcr>> and click on "Forestry." Also, go directly to <<http://www.mass.gov/dcr/stewardship/forestry/index.htm>>.

## **7) GOVERNOR PATRICK JOINS IN MONTEREY LAND CELEBRATION**

On October 23, 2008, Governor Deval Patrick joined state officials, citizens, and members of the Berkshires land conservation community to mark the completion of the Hudson Conservation Project - a two-phase public-private partnership protecting 800 acres of forest and meadow in Tyringham and Monterey. Adjacent to and now part of MassWildlife's original 101-acre Tyringham Wildlife Conservation Easement (WCE) parcel in Tyringham, the new property will be open to wildlife recreation such as fishing, hunting, hiking, birdwatching and other wildlife-related recreation. Combined with nearby 12,350 protected acres, the newly-completed conservation project creates a virtually contiguous block of protected open space spanning 13,344 acres of the southern Berkshires.

At a celebration attended by project partners, the property's former owner, outdoor enthusiasts, sportsmen, local legislators, and municipal officials, Governor Patrick noted that the Hudson Conservation Project is among 222 land conservation efforts completed by the Department of Fish and Game (DFG), MassWildlife and other state environmental agencies in FY 2008. The Berkshire Natural Resources Council (BNRC) and the Monterey Preservation Land Trust own the fee interest in the parcels. MassWildlife holds the conservation easement which prevents development of the property, allows public access and provides habitat management input by the agency.

"Preservation of this 800-acre-plus landscape would not have been possible without the foresight and generosity of our partners," Energy and Environmental Affairs Secretary Ian Bowles said. "The Commonwealth owes a debt of gratitude to the Hudson family for choosing to preserve this property rather than sell it to developers, to the Berkshire Natural Resources Council for helping to protect this significant parcel of pristine land, and to the Monterey Preservation Land Trust for its extraordinary donation of conservation restrictions worth \$2 million."

"This most recently completed acquisition safeguards three distinct habitats that the Division of Fisheries and Wildlife's Natural Heritage and Endangered Species Program classifies as rare and in need of protection," said Mary Griffin, Commissioner of the Department of Fish and Game. The three habitats include acidic rock cliff habitat, rich mesic forest and Living Waters Core Habitat. "The property supports an incredible diversity of native wildlife species, including whitetail deer, black bear, wild turkey, snowshoe hare, ruffed grouse, red and gray fox, black ducks, and several rare and endangered species." One of the unexpected highlights of the celebration was the appearance of an adult bald eagle soaring over the crowd of 50-60 people for several minutes.

## **8) EVERY LAND TRUST MUST FILE A TAX RETURN IN 2009**

- From the Land Trust Alliance
- By Russ Shay, Lynne Sherrod and Sean Robertson

Though many land trusts will not have to file a full Form 990, **new IRS rules require every land trust to file some kind of tax return in 2009!** Depending on your revenues and assets, your organization may qualify for the abbreviated 990-EZ or 990-N e-Postcard.

**The full Form 990 has been completely redesigned for tax year 2008**, and land trusts need to look at it now, so they can be sure they are collecting the information they will need to fill it out next spring! The Alliance worked closely with the IRS to modify and clarify questions regarding conservation easements on the new form. We believe the new form will be far easier to understand and use than the current form, which many land trust practitioners found confusing and difficult to complete.

Click here for our detailed guide to the new Form 990 <  
<http://www.landtrustalliance.org/policy/taxincentives/990s/990-instructions>>

Click here for links to the IRS forms, instructions and background <  
<http://www.landtrustalliance.org/policy/taxincentives/990s/990s#forms-and-highlights-from>>

### **9) MORE IRS NEWS YOU NEED TO KNOW**

- From the Land Trust Alliance
- By Russ Shay, Lynne Sherrod and Sean Robertson

#### **Contemporaneous Written Acknowledgment Letters are Essential**

The IRS believes that no taxpayer is entitled to a tax deduction for any charitable gift worth more than \$250 if they do not have a contemporaneous written acknowledgment of that gift from the charity that receives it. That letter must either state that no goods or services were received by the donor in exchange for the gift, or explicitly state what goods or services were given in the case of a bargain sale.

In a recent Texas case, the Tax Court denied any deduction to a taxpayer who clearly made a substantial contribution to a charity, simply because the taxpayer did not have such a letter. **In the wake of this decision, if you are not providing such a letter to conservation easement donors, you should!** The IRS says that neither Form 8283 nor language in the easement itself can substitute for such a letter and it's far easier to write a short and simple thank you letter (or email) for your donor than to explain why you didn't.

Click here for more details and sample letters <  
<http://www.landtrustalliance.org/about-us/programs/conservation-defense/easement-deductions-denied>>

Click here to read more about the Texas ruling <  
<http://www.landtrustalliance.org/about-us/programs/conservation-defense/letter-case>>

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#### **"IRA Charitable Rollover" and S-Corporation Fix Extended**

The financial bailout bill, enacted October 3, includes two tax provisions you should know about. Both provisions were extended through December 2009, and are retroactive to the beginning of this year:

IRA Charitable Rollover: Originally enacted as part of the 2006 Pension Protection Act, the "IRA Charitable Rollover" provision, allows donors over 70 1/2 to make charitable contributions of up to \$100,000 from their individual retirement accounts (IRAs) and Roth IRAs without having to pay taxes on the withdrawals. Click here for more details from Independent Sector. <

<http://independentsector.org/programs/gr/IRARollover.html>>

S-Corporation Fix: Under previous law, charitable donations of easements and land owned by S-corporations were often discouraged by a rule limiting the charitable deduction applicable to S-corporation shareholders to their stock basis. The 2006 Pension Protection Act (as amended by the 2007 Tax Technical Corrections Act) included a temporary provision removing this limitation. Under this extension, in most cases, S-corporation shareholders will be allowed to deduct up to the full fair market value of their donation. Click here for analysis from attorney Stephen J. Small. <<http://www.landtrustalliance.org/policy/documents/SSmall-SCorpFix.pdf>>

Click here for a technical explanation from the Joint Committee on Taxation <<http://www.jct.gov/x-75-08.pdf>> that discusses the charitable IRA provision on pages 59-63 and the S-Corp fix on pages 98-99.

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### **New IRS Private Letter Ruling on Conservation Easements**

The Internal Revenue Service recently released a private letter ruling analyzing the case of a fairly typical, well-drafted conservation easement. While this favorable ruling reveals few surprises, it provides an instructive look at the criteria considered by the IRS when reviewing an easement deduction.

Click here for a copy of the ruling <<http://www.landtrustalliance.org/policy/documents/2008-Pvt-Letter-Ruling-on-CEs.pdf>>

For more updates like these, keep an eye on our Tax Policy page at: [www.lta.org/policy/tax-policy](http://www.lta.org/policy/tax-policy) <<http://www.lta.org/policy/tax-policy>>

Thanks for all that you do!

Land Trust Alliance  
Russ Shay, Director of Public Policy  
Lynne Sherrod, Western Policy Manager  
Sean Robertson, Public Policy Specialist

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## **Events**

### **10) WOODLAND CONSERVATION WORKSHOPS - PETERSHAM**

#### **Zoning for Woodland Conservation**

Presentation and discussion

Thursday December 4th, 6:00 p.m. - 8:30 p.m.

Harvard Forest Fisher Museum, 324 North Main Street (Route 32), Petersham MA

The woods in our communities provide us with clean drinking water, outdoor recreational opportunities, wildlife habitat, and carbon sequestration. Planner Jeff Lacy will share a groundbreaking approach to zoning recently adopted in Shutesbury, MA that aims to protect a municipality's rural character and the health of its woods. Jeff McQueen from Leverett and Mike Idoine from Wendell will share information about similar efforts underway in their communities during this discussion on the role zoning can play in conserving woodlands.

Free light dinner provided. Please RSVP at [info@nqpartnership.org](mailto:info@nqpartnership.org)

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**Woods Resources Roundtable**

for Town Officials and Town Board Members

Thursday December 11th, 7:00 p.m. - 8:30 p.m.

Harvard Forest Fisher Museum, 324 North Main Street (Route 32), Petersham MA

Sponsored in partnership with UMass Extension

Are you interested in learning how to do sustainable forestry on municipal-owned land to bring in some extra dollars? Is there a wooded area in town you'd like to see conserved? Come to this roundtable to meet other community leaders and share your questions, concerns, and strategies for caring for forest resources in your community. This will be an opportunity to ask your questions and get information from other town officials as well as forest resource professionals to learn how to move your community's forest projects forward.

Please RSVP at [info@nqpartnership.org](mailto:info@nqpartnership.org)

**11) NOFA ORGANIC LAND CARE COURSE, LEOMINSTER**

The 8th Annual NOFA Course in Organic Land Care will be held January 14, 15, 16, 20 and 21, 2009 at the Doyle Conservation Center at 464 Abbott Avenue in Leominster, MA. This 5-day intensive course trains and accredits professionals to practice organic land care (caring for land without the use of synthetic pesticides or soil amendments). It is recommended for landscapers, designers, municipal and parks employees, horticulturists, master gardeners and entrepreneurs. Visit [www.organiclandcare.net](http://www.organiclandcare.net) for more information or call Kathy Litchfield at (413) 773-3830 or email: [kathylitch29@yahoo.com](mailto:kathylitch29@yahoo.com).

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## Resources

**12) WILDLANDS & WOODLANDS WEBSITE**

We are pleased to announce the publication of Wildlands and Woodlands' new website at <<http://www.wildlandsandwoodlands.org>>

We suggest you take a moment to explore the site, in particular the "W&W Activities", "Vision", and "Partners" pages. The site was developed by over 20 members of the Wildlands and Woodlands Partnership and with support from Highstead (<<http://www.highstead.net>> ).

Consider being a member of the Wildlands and Woodlands Partnership...and join a growing community of people seeking innovative ways to conserve our green infrastructure here in the Northeast and beyond! Just email us and we'll explain the multiple benefits of our no-fee (read totally free), membership.

Please share this site and this email with friends, family members, and colleagues who share your interests in the environment and in our stewardship of it.

Best wishes,  
David R. Foster, Director, Harvard Forest

Bill Labich, Regional Conservationist, Highstead  
Wildlands and Woodlands Partnership Coordinator

### **13) REVIEW OF DONOR MANAGEMENT TOOLS FROM TECHSOUP**

TechSoup has an excellent discussion and review of a dozen donor management software packages, ranging from low-cost on-line hosted solutions for small organizations (eTapestry, Z2Neon, Databank, etc.) through more advanced solutions (like Salesforce and Sage Fundraising 50) and all the way to packages for large organizations (Raiser's Edge, Donor2). This is well worth a read if you want to upgrade your donor management capabilities.

"A Few Good Donor Management Tools"

<http://www.techsoup.org/learningcenter/funding/page10942.cfm>

### **14) MICROSOFT SMALL BUSINESS SERVER FOR \$35 FROM TECHSOUP!**

Request New Microsoft Small Business Server 2008: Your All-in-One Server Solution

<http://www.techsoup.org/stock/product.asp?catalog%5Fname=TechSoupMain&category%5Fname=Network+Tools+MS&product%5Fid=LVS%2D43072&Cat1=Microsoft&Cat2=Network+Tools+MS&CatCount=2&visit=1>

Just released by Microsoft, Small Business Server 2008 provides your small nonprofit or public library with many of the tools used by much larger organizations. With this one integrated product, you can share files and printers, manage email, host internal Web sites (intranets), and more. You can also protect your organization from unauthorized users and data loss with built-in firewall and backup tools. This updated version of Small Business Server is even more flexible and robust than before because its core foundation is now provided by Microsoft Windows Server 2008 technologies.

Thanks to a generous donation from Microsoft, eligible organizations can now request Small Business Server 2008 Standard Edition or Premium Edition through TechSoup. TechSoup offers donated and discounted software to qualifying nonprofits and public libraries in the U.S. and Canada. View our complete catalog at

<http://www.techsoup.org/stock/>

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## Grants

### **15) CONSERVATION PARTNERSHIP GRANTS FOR LAND TRUSTS!**

FISCAL YEAR 2009 ROUND 2 NOW AVAILABLE

From Bernie McHugh, Mass. Land Trust Coalition and Celia Riechel, EEA

Massachusetts Executive Office of Energy and Environmental Affairs has announced that a second round of the Conservation Partnership grant program is now open. The program provides state funding for non-profit land conservation organizations to purchase land or conservation restrictions. It has funded some excellent projects in the past and has contributed substantially to preserving undeveloped land in the state. If you have a project that might be ready, fill out an application. 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 Massachusetts Executive Office of Energy and Environmental Affairs (EEA) is pleased to announce the release of the FY09 Conservation Partnership grant program Request for Response (RFR). This grant program provides funding to assist not-for-

profit corporations in acquiring interests in land suitable for conservation or recreation purposes.

The maximum grant award for a single project is \$60,000. 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.

Potential projects fall into one of two categories:

- 1.) Land or a conservation restriction purchased by an eligible Applicant
- 2.) Land or a conservation restriction gift donated to an eligible Applicant

Applications for these grants will be accepted from qualified IRS 501(c)(3) organizations that have been formed for one of the purposes described in Section 4 of Chapter 180 of the General Laws. An organization must have 501(c)(3) status at the time an application is submitted.

The RFR, application form, rating system, and program timeline are available on the Comm-PASS website at <http://www.comm-pass.com/>. Application deadline is 3 p.m. February 6, 2009.

DIRECT LINK TO THE CONSERVATION PARTNERSHIP GRANT APPLICATION:

<https://www.ebidsourcing.com/processPublicSolSummView.do;jsessionid=JYLPPJyx8sQmXmV6lV9hscY0QWffBpthZx81kzSB0TG7GqD1TPjs!-735566992?action=soltypeCd&docStatus=OPEN&docUserId=201600&docViewType=OPEN&docId=114790&doValidateToken=false&soltypeCd=UNIVERSAL>

(If this link is broken, follow the instructions below...)

To access the Conservation Partnership grant program RFR online:

- 1.) On the Comm-Pass home page (<http://www.comm-pass.com/>) click on the "Solicitations" tab in the upper left corner of the page
- 2.) On the "Browse Solicitations" page select "Search for a Solicitation"
- 3.) In the "Search by Keyword" section at the top of the page, type "Conservation Partnership" in the "Keywords" search field
- 4.) Click on the sentence on the top of the page that says: "There are 7 Solicitation(s) found that match your search criteria"
- 5.) A list will appear, with Conservation Partnership Grant FY 09 Round 2 at the top. (It is the only one with an OPEN status). To view and print documents from it, click on the eyeglasses on the far right of the column.
- 6.) A page with a series of tabs will appear. Click on the "Specifications" tab to access the actual application document. Click the eyeglasses to view.
- 7.) Check the box and click "Download selected files" to download and fill them out.
- 8.) Click on the "Forms & Terms" tab to access the other necessary application documents (tax filing, contract forms, etc).

All forms must be printed out and submitted by mail. Applications that are emailed or faxed will not be accepted.

Celia Riechel  
Executive Office of Energy and Environmental Affairs  
100 Cambridge Street, 9th Floor  
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617-626-1187  
<http://www.mass.gov/eea/dcs>

## **16) FIELDS POND & TTOR ASSISTANCE FOR PARTNERSHIP GRANT APPLICATIONS**

The state's Conservation Partnership Grant program (CPG) is a great resource for land trusts. It is the only program which land trusts can apply to directly for reimbursement of costs of a land acquisition project (fee or CR). Last week, EEA Secretary Ian Bowles announced a new CPG round for FY09, with applications due by February 6, 2009.

However, it can be challenging and even intimidating for small resource-poor land trusts to meet the CPG requirements and this has led to a shortage of applicants in previous rounds. Among the more difficult aspects are the mapping requirements and the need to invest in an appraisal for a project that might otherwise not need one.

So, the Fields Pond Foundation and The Trustees of Reservations have once again teamed up to bring you the resources you need to take advantage of this great grant opportunity. Fields Pond will help pay for the appraisal and the Trustees will make the maps for free! **All this whether or not your application is successful!** Here are the details.

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### **APPLICATION ASSISTANCE for Conservation Partnership Grants**

There are NEW resources to help you apply for EEA's Round 2 FY08 Conservation Partnership Grant (\$60k max). The Second Round Deadline: January 9, 2008

#### 1. Appraisal Costs

Fields Pond Foundation will pay 50% of the cost of the required appraisal, to a maximum grant of \$1,500 per organization.

#### 2. Required Maps

The Trustees of Reservations' GIS department will make you the maps required to apply for a CPG.

#### Eligibility:

Any 501(c)(3) Massachusetts land trust with an annual operating budget under \$250k, applying to CPG for a project that is generally eligible under CPG guidelines (i.e., a land protection project on which a CR will be granted to a state or local entity and which will be publicly accessible), whether or not the CPG application is successful.

#### Requirements:

a. Contact The Trustees of Reservations with your mapping needs for a CPG application no later than January 20, 2009. ([afreeman@ttor.org](mailto:afreeman@ttor.org); 978-840-4446 x1929).

b. Submit CPG application to EOEEA by January 9, 2008 (or such later date as the CPG deadline may be extended.)

c. Send Fields Pond Foundation copies of your application and the invoice for the appraisal cost. Payment can be directed to appraiser or the land trust. (PO Box 540667; Waltham, MA 02454-0667; [brehrig@fieldspond.org](mailto:brehrig@fieldspond.org))

## **17) LANDOWNER INCENTIVE PROGRAM APPLICATIONS DUE DEC. 19**

The application period for the Landowner Incentive Program (LIP) for FY 10 opened October 27, 2008, with applications due on or before December 19, 2008, at 4:00 PM. Private landowners who want to actively manage their property to benefit wildlife habitat are invited to consider applying for potential funding through this program. Individual landowners, land trusts, sportsmen's clubs, and other conservation organizations are eligible to apply for funding.

In 2008, The Landowner Incentive Program received 51 applications for species-at-risk habitat enhancements and restoration for the upcoming fiscal year (FY 09). Of these applications, 35 were selected to receive funding. MassWildlife is partnering with these private landowners to finance management on a total of 2,640 acres, funding the grants with a total of \$806,158. Of the 35 grants awarded, ten went to land trusts, 12 to conservation organizations, one to a sportsmen's club, and 12 to other private landowners. Of the projects funded, 71 percent applied for manual restoration, 80 percent applied for invasive/exotic plant removal, 26 percent applied for the seeding or planting in their project area, and none applied for a prescribed burn. Of the properties selected (by county), four are in Barnstable, seven in Berkshire, one in Bristol, one in Dukes, two in Essex, four in Franklin, three in Hampden, six in Hampshire, one in Middlesex, two in Nantucket, one in Plymouth, and three in Worcester County.

For more information call MassWildlife LIP staff Tracy Grazia at 508/389-6387 or Marianne Piche at 508/389-6313 or go to <  
[http://www.mass.gov/dfwele/dfw/habitat/grants/lip/lip\\_apply.htm](http://www.mass.gov/dfwele/dfw/habitat/grants/lip/lip_apply.htm)> .

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## **People**

### **18) KATHY SFERRA IS NEW SE REGIONAL DIRECTOR FOR MASS AUDUBON**

Mass Audubon has appointed Kathy Sferra as its regional director for the Southeast, Cape, and the Islands. As a key member of Mass Audubon's senior leadership, Sferra will be responsible for ensuring that Mass Audubon's conservation, education and advocacy goals are met in the region and ensuring that its seven staffed sanctuaries—from Cape Cod's Wellfleet Bay to South Shore Sanctuaries in Marshfield to Allen's Pond in Dartmouth—are strategically positioned to carry out the organization's mission of protecting the nature of Massachusetts for people and for wildlife.

"Mass Audubon is doing incredibly exciting work in Southeastern Massachusetts and I am honored to have the opportunity to direct our operations there. I've lived and worked in the region for most of my professional career and it is incredibly exciting to be able to return in this new capacity," said Sferra. "I look forward to collaborating with our conservation partners in the region on projects and programs of interest."

Sferra has more than 25 years of experience in land conservation, land planning, and policy at nonprofit organizations and public agencies. Prior to this appointment, she worked for six years for Mass Audubon as a land protection specialist on a wide variety of land conservation projects across the state, including projects in Barnstable, Marshfield, Lakeville and Attleboro. Most recently, she served as the organization's first director of stewardship.

Sferra was the first coordinator for Cape Cod Pathways, a Cape-wide regional trails project and has hiked the length of Cape Cod several times. She served as a

comprehensive and natural resources planner for the Cape Cod Commission for 10 years. She was a long-time resident of Marshfield and previously served on the board of directors of the Wildlands Trust of Southeastern Massachusetts and the Marshfield Planning Board. The long-time environmental professional holds a Master's of Regional Planning from the University of Massachusetts at Amherst and received a Bachelor's of Science in Environmental Education from Cornell University.

### **19) STEPHEN JOHNSON FEATURED IN LAND TRUST VIDEO**

Some of you have asked me how former SVT E.D. Stephen Johnson is doing out in Montana. I thought you might be interested in this new video clip featuring Stephen on the website "ThisIsBozeman.com"...

<http://www.thisisbozeman.com/detail/gallatin-valley-land-trust>

(to view: click the link or copy and paste it into your browser address bar)

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## Miscellany

### **20) 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](mailto:william.hinkley@state.ma.us)

ORDER FORM & MORE INFO:

<http://www.masslandandwater.info/>

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