

MINUTES

Woodlands Partnership of Northwest Massachusetts
Executive Committee Virtual Meeting, October 12, 2023, 1:00-2:30pm

Committee Members in attendance: Dicken Crane, Windsor (Board Chair); Art Schwenger, Heath (Vice Chair); Alain Peteroy, Franklin Land Trust (Clerk); Bob O'Connor, MA EOEEA

Board Members in attendance: Marybeth Chichester, FRCOG; Greg Cox, Hawley; Sam Haupt, Peru; Liz Kidder, Leyden; Mark Phelps, New Ashford; Russ Richardson, MA Forest Alliance

Staff/Partners in attendance: Lisa Hayden, NEFF/Admin. Agent; Kate Conlin, NEFF/Coordinator; Vanessa Farny, DCS, EEA

Guests and Public: Diana DiZoglio, State Auditor; Jana DiNatale, Director, Division of Local Mandates; Carina DeBarcelos, Senior Policy Research Analyst at Massachusetts Office of the State Auditor; Ben Tafoya, Director, Division of Local Mandates; Vanessa Farney, EOEEA; Bella Levavi, Greenfield Recorder

1. **Call to order at 1:01 p.m. Welcome by D. Crane and Land Acknowledgement read by K. Conlin**
2. **Guest Speaker: State Auditor Diana DiZoglio – PILOT audit and reform, joined by members of the Woodlands Partnership Municipal Financial Sustainability Committee**
 - D. DiZoglio thanked the Woodlands Partnership for following up on this issue and mentioned former State Auditor Suzanne Bump who released the Rural Rescue Plan with the Director of Local Mandates Ben Tafoya. D. DiZoglio regretfully had to sign off the meeting to attend to other matters, but introduced colleagues to provide details on analyses about the current formula.
 - C. DeBarcelos – PILOT was last investigated in 2020. The program is underfunded and changes to the formula have resulted in further disparity between eastern and western Massachusetts. Therefore, higher funding overall is not enough to fix the issue at hand, as the existing formula fails to recognize the true value of these lands. How can we consider the economic value of natural lands beyond their assessed value? These lands provide a public good to all residents. The proposal for reform is as follows. Option 1: \$50 conservation/recreation adjustment – if payment is below \$50 an acre, another \$50 would be added to the payment. This would cost the state \$6 million dollars. Proposal 2: \$75 conservation/recreation adjustment – following the same logic. This would cost \$12.3 million, and every town in WP region would be included.
 - B. Tafoya – when we started work on this issue a few years ago, the PILOT appropriation was significantly lower than it is today, from \$30 million to now \$50 million, but the current formula has some issues. For instance, to be eligible for inclusion, land had to be taxable before the state bought it. In addition, the funding formula changed with the Municipal Modernization Act, which sets up a zero-sum tradeoff among communities – communities that have the fastest growing land values see increases, and the reverse lose money. This effect has been obscured since there have been overall increases in appropriation, but it's possible we would see reductions in PILOT payments absent the hold harmless clause, which is in Sen. Paul Mark's introduced legislation – legislation that would change the formula to be less of a zero-sum process but wouldn't result in significant changes in the amount of money communities receive, assuming the appropriation continues to increase. The Office of the State Auditor's proposed

formula helps to rectify the social inequity in the existing formula, often referred to as “the Savoy/Plymouth problem” since both communities have roughly the same number of acres in the PILOT program, but Plymouth received 8 times the funding than that of Savoy. As a result, there is a reluctance to conserve land as state-owned parcels in communities such as Savoy.

- A. Schwenger – So, with the Savoy and Plymouth example, if you apply what you are proposing, how would it change the relationship between the two? C. DeBarcelos – Savoy would have a reimbursement that is close to Plymouth’s. As of now, Plymouth receives over \$1 million and Savoy \$100-200,000 for the same amount of land. Under the proposed \$50 adjustment, Savoy would receive at least \$475,000 in additional reimbursements; under the proposed \$75 adjustment this rate would be even higher.
- A. Peteroy asks how this will be funded. C. DeBarcelos specifies that additional funding would be designated as a separate line item so that funds from this adjustment would not be pulled from the regular PILOT line item. A. Peteroy asks if the proposed reforms of \$50/\$75 per acre extra in funds would be one time or annual. C. DeBarcelos – adjustments would be indexed annually to reflect statewide changes in equalized values.
- S. Haupt asks how these ideas compare to the legislation submitted by P. Mark and if there is routine communication between the Auditor’s Office and legislators. C. DeBarcelos – they have been in contact with Barrett, Comerford, Blais, and other legislators, and organizations such as FRCOG. The Auditor testified for Mark’s legislation in June. The Auditor’s Office will advocate to build upon what is already started and is drafting a new PILOT report for end of the year.
- D. Crane remarks that the additional \$12 million doesn’t seem to address the larger issue of a program underfunded by \$50 million. C. DeBarcelos responds that FY24 is the closest the program has ever been to that minimum level of funding. D. Crane points out the community with the lowest reimbursement rate is Monroe, which is just \$5 an acre.
- B. O’Connor asks that since the annual PILOT budget fluctuates based on the state budget, would this proposal stay in place even within a time of budget crisis? B. Tafoya – the Legislature can appropriate whatever they want whenever they want, but the idea is that the Hold Harmless Clause would prevent further inequities.
- V. Farny – the Division of Conservation Services and the Dept. of Fish and Game are working on Forests as Climate Solutions and the Resilient Lands Initiative, which identifies land conservation through a variety of strategies, and one focus is addressing PILOT issues. How do we capture the benefits that natural lands bring to the Commonwealth? How do you see incorporating the natural resource benefits into this program? C. DeBarcelos – tie the money coming from the adjustments to the particular needs of municipalities related to conservation, recreation and public safety programs, but they are open to feedback about broadening this.
- D. Crane – the recent legislation (H.897/S.447) filed by Sen. Comerford and Rep. Aaron Saunders argued for increased PILOT payments in the Quabbin area based on recognition that the benefit to this conserved land serves mostly those outside the area to provide water for Boston. In the case of the Woodlands Partnership region, it isn’t water but clean air, recreation, carbon sequestration, biodiversity that flow beyond our region to the rest of the state and beyond. C. DeBarcelos – the Watershed PILOT program is a separate program, and it functions a bit

differently. The idea of valuing public good is interesting to their office and not something they've done before. She mentioned a Harvard study from 2010 on the direct and indirect benefits of the National Park System. B. O'Connor – water rate payers fund the Watershed program; it would be ideal if something similar was created for PILOT.

- C. DeBarcelos - the Mass Land Trust Coalition released a [toolkit for land conservation](#) in 2021 that recognizes the value of natural services and how forest conservation may be hard to accomplish in struggling towns.
- B. O'Connor mentions Ch. 90 payments, based on road maintenance, and asks if there is another way to maintain these that would also address equity, another pool of money that would be helpful to these communities.
- V. Farny mentions the challenges of monetizing carbon in forests, and that quite a bit of work is being done in EEA to try to model and better quantify the benefits and emission goals of the Clean Energy and Climate Plan
- A. Schwenger stresses the issue of fairness. Heath has one of the highest tax rates in the Commonwealth, with practically no businesses in town to help support this. Tax assessors are very sensitive to anything that removes properties from the tax base. Could the state consider the percentage of taxes that come from private landowners and businesses to make it a little fairer? D. Crane – for instance, Hawley, which has a huge percentage of state-owned land, has an increased cost in maintaining that much land, roads, rescue and related services.

3. Approval of minutes from July 24, 2023 and September 12, 2023 Executive Committee meetings

Schwenger moved to approve the minutes as a slate with amendments sent by C. Carpenter to be added. D. Crane seconded, all approved.

4. Vacant Regional Representative seat on Executive Committee – review Board member poll, discuss logistics re: potential term change, voting process, & recommend Board action

B. O'Connor suggests we vote to change the bylaws, allowing both interested candidates to join the Executive Committee. L. Kidder shares that odd numbers are required by law (the current composition includes 6 voting seats of 7 total). D. Crane suggests we vote to recommend changes to bylaws that add an additional seat on the Executive Committee with the language “and one additional from either a town or organization representative.” B. O'Connor moved, Alain seconded, all approved. Agent will send out a memo to the full board as well as updated/proposed bylaws to be voted on at the upcoming full board meeting Nov. 15 (as this means others could now express interest in filling this proposed new seat).

5. Approval of new Committee slate to recommend for full Board vote at Nov. 15 meeting

B. O'Connor motion to “recommend the board approve” the proposed slate of members for all six standing committees as is, Alain seconded, all in favor.

6. Agent update: (a) website redesign, review logos, (b) latest bylaws (c) business from last meeting: Stockbridge-Munsee outreach letter, language for meeting participation, Hancock/towns beyond designated region joining (d) review Nov. 15 Board agenda plan e) schedule next meeting(s)

- Website redesign is moving along, draft expected to share at Nov. 15 board meeting
- Logos – D. Crane says current logo ideas don't reflect the heart of the WP. He envisions something like a town hall with a stack of lumber and sugaring equipment.
- Stockbridge-Munsee outreach letter still in draft form, to be finalized as soon as possible.
- Discussion around language for meeting participation and Hancock/towns beyond designated region joining postponed due to lack of time, will be discussed next time.

7. **Any item(s) not anticipated within 48 hours**

- L. Hayden reports on the USFS IRA grant submission for climate-smart wood, a national proposal by NEFF and a partner doing similar work in the Pacific Northwest. If awarded, this grant would bring additional forestry outreach and wood market development capacity to the Partnership region in Northwest Massachusetts as part of broader certification efforts.
- D. Crane met Markelle Smith from Friends of the Conte, suggests they could be an important partner since the Partnership is in the Deerfield River Watershed and they could also provide information about their own efforts to receive federal funding.

8. **Public Comment**

None

9. D. Crane motion to adjourn, seconded by A. Schwenger at 3:18pm; all in favor.