

Massachusetts Association of Conservation Commissions

ANNUAL REPORT

Fiscal Year 2011 (July 1, 2010 - June 30, 2011)

For 50 years the Massachusetts Association of Conservation Commissions has exemplified the gold standard as the Commonwealth's leading organization for environmental advocacy and education. After a half century of success, we proudly celebrated our Golden Anniversary.

Throughout Fiscal Year 2011, MACC maintained our pace in actively supporting Conservation Commissions and other public officials involved in environmental protection. MACC pursued new advocacy and educational areas to expand our mission and effectiveness - and enjoyed several successes.

ADVOCACY FOR NATURAL RESOURCES PROTECTION

In FY11 MACC continued our essential function of advocating for strong environmental protection across the Commonwealth, both on Beacon Hill and in local communities.

MACC staff and expert volunteers spent significant time influencing legislation at the State House. We reviewed and crafted bills, testified at committee hearings, met with legislators and provided direction on issues important to them. MACC participated in collaborative efforts with nonprofit and public partners. We wrote and delivered testimony in support of three bills, one that would strengthen and expand the *Community Preservation Act*, another that would preserve local conservation land known as *Public Lands Preservation Act* (also known as the "No Net Loss" bill), and the *Comprehensive Land Use Reform and Partnership Act* that would encourage smart land use practices at the local level.

We urged lawmakers to increase the operating budgets of key state agencies vital to Conservation Commission's work, including the Massachusetts Department of Environmental Protection (MassDEP), the Division of Ecological Resources within the Department of Fish and Game, and the Natural Heritage and Endangered Species program. MACC also vigorously opposed several bills that would have gutted the Wetlands Protection Act.

MACC monitored proposed regulatory changes and provided expert testimony before state agencies. We commented on proposed regulations that might affect the review and permitting for small docks and related structures and efforts to reduce wildlife habitat protection under the state Endangered Species Act regulations, and remained active in the state's Sustainable Water Management Initiative. We crafted extensive technical comments on the South Coast Rail project, which poses significant risk to wetland resources. Importantly, several MACC Board experts participated in MassDEP's Regulatory Reform efforts on behalf of Conservation Commissions, and greatly influenced that critical process.

In addition to our legislative and regulatory efforts, MACC commented on relevant judicial decisions. We filed one amicus brief that protected state lands in the Middlesex Fells and another that successfully reinforced the protection of rare plants and animals under the Massachusetts Endangered Species Act.

At the community level, MACC staff and experts from our Board of Directors advocated on behalf of individual Commissions in favor of and opposed to proposed bylaws and ordinances that would affect wetlands protection and land acquisition and management authority. Through our telephone *Helpline* we supported local advocacy and urged members to take action through our E-MACC bulletins and action alerts. MACC was also asked to respond to allegations from disgruntled parties or municipal officials against Commissioners who were accused of improper interference in municipal matters. Where those allegations were unwarranted, MACC offered guidance, analysis and on-site advocacy in support of those Commissioners and their actions.

EDUCATION PROGRAMS AND CONFERENCES

MACC continued to offer training program sessions throughout the state to provide Commissioners and staff the support they need to be effective in their communities. In FY11, 477 people participated in *Fundamentals for Conservation Commissioners*. Twenty-eight Commissioners completed their *Fundamentals* training and were granted their certificates. In addition, five Commissioners and agents received certificates for completing Advanced Training.

In total, MACC offered 67 education programs to 1,422 people in FY11. In addition to 26 workshops at Annual Environmental Conference workshops and Fall Conference, these included 20 *Fundamentals* training program sessions and seven field and classroom workshops in wetland delineation, plant identification, soil science and the legal aspects of wetlands protection. With resources provided through a two-year grant, MACC also developed and offered 12 Erosion and Sediment Control workshops throughout the state, all free to Conservation Commissioners and other regulators.

MACC's FY11 Fall Conference was held at MassBay Community College in Wellesley and the Clarion Hotel and Conference Center in Northampton with 145 in attendance. The topic was "Hot Topics! News You Can Use." Speakers covered key elements of four topics: how to finance current conservation programs through fees, funds and the Community Preservation Act; new ways to protect and properly condition work in floodplains; tools and tips for improving working relationships with utilities; and encouraging Conservation Commissioners to serve as community-wide environmental leaders.

The 40th MACC Annual Environmental Conference was held on March 5, 2011 at Holy Cross College in Worcester with a turnout of nearly 800 people despite the continuing difficult economy. MassDEP Commissioner Kenneth Kimmell delivered the Keynote address and discussed the critical relationship between the agency's wetlands staff and Conservation Commissions. The Nancy Anderson and Environmental Service Awards were presented, and the election of Officers, Directors and off-board members of the Nominating Committee was held (see below).

Following the successful raffle of a kayak in 2010, a fundraising raffle was established as a regular highlight of the Annual Environmental Conference in 2011. The prize, an iPod, was won by Rebecca Markey, a Conservation Commissioner in Chelmsford.

Units 1, 3, 5, 6, 7 and 8 of MACC's certificate program, *Fundamentals for Conservation Commissioners* were offered at our Annual Environmental Conference. Twenty-six additional workshops were given, two of which were double sessions: Implications of Pending Stormwater Federal General Permits in Massachusetts and Common Plants of Swamps, Bogs Marshes and Wet Meadows. Seven of the workshops offered elective credits toward the Advanced Training Program certificate including both of the double sessions. Our many exhibitors included environmental consulting firms, products and services companies, nonprofit organizations and state and federal agencies.

MACC was one of several partnering organizations that participated in the 24th annual Massachusetts Envirothon held at Great Brook Farm State Park in Carlisle in May 2011. Each spring, some 250 Bay State high school students from nearly 40 public and private schools and youth organizations gather to demonstrate their environmental knowledge at the Envirothon. This year's theme was *Focus on Wetland Protection*. MACC Officers and Board members participated throughout the year and on event day, volunteering as workshop instructors and panel judges. MACC looks forward to participating again in 2012, when the Envirothon theme will be *Sustainable Stormwater Management*.

In June 2011, MACC received a generous grant from the Massachusetts Environmental Trust to update, improve and host three of the *Fundamentals for Conservation Commissioners* units as webinars, including Unit 3, *The Wetlands Protection Act, Fundamentals, Process and Procedures*; Unit 5, *Wetland Types: Their Functions and Values*; and Unit 7, *Open Space Planning and Protection Techniques*. MACC will offer each of these units three times in the spring of 2012 in webinar form in addition to our traditional

in-person sessions. Conservation Commissioners are welcoming this opportunity to obtain essential training more conveniently.

PUBLICATIONS AND COMMUNICATIONS

The newsletter continued to be offered electronically. This year MACC launched the more content-filled *MACC Quarterly Newsletter*. Members have the option of an electronic or hard copy. We also wrote and emailed more than 30 E-MACC bulletins and action alerts to over 4,000 subscribers. E-MACCs contain substantive and timely news, information and announcements as well as calls for action on important bills and proposed regulatory changes.

MACC also provided increased guidance and resources for cities and towns working to pass, strengthen, administer and enforce non-zoning wetlands ordinances and bylaws. Current bylaws are organized by town and set up for easy downloading. Please see maccweb.org/resources_bylaw_list.html. This information has greatly facilitated research by Conservation Commissions and attorneys who wish to compare the provisions of other bylaws and regulations when drafting or amending their own.

MACC created a new, online Electronic Resource Library. Commissions can now download and edit many useful documents such as sample Orders of Conditions, memos related to hiring Outside Consultants and brochures for the general public. We thank the many Commissions who shared 140 documents and we continue to add new, important documents to the Library to keep it updated.

MACC assisted Conservation Commissions through our free telephone *Helpline* (617-489-3930) on a daily basis and also responded to questions and concerns that arrived via email. MACC members obtained insightful answers to legal, scientific and technical questions from Board legal and technical experts and our staff.

The MACC online Forum, *Conservation Connections*, continued to serve as a useful communications tool (maccweb.org/resources_forum.html). The Forum was a highly active section of our web site with more than 3,000 visits per month and new participants weekly.

This year we created MACC's first Facebook page which contains news, updates and the chance for Commissioners and other interested citizens and supporters to stay connected and communicate with each other on timely issues.

We continued the Rent-an-Expert program, whereby Commissions hired MACC-affiliated experts to provide focused presentations on a variety of requested topics. For a \$100 per hour donation to MACC, our legal or technical experts go to their community and speak on a topic of interest, discuss an issue or simply answer questions.

MACC offered relevant books and documents for sale to Conservation Commissioners and others. Our Publications Catalog, available both in booklet form and on our updated MACC web site (maccweb.org/resources_publications.html), included nearly 100 publications. MACC sold over 100 copies of our 50th Anniversary Commemorative searchable CD of the most recent edition of the *Environmental Handbook for Massachusetts Conservation Commissioners*. Copies of this valuable resource are still available at minimal cost to MACC members. With text searching ability and an expanded index, this *Handbook* resource allows readers to rapidly research a wide variety of topics and to obtain helpful and technical and legal guidance and direction on topics of greatest interest to Commissioners.

Several networking events hosted jointly by MACC and our partners provided a relaxed atmosphere for environmental professionals to engage in productive discussions. Future networking events are planned.

Workshop registrations and contributions were supported with online forms and secure credit card processing.

NANCY ANDERSON AWARD AND ENVIRONMENTAL SERVICE AWARDS

At the 2011 Annual Environmental Conference MACC was extremely pleased to present Davis "Stuart" DeBard with our most prestigious honor, the Nancy Anderson Award. An attorney from Hingham, Stuart was recognized posthumously for his leadership, vision, dedication and lifelong commitment to community conservation and public service. Stuart helped found MACC in 1961. He also authored the first *Massachusetts Conservation Commission Handbook* in 1968.

As a member of the Hingham Planning Board, Stuart sponsored an article at the 1959 Special Town Meeting to create Hingham's Conservation Commission. He was its Charter Member and continued to serve for twenty years, three of those as Chair. After battling to save salt marshes, Stuart pioneered the concept of privately held conservation easements (known in Massachusetts as conservation restrictions). He drafted easements and spoke and promoted this important land protection tool throughout the United States as early as 1949. Stuart served for 10 years as President of the Hingham Land Conservation Trust where he brokered land protection deals, including the acquisition of Wampatuck State Park and other stellar land conservation holdings involving state and private financing.

MACC also presented Environmental Service Awards to seven individuals who have made outstanding contributions toward the work of Conservation Commissions and the preservation or protection of important natural resources.

Stewart Kennedy of Lexington received the Conservation Commissioner of the Year award. He has served on both the Lexington Conservation Commission and Lexington Conservation Stewards since 2003. He is renowned as a liaison between these two organizations – keeping the Commission up to date on local stewardship efforts and facilitating communication among different groups. Stewart has extensive achievements as an environmental steward: he has coordinated several volunteer projects, ranging from invasive species removal to storm drain marking. He also conducts public outreach to local organizations, advocates for bike-friendly amenities in town, raises funds for environmental stewardship and participates in resource monitoring projects. He was a key leader in launching a new Watershed Stewardship Program – working closely with Lexington's Department of Public Works engineers. Stewart completed both the MACC Fundamentals and Advanced courses in our certificate Training Program.

Patricia Loring of Duxbury was honored with an award for Outstanding Achievement in Community Conservation. Pat is no stranger to the work of community conservation; she's done it all from being a long-serving Conservation Commissioner to spearheading land acquisition projects. Pat served as an MACC Director, and helped develop MACC's Conservation Commission Training Program. Pat is highly committed to land acquisition and preservation efforts – leading acquisition campaigns, negotiating and finalizing 19 easements and conservation restrictions, taking a leadership role in producing two Open Space and Recreation Plans, maintaining trails and coordinating other projects. Pat's knowledge of land acquisition has allowed the Town of Duxbury to acquire significant and strategic parcels, including the Historic O'Neil Dairy Farm. She served on the Westford Commission, was the first Conservation Administrator for the Town of Carlisle, and has served both as Chair and member of the Duxbury Open Space & Recreation Committee since 1996. Pat was instrumental in passing the Community Preservation Act in Duxbury and also serves on the Community Preservation Committee.

Edward Clancy of Marlborough received an award for Long Time Service. Ed has served the City of Marlborough for over 43 years. His tenure on the Conservation Commission began in 1968, and he has been Chair since 1993. Ed has reviewed more than 1500 wetland permits and has participated in numerous appeals of Order of Conditions. In all, the Conservation Commission estimates that he has dedicated over 5160 hours of volunteer time tending to the Commission's work and its meetings. Ed also served on two Open Space and Recreation Plan Committees. His public service also includes working as a biology teacher and a serving on the City Council where he successfully advocated for the Water Supply Protection District Ordinance and the Stormwater Ordinance.

MassDEP's Circuit Rider Program was honored for Outstanding Public Service. Current Circuit Riders Alice Smith, Christine Odiaga, Pam Merrill and Mark Stinson each received awards. Since the Program's inception in 1996, MassDEP's Wetland Circuit Riders have strengthened the ability of Conservation Commissions and citizens of Massachusetts to protect wetlands. The Circuit Riders are known for their dedication, enthusiasm and effectiveness. Despite economic downturns and the recent loss of three regional Circuit Riders in the past two years, the remaining staff has capably provided essential help. This past year they offered 50 training sessions on wetland topics, attended 100 Conservation Commission meetings, and responded to over 9000 e-mail requests for information. Their invaluable work has improved the quality of project reviews and permits.

FINANCE AND DEVELOPMENT

In a year when the economy was sluggish, advance planning, enhanced operational efficiency and careful attention to expenditures helped keep MACC's financial position sound. With a total FY11 budget of about \$432,000, we ended the year with a deficit of less than \$15,000. We were fortunately able to offset this with money from the reserve fund we built in the years prior to the downturn.

We are grateful to our loyal member Conservation Commissions who pay their dues each year. Commission dues are MACC's largest single revenue source, followed closely by the MACC Annual Environmental Conference. Income from both increased over FY10. While overall program revenues declined, corporate sponsorships and responses to our Annual Appeal have risen.

MACC received a grant from the Massachusetts Environmental Trust to update three of the eight units of our *Fundamentals for Conservation Commissioners* certificate course and to develop a pilot program providing these as webinars.

The Alexandra Dawson Legal Education and Action Fund supported the costs associated with filing a successful amicus brief that helped protect lands on the North Shore. The Dawson Fund (maccweb.org/support_dawson.html) allows MACC to initiate legal action and supplement the pro bono services that attorneys provide to Conservation Commissions.

In its second year, the Frederick J. Fawcett II Education Fund provided scholarships to attend MACC education sessions including our Annual Environmental Conference. The Fawcett Fund (maccweb.org/support_fawcett.html) helps Conservation Commissioners and staff in need to become knowledgeable about their responsibilities and the scientific underpinnings for resource protection.

We thank Conservation Commissions across the state, individual and corporate members, our donors, grantors, sponsors and advertisers. They, along with our dedicated Board of Directors, generously support MACC through their expertise, time and financial contributions. We also thank our highly capable staff and volunteers who enable MACC to provide the critical programs and services Commissions need. As we enter our second half century, we look forward to enhancing these services, and continuing to advocate for strong, science based, enforceable environmental laws, regulations and policies.

BOARD OF DIRECTORS AND ADMINISTRATION

At the Annual Business Meeting, held during the 2011 Annual Environmental Conference on March 5, Patrick Garner (Northborough) was elected to a second term one-year term as MACC President. Kathleen Connolly Esq. (Hopkinton) began a second term as First Vice President and Kenneth Whittaker Ph.D. Esq. (Wenham) a second year as Vice President for Advocacy. Michele Grzenda (Lincoln) became Vice President for Education, Margaret Carroll (Upton) Secretary and Sally Zielinski Ph.D. (Carlisle) Treasurer.

Amy Ball (Sandwich), Brandon Faneuf (W. Warwick RI), Scott Jackson (Whately), Brenda Kelly (Bedford), and new member Walter Bickford (Berlin) were elected to serve until 2014. New members Janice Stone (Shutesbury) and Jennifer Steel (Wayland) were elected to serve until 2012 and 2013 respectively.

Continuing members of the Board (not up for re-election this year) included: Jo-Anne Burdin (Templeton), Shepley Evans (Stockbridge), Ingeborg Hegemann (Stow), Gregor McGregor Esq. (Concord), Heidi Ricci (Shirley), Tim Purinton (Ipswich) and Seth Wilkinson (Orleans).

Members of the Board selected by the Board to serve on the Nominating Committee for the 2011 election were Sally Zielinski (Chair), Michele Grzenda and Ingeborg Hegemann. Non-Board Members elected by the membership at the Annual Business Meeting to so serve were Judith Eisman, George Hall, Stanley Humphries and Kenneth Pruitt.

Linda Orel had a productive first year as MACC's eighth Executive Director and heralded MACC's 50th Anniversary. Her financial management skills kept our budget sound in a tough economy. Her fiscal goals for the first year have all been met or exceeded. In addition, Linda's fundraising efforts have been successful, which has allowed MACC some flexibility in a difficult economic environment.

Lindsay Martucci celebrated her 13th year with MACC, making her our longest serving staff member ever. With her incredible sense of organization, enthusiasm, dedication and stellar work, Lindsay continued in her multiple roles as Newsletter Editor, Membership and Publications Coordinator and Office Manager.

Associate Director and Education Coordinator Michele Girard, with MACC for more than five years, capably coordinated and implemented MACC's Training Program, Fall Conference, Erosion and Sedimentation Control and other workshops, launched a new webinar program and made certain our Annual Environmental Conference went on without a hitch. Michele served as Acting Director during the beginning of FY11 and did an outstanding job keeping MACC's ship afloat while always looking out for the best interest of Conservation Commissioners and other partners.

Rick Chaff, Information Technology Manager, celebrated his 11th anniversary with MACC, helped produce a searchable CD version of the *Environmental Handbook for Massachusetts Conservation Commissioners*, updated the MACC web site and supported the staff's computer-related needs.

Our Bookkeeper, Candace Domos, continued to be invaluable in helping MACC manage our books, budget, annual audit and human resources needs.

MACC's enthusiastic volunteers assisted with the Annual Environmental and Fall Conferences, Training Program sessions and other projects, and we offer them our copious thanks.