

**Maryland Environmental Trust
Board of Trustees Open Meeting Minutes
February 7, 2022**

Trustees Present:

Mary Burke, Chair
Gary Burnett, Vice-Chair
Mark Hoffman
Greg Bowen
Senator Adelaide Eckardt (Senate President's representative)
Delegate Jim Gilchrist (House Speaker's representative)
Tom McCarthy (Governor's representative)
Lori Lynch
Toby Lloyd
Megan Benjamin
Nathan Volke

Trustees Absent:

Julia Jitkoff, Treasurer
Megan D'Arcy, Secretary
Susanne Richards
Ken Montague
Tom Prevas
Diana Conway

Others Present:

John Turgeon, Director, Maryland Environmental Trust (MET)
Wendy Foster, MET staff
Josette Markline, MET staff
Kelly Price, MET staff
Ann Carlson, MET staff
Jon Chapman, MET staff
Michelle Grafton, MET staff
Michael Mingus, MET staff
Cindy Hoffmann, MET staff
Shannon Taylor, MET staff
Talley Kovacs, Asst. Attorney General, Office of the Attorney General (OAG)
Phil Hager, Asst. Secretary for Department of Natural Resources (DNR)
Guest Speaker Carol Hamilton of Grace Social Sector Consulting

I. Call to Order

Board Chair, Mary Burke called the regular meeting of the MET Board of Trustees to order at 4:07 pm.

II. Board Work Plan & Governance Topics

A. Adopting the Minutes

Chairwoman Burke called for a motion to approve the minutes of the regular meeting of the Board of Trustees held on November 1, 2021. **Mr. Bowen motioned to approve the minutes; Mr. Lloyd seconded the motion. All voted in favor.**

B. Chair's Report

- Ms. Burke reminded trustees to file their financial disclosure forms with the State Ethics Commission by April 30, 2022.
- Ms. Burke discussed the Heirs Property Legislation (SB0092 HB0077) which protects Maryland families from potentially losing their property when the property is neglected to be named in a will. A similar bill was passed in Virginia last year.
- Ms. Burke reported on the following activities of Forever Maryland (FM)
 - This year's annual land conservation conference will be held at The Chesapeake Beach Club on June 1 and 2, 2022. This is a great opportunity to expand your knowledge of working land conservations. Ms. Burke encouraged everyone to attend to show MET's support.
 - FM has a webinar series available offering education on land conservation.
 - Final stages of the FM strategic planning process are underway. The next meeting of their board is scheduled for February 9th. They desire to align their plan with MET's strategic plan to support each other.
 - Fundraising strategies have been shifted to a more foundation approached plan. As of December, FM was awaiting approximately \$200,000 in grants to be awarded. One donor recently pledged \$150,000. Ms. Burke encouraged trustees to consider them in their giving plans.
 - FM recently updated their mission statement to read: "*Forever Maryland promotes and supports the Land and Water Conservation Communities through education, advocacy and outreach to permanently protect working landscapes and health ecosystems for all.*"
- Ms. Burke informed the Board that Governor Hogan's FY23 budget allows for \$263 million dollars that will fully fund Program Open Space (to include the scheduled repayment for the year) and related conservation programs.

C. MET Strategic Planning update

Chairwoman Burke asked those on the call that, while going through the strategic planning process, to think about what role can MET play in assisting our communities with the big challenges they face. Keeping in mind special skills and talents that MET can bring to the table.

- How do we assist communities equitably?
- Who should we be partnering with to accomplish our goals?

Ms. Carol Hamilton of Grace Social Sector Consulting introduced herself and gave a brief background of her qualifications. Ms. Hamilton gave an overview of the strategic plan process and timeline established for MET. She noted that the dates on the initial plan overview have changed from the submission that was distributed before the end of 2021. We are currently in the second phase of the plan, scheduling interviews and focus groups. Board members were reminded to email Ms. Hamilton at

<https://calendly.com/d/cpt-f2y-j94/met-focus-group-c> with their availability. Interviews and focus groups will be conducted over Zoom calls. Ms. Hamilton introduced the members on the board's ad hoc Strategic Planning Committee and outlined their role in the plan.

Ms. Hamilton excused herself from the meeting.
Senator Eckardt left the meeting

III. Director's Report

MET Director Mr. Turgeon summarized the following topics from the previously distributed director's report:

- Michael Mingus, Easement Planner for the MET who was recently hired, was introduced to the board. Mr. Mingus gave an overview of his background and expressed his eagerness to learn about MET and to help the organization grow.
- All full-time positions at MET are currently filled; however, we are working with the DNR to hopefully convert a Governor's appointee position, currently held by Ms. Foster. Obtaining this position would reinforce the capacity of MET's Stewardship Program.
- MET has surpassed its protected acreage goal of 1,000 acres for this fiscal year.
- Mr. Turgeon gave an overview of a potential easement on 544 acres, which consists of about 200 – 230 acres of high-quality woodlands, on the Crownsville Hospital property. This property is adjacent to the Anne Arundel County owned Bacon Ridge Natural Area property on which MET holds an easement. The Capital Gazette recently published an article on the matter, which involves a proposed transfer of ownership from the State to Anne Arundel County.
- MET has completed approximately 40% of its easement monitoring goal.
- Mr. Turgeon referred to a memo in the board packet inviting Board members to participate in volunteer easement monitoring. The event will take place on April 23, 2022 (Earth Day). If interested, reach out to wendy.foster@maryland.gov or shannon.taylor@maryland.gov for more information.
- The Board was briefed on an ongoing stream/wetland restoration project on an MET easement held in Frederick County. This is a partnership between MET staff, Don Owen (MET's consultant) and the firm Ecotone. It's hopeful that the project will begin this spring and will serve as a model for ecological restoration to interest other landowners in the area. Recently, a second landowner with an MET held easement in Frederick County has signed a letter of intent with Ecotone to move forward on enhanced stewardship projects.
- It was noted that MET staff continues to work with Assistant Attorney General, Ms. Kovacs on the Chase Farm litigation matter. Ms. Kovacs briefed the Board on the recent activities surrounding this litigation.
- A Land Trust Roundtable is being held February 15, 2022. This session will focus on MET's use of aerial imagery analysis software (LENS) and a grant received from the Land Trust Alliance to assist the Lower Shore Land Trust with the utilization of LENS. In addition, a presentation will be given by the Eastern Shore Land Conservancy on

monitoring with drones. If interested, please register at

<https://dnr.maryland.gov/met/Pages/roundtables.aspx>

- The first mailing of the Easement Stewardship edition of MET's Land Marks newsletter was distributed this fall. This newsletter serves as an outreach effort for the Stewardship program and will address specific concerns of easement landowners. A copy of the newsletter was attached to Mr. Turgeon's Director's report distributed to the board via email.
- The application period for the Keep Maryland Beautiful grants closed in November of 2021. 118 applications were received totaling a requested amount of approximately \$570,000. Recipients were selected by the board's grants committee in January, awarding a total of \$320,000.
- MET has been helping to initiate regional conservation partnerships and is currently working with the Southern Maryland Conservation Alliance. Mr. Turgeon thanked Mr. Bowen and the staff of the American Chestnut Land Trust for their successful efforts in coordinating this new partnership.
 - Mr. Bowen explained the strategy utilized by this partnership with respect to land preservation. He discussed how resources have been focused on determining the preservation priorities for all five southern Maryland counties.

IV. Committee Reports

A. Governance

- Mr. Lloyd remarked that the Committee met earlier in the month to discuss recommending Professor Julia King of St. Mary's College to serve on the Board. He noted that the Committee members voted unanimously to approve the recommendation to add Professor King to MET's list of recommended trustees, which is annually provided to the Governor, Speaker of the House, and President of the Senate to assist them in making nominations to MET's board. He attested that the Committee felt Professor King's background in anthropology would be a great asset to MET's board. Mr. Lloyd requested a motion for the approval to nominate Professor Julia King to the recommendation list for MET's Board membership. **Mr. Hoffman moved the motion for approval; Mr. Bowen seconded the motion. All voted in favor.**

B. Finance

- Mr. Hoffman referred to the latest financial documents provided to the Board by the Finance Committee. He gave a verbal summary of the balance sheet, expenditures from the first half of the fiscal year, and a snapshot of MET's five Board-managed investment funds. Mr. Hoffman requested a motion for the Board to accept the financial statements as presented. **Mr. Lloyd moved the motion for approval; Mr. Bowen seconded the motion. All voted in favor.**

Mr. Burnett joined the meeting.

C. Lands

1) Committee Report

The Lands Committee met on January 26, 2022, to discuss the Following topics.

- Ms. Carlson is delighted to welcome the newly hired Easement Planner, Mr. Mingus who started on December 15, 2021.
- Ms. Carlson noted that the Easement Planning Program Manual was recently completed. Edits will be made based on Mr. Mingus's feedback.
- It was noted that Easement Program staff has been working with Ms. Hoffman on organizing and archiving records that the Program creates.
- Five Conservation Easements were recorded since the last Board meeting in November. Combined, these easements add 1,042.518 acres to MET's portfolio of protected lands.
 - Thorne: 56.37 acres in St. Mary's County recorded 12/16/21
 - MIV Real Estate LLC: 153.56 acres in Worcester County recorded 12/17/21
 - Watson: 245.621 acres in Dorchester County recorded on 12/29/21
 - Aspen Institute – Angus parcel: 327.151 acres in Queen Anne's County recorded on 1/25/22
 - Aspen Institute– Point Fields: 259.816 acres in Queen Anne's County recorded on 1/25/22
- MET has protected a total of 1,085.827 thus far in FY22.
- Ms. Carlson updated the Board on a previously approved project: Patriot Point LLC project consisting of 290.741 acres in Dorchester County. This project was initially introduced to the Board with the potential of being an easement co-held with the US Navy REPI program. That has since dissolved, and MET will hold the easement solely. Full funding is coming from DNR's Program Open Space. Project will be submitted for approval by the Board of Public Works at its meeting on February 16, 2022.

2) Consent Agenda

- a) Proposed easement on 44.97 +/- acres in Harford County with Harford Land Trust – Bottiglieri property
- b) Proposed easement on 95 +/- acres in Charles County with Conservancy for Charles County – Cline property

Mr. Burnett opened the floor for agreement to the consent agenda. The motion was moved for approval by Mr. McCarthy

and seconded by Mr. Bowen. All voted in favor.

- Ms. Carlson reminded Board members to forward referrals for potential conservation easement projects to ann.carlson@maryland.gov or michaeld.mingus@maryland.gov.
- Mr. Chapman recognized all the staff that have assisted in MET's monitoring accomplishments. He also mentioned Ms. Markline's work in meeting new easement landowners as well as successor landowners. He indicated that this is one of the areas that yield the greatest number of issues.
- It was noted by Mr. Chapman that the OAG is handling approximately 20 easement stewardship issues stemming from a range of reasons including, but not limited to: interpretations from early conservation easement language; aging donors and the transferring of the easement to successor owners; professed unawareness or ignorance of easement restrictions. A discussion among several attendees was had regarding this topic and the question was raised whether we need to investigate new legislation to ensure a potential buyer would be fully aware of the conservation easement. It was recommended by Ms. Kovacs that the Governance committee and Mr. Chapman discuss the attempt made by MET to have the MD Statutes controlling SDAT reporting to require reference to easement properties in the SDAT form. Chairwoman Burke recommended this be a topic of discussion for the Legislation sub-Committee of the Outreach Committee.
- Mr. Chapman informed the Board that Michelle Grafton has been continuing to receive monitoring reports from local land trusts. Once received, the reports need to be reviewed and processed by Ms. Grafton. We expect to receive over 300 reports from local land trusts by March. MET is looking at options for better importing these reports into our database.
- Mr. Chapman mentioned that the Stewardship staff has been working with Ms. Hoffmann to organize and digitize MET's stewardship records. He commented on a project being considered that will digitize over 27,000 photo slides.
- Mr. Chapman apprised the Board that there are a few low-capacity land trusts who, for various reasons, no longer wish to be a part of co-held easements. Ms. Grafton, the OAG and he are working on proposal options to transfer responsibility of those easements solely to MET.
- It was noted by Mr. Chapman that MET is looking at filing a "Notice of Conservation Easement" for easements that were held with organizations that have gone out of business. We wish to file these for our earliest easements to reduce the potential of the easement being missed during a title search.
- Mr. Chapman invited trustees who may be interested in learning about the Lens monitoring system please reach out to jon.chapman@maryland.gov.

D. Outreach Committee

1) Committee Report

- Mr. Turgeon mentioned that he, Mr. Burnett and Chairwoman Burke have a meeting on February 10, 2021, with the head of the Maryland Commission on Indian Affairs.

2). Sub-Committees Reports

a. Land Trust Advisory

- Mr. Bowen mentioned a potential cooperative agreement with the Preservation of Maryland Antiquities (aka Preservation Maryland).

Mr. Bowen requested favorable action to enter into a Cooperative Agreement between Preservation Maryland and MET. Chairman Burke requested a motion to approve. Mr. Hoffman approved the motion, and it was seconded by Mr. Burnett. All were in favor.

- Mr. Bowen circled back on the topic of local land trusts submitting monitoring reports to MET; the upcoming roundtable and the distribution of MET's newsletters and other communications.
- Mr. Bowen informed the Board that the LTA committee is working with the Chesapeake and Coastal Service (DNR) and the Maryland Dept. of Planning to conduct outreach to land trust partners. The goal is to obtain a better picture of protected lands solely held by local land trusts. This will ensure these lands are accurately depicted on Maryland's free mapping tools and Protected Lands Dashboard.
- Ms. Grafton and Mr. Turgeon are currently serving on Forever Maryland's Land Conservation Conference Planning Committee.

b. Legislative Committee

- Mr. Hoffman mentioned there are several bills on the legislative agenda that address land conservation.
- Mr. Turgeon mentioned the resubmittal of the Conservation Finance Act (SB348) having to do with permitting ecosystem services projects on MET easement properties
- Delegate Gilchrist mentioned an upcoming bill concerning the protection of old grown forests in the State. He indicated the MET is mentioned in the bill as an example of a State conservation agency.
- Mr. Lloyd raised a question, and a brief discussion was had about the use of solar panels on conserved lands.

c. Grants – Keep Maryland Beautiful program

- Mr. Turgeon referenced the addendum to the board packet that outlines the Keep Maryland Beautiful awardees. However, the grants awarded by the Maryland DHCD (Clean up & Green up grants) will be submitted on Friday of this week. No approval from the Board is needed on the DHCD list.
- **Chairwoman Burke asked for a motion to approve the grants as stated in the addendum document. Ms. Lynch approved; seconded by Mr. Burnett. All members voted in favor.** Ms. Burke indicated the awardees will be announced on April 23, 2022 (Earth Day).

d. Agriculture Committee

- Nothing to report.

V. Other Business

Nothing to report.

VI. Adjourn Open Meeting

The meeting was adjourned at 5:37 p.m.