

## **DIFFERENT WAYS TO REACH COMMON GOALS:**

### **Your Local Land Trust, Town Conservation Commission, Conservation Department, and Natural Resources Department**

#### **DISCOVERING THE DIFFERENCE**

How do I preserve my land? If there are wetlands nearby and I want to do landscaping, how should I proceed? Where does the Town recommend digging for clams and how do I get my shellfishing permit? Each of these questions focuses on natural resources and you can find the answers from multiple entities in town. How do you know which group to contact to have questions answered? To help guide you in understanding the common ground between your nonprofit land trust and town departments as well as their different roles in protecting land, water, and wildlife around us, **READ ON.**

#### **WHAT IS A TOWN CONSERVATION COMMISSION?**

**Town Conservation Commissions** have been around since the late 1950s when legislators recognized the growing need to protect natural resources at the town-wide level and passed the Massachusetts Conservation Commission Act. At the time Town Conservation Commissions were the official municipal agency charged with protection of a community's natural resources.

In the early days of Town Conservation Commissions, their role was focused on "promotion and development of natural resources...and protection of watershed resources." This included keeping an inventory of the municipality's natural resources and preparing relevant maps and plans, as well as acquiring, and managing open space.

These responsibilities expanded significantly in 1972 when Commissions were given the responsibility to administer the Massachusetts Wetlands Protection Act and Wetlands Protection Regulations. Orleans also has its own Wetlands Bylaw and Orleans Wetlands Regulations. Under this state and local legislation, **Town Conservation Commissions review applications and issue permits for work in and near wetland resources areas, which include but are not limited to: flood plains, inland and coastal banks, river-fronts, beaches, ponds, and surface waters.**

The Orleans Conservation Commission is comprised of up to ten **volunteers** (seven voting members, and three associates) from within the town, with expertise and/or a keen interest in conservation related fields. In Orleans, they are appointed by the Select Board for a three-year term.

#### **WHEN DOES WORK ON MY PROPERTY REQUIRE REVIEW BY THE ORLEANS CONSERVATION COMMISSION?**

**The Orleans Conservation Commission has jurisdiction over all activities in wetlands and within 100 ft of a wetland resource**, as well as especially sensitive land designated as an Area of Critical Environmental Concern or Land Subject to Coastal Storm Flowage. Activity includes construction (e.g. sheds, fences, decks, buildings) and vegetation management (e.g. trimming, pruning, planting).

The Orleans Conservation Commission holds public meetings for the review of these applications and establishes whether the proposed activities meet the criteria of the State Wetlands Protection Act and/or any Town Wetlands Protection Bylaw or Regulation.

### **IS THERE ALSO A TOWN CONSERVATION DEPARTMENT?**

In Orleans, there is also a Town Conservation Department which is different than the volunteer-based Town Conservation Commission. The Town of Orleans Conservation Department is comprised of two staff: Conservation Agent John Jannell and Principal Clerk Kristyna Smith. They support the project review work of the Orleans Conservation Commission.

**The Town of Orleans Conservation Department is also responsible for managing roughly 270 acres of Town conservation land, including but not limited to the John Kenrick Woods, Putnam Farm, Kent's Point, Sea Call Farm, and Hopkins Lane Community Gardens.**

### **HOW ABOUT THE TOWN NATURAL RESOURCES DEPARTMENT?**

The Orleans Public Works & Natural Resources Department is staffed with a Natural Resources Manager who provides expertise and hands on help with the protection and enhancement of a town's natural resources including aquaculture, regulation enforcement, and wildlife habitat improvements on town-owned property. **The Department is responsible for oversight of Town Harbors, Beaches, and Landings.**

Responsibilities of the Town Natural Resources Department often overlap with the Town Conservation Department due to the nature of the areas in which both Departments work.

In Orleans, Nathan Sears is the Natural Resources Manager. Beach Director David Bailey also serves in the Public Works & Natural Resources Department.

**When it comes to landowner work near wetlands, property owners should contact the Town of Orleans Conservation Department and for shellfishing or beach-related questions, people should contact the Town of Orleans Public Works & Natural Resources Department.**

### **LAND TRUSTS**

Land trusts by contrast are nonprofit organizations, rather than town entities. Although nonprofit land trusts aren't affiliated with town government, they often work with town departments to preserve and manage conservation lands. The land trust movement was born out of the need to supplement town and state government natural resource protection in the face of escalating land loss due to over development that impacts water quality, wildlife habitat, and community character. Typically, a land trust's mission is permanently to preserve land for the protection of natural resources such as woods, water, wildlife and open space for low-impact recreation, sometimes referred to as passive recreation. A good example is a walking trail.

Land trusts achieve these goals by receiving land donations, holding conservation restrictions on properties, and purchasing land. Many land trusts are also able to offer outdoor educational opportunities to land trust members and to the general public through guided walks and events.

Land trusts are often all volunteer while some are run by a combination of volunteer and staff. Land trusts can be funded through member donations, bequests, grants, and educational programs.

**The Orleans Conservation Trust, like many land trusts, operates within a town boundary to bring tangible, visible community benefits through preservation of land that saves scenic views, creates hiking trails, protects wildlife habitat, enhances the health of water resources and expands the community's understanding and commitment to conservation.**

To learn more about Orleans Conservation Trust, visit [orleansconservationtrust.org](http://orleansconservationtrust.org).