

**RECOMMENDATIONS FOR MASSACHUSETTS EXECUTIVE OFFICE OF
ENERGY AND ENVIRONMENTAL AFFAIRS
FISCAL YEAR 2012 BUDGET**

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The Massachusetts Association of Conservation Commissions (MACC) builds support for community conservation by working with state agencies, legislators, the courts, partner nonprofits and the general public. MACC advocates for strong, science-based laws, regulations and policies and assists state agencies in their outreach efforts. MACC and the Executive Office of Energy and Environmental Affairs (EOEEA) depend on the efficiencies of public-private partnerships to accomplish our mutual goals.

EOEEA programs contribute to the long-term sustainability of natural communities, protect wetlands and other water resources and manage critical habitat. Unfortunately, sustained and severe cuts in EOEEA's budget hinder state's ability to protect natural resources. Today, our state invests a mere 0.64% of its budget for all environmental agencies combined. While the state's total state operating budget increased from \$22.4 billion in FY01 to \$28.2 billion in FY11, the environmental budget shrank from \$225 million to \$175 million during the same time period. MACC urges the Patrick Administration and Legislature to restore spending to at least 1% of the total operating budget. We specifically support increased funding in FY12 for the following agencies and programs:

**Department of Environmental Protection
Administrative
Line Item 2200-0100**

The Department of Environmental Protection (DEP) helps Conservation Commissions administer the Wetlands Protection Act. DEP accepts permit applications, processes appeals, provides technical support and assists Conservation Commissions on wetlands enforcement.

DEP's staffing is about 75% of what it was in FY08. Just this past year, DEP experienced two rounds of layoffs and subsequent furloughs. Despite increases in permit application fees, repeated budget cuts still result in decreased enforcement, slower permitting, and less oversight and protection of environmental resources. The more personnel lost, the harder it is to respond to the call to process applications, which puts more pressure on volunteer Commissioners, and serves as a drag on the economy.

Also of interest to MACC is DEP's highly successful Circuit Rider Program. Circuit Riders provide crucial technical support to volunteer Conservation Commissioners who need training and assistance in implementing complex wetlands regulations. The Patrick Administration should have seven circuit riders to assist Commissioners throughout the 351 cities and towns who are legally responsible for implementing the Wetlands Protection Act, but unfortunately, has only three. We urge the Administration to restore funding for seven Circuit Riders.

**Department of Environmental Protection
Wetlands Program
Line Item 2200-0102**

DEP's Wetlands Program works to protect Massachusetts' inland and coastal wetlands, tidelands, great ponds, rivers and floodplains. The Wetlands Protection Act is a national model for protection of water quality, drinking water, groundwater, wildlife habitat, fisheries, shellfish, and prevention of flooding and storm damage. DEP's wetlands program has been drastically cut. The permit fee structure is outdated and needs to be readjusted, in particular for large development projects, to provide funding for this program. The preservation of the retained revenue account and reconsideration of fees is essential to consistent enforcement of the Wetlands Protection Act.

**Department of Fish and Game
Division of Ecological Restoration and Riverways Protection Program
Line Item 2300-0101**

Dedicated staff in the Riverways Protection Program protect rivers and streams, ensure stream flow and preserve watersheds. Staff offers training, scientific and technical assistance, educational opportunities and funding to leverage local and partner investments. Riverways continues to be a very important partner to Conservation Commissions whether through their Priority Project Program, which funds community-based activities, such as dam removal and culvert replacement to restore rivers, riparian corridors and salt marshes; Urban Rivers Program, which revitalizes urban riverfronts and promotes neighborhood participation in rediscovering rivers flowing through the Commonwealth's cities; River Instream Flow Stewards program, which coordinates local group efforts to collect high quality stream flow data; and the Adopt-a-Stream Program, which assists over 100 local groups in generating baseline data and monitor conditions of local streams and brooks.

The Division of Ecological Restoration leverages \$2-\$3 in federal and local funds for every \$1 in state funds spent, and brought in about \$11 million for over eighty active restoration projects. These projects put people to work and stimulate local economies. The Patrick Administration should place a priority on the important work and partnerships represented by the Division of Ecological Restoration by adequately funding this important agency.

Division of Fisheries and Wildlife
Natural Heritage and Endangered Species Program
Line Item 2310-0300

The Natural Heritage and Endangered Species staff collects, manages and distributes scientific data about rare and endangered species and habitats. Data guides developers through environmental impact review processes and makes possible the implementation of the Wetlands Protection Act by volunteer Conservation Commissioners across the state. Heritage protects natural resources of interest to Conservation Commissions including certified vernal pools and ephemeral wetlands which are home to a unique assemblage of species, including salamanders, frogs, dragonflies and damselflies.

In 2004, the Heritage line item was struck from the state budget, leaving Heritage funded by project-specific bond monies; federal aid (which covers wildlife but not natural communities or plants); a small number of contributions on state income tax forms which is deposited into the Natural Heritage and Endangered Species Fund; and Environmental Review fees under the state's Endangered Species Act. General funds were restored in FY09, but were lost again the subsequent year. Heritage remains in a tenuous position, leaving rare plant and natural community protection poorly supported and with uncertain and limited funds for rare species research and restoration.

MACC also urges the Administration and Legislature to permanently waive indirect overhead charges of 33% for expenditures from the Natural Heritage and Endangered Species Fund. By treating this Fund like other environmental programs, Heritage would gain approximately \$500,000 a year. Moreover, donors who decide to donate extra tax dollars to the Heritage program could be assured their donations are going toward their intended purpose and not into the state's general operating budget.

Most importantly, MACC urges the Patrick Administration to reinstate the Heritage line item allowing Heritage to receive support from the General Fund. Protection of the state's rare and endangered species and habitats should be the responsibility of all citizens of the Commonwealth, and not just those taxpayers who volunteer to donate money to a small dedicated fund.