

**RECOMMENDATIONS FOR MASSACHUSETTS EXECUTIVE OFFICE OF
ENERGY AND ENVIRONMENTAL AFFAIRS
FISCAL YEAR 2013 BUDGET**

**LINDA OREL
EXECUTIVE DIRECTOR**

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, assists state agencies in outreach efforts and serves as mentor for other conservation groups. MACC and the Executive Office of Energy and Environmental Affairs (EEA) depend on the efficiencies of public-private partnerships to accomplish our mutual goals.

EEA programs contribute to the long-term sustainability of natural communities, protect wetlands and other water resources including drinking water supplies and manage critical habitat. Unfortunately, sustained and severe cuts to EEA's budget hinder the ability to protect critical natural resources. Today, our state invests 0.57% of its budget for all environmental agencies combined. MACC urges the Patrick Administration to restore environmental spending to at least 1% of the total operating budget. We specifically support increased funding in FY13 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; issues file numbers, processes appeals, provides technical support and assists Conservation Commissions on wetlands enforcement.

DEP has lost nearly 400 positions since FY04. Their total budget has already dropped 20% since FY09. Repeated budget cuts result in decreased enforcement, slower permitting and less oversight and protection of environmental resources. They have no choice but to do less with less. 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.

MACC is playing a key role in helping DEP through its regulatory reform process and supports the effort. Unfortunately, even the most efficient and popular of DEP's reforms will not enable DEP to adequately protect our natural resources. DEP needs an infusion of meaningful funding to strengthen its base, support its talented staff, and to serve people, businesses and environment.

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

DEP's Wetlands Program staff protects Massachusetts' inland and coastal wetlands, tidelands, great ponds, rivers and floodplains. Conservation Commissions provide thousands of hours of volunteer service annually in every Massachusetts city and town and rely on DEP staff to provide direct training and technical assistance, hear appeals and ensure consistency in the application of the state Wetlands Protection Act. DEP's wetlands program has been cut by over 25% in just the past few years.

MACC supports the establishment of a retained revenue account to collect DEP wetland permitting fees; the preservation of the retained revenue account and reconsideration of fees is essential to consistent enforcement of the Wetlands Protection Act.

Also of interest to MACC is DEP's highly successful Circuit Rider Program. Circuit Riders provide crucial technical support to volunteer Commissioners who need training and assistance in implementing complex wetlands regulations. The Administration needs to fund seven total circuit riders to assist Commissioners throughout the 351 cities and towns legally responsible for implementing the Wetlands Protection Act. Unfortunately there are only three.

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

Dedicated staff in the Division of Ecological Restoration's Riverways 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; Urban Rivers Program, which revitalizes urban riverfronts and promotes neighborhood participation in rediscovering rivers flowing through 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 local groups in generating baseline data and monitoring conditions of local streams and brooks.

The Division of Ecological Resources' FY09 budget was \$650,000; in FY12 it suffered a 36% cut down to \$416,974. And yet, this award winning program leverages millions of new investments each year in non-state funds at a 9:1 ratio (state to non-state funding) and contributes millions in total economic output every year, including new job creation. The Patrick Administration should place a priority on the critical restoration work and partnerships represented by the Division 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 certifies 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 Endangered Species Act.

General funds were restored to Heritage in FY09 and FY12; MACC urges the Patrick Administration to maintain the Heritage line item allowing the agency to receive General Fund support. 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.

MACC also urges the Administration to permanently waive indirect overhead charges of 33% for expenditures from the Natural Heritage and Endangered Species Fund. Those who voluntarily donate tax dollars to the Heritage program should be assured their donations are going toward their intended purpose and not into the state's general fund.