

Green Budget Fiscal Year 2006

The Environmental Budget on the Brink



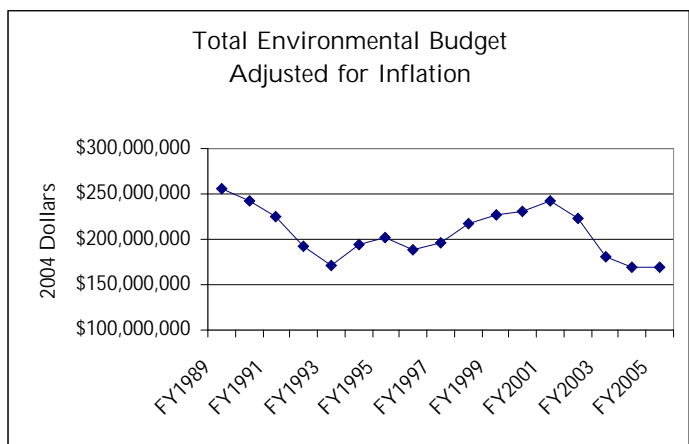
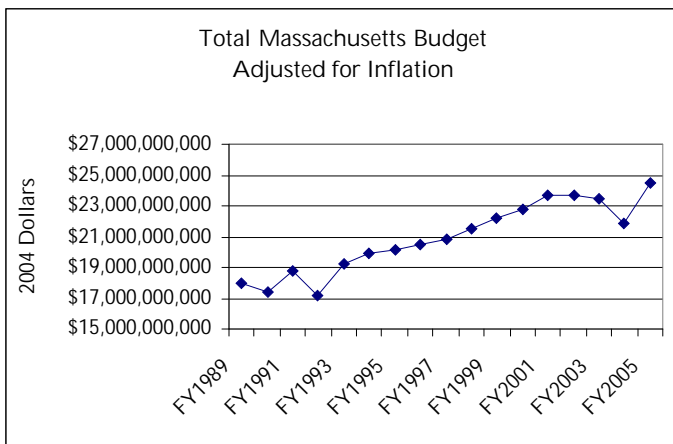
**The Environmental League of Massachusetts
January 2005**

THE ENVIRONMENTAL BUDGET ON THE BRINK

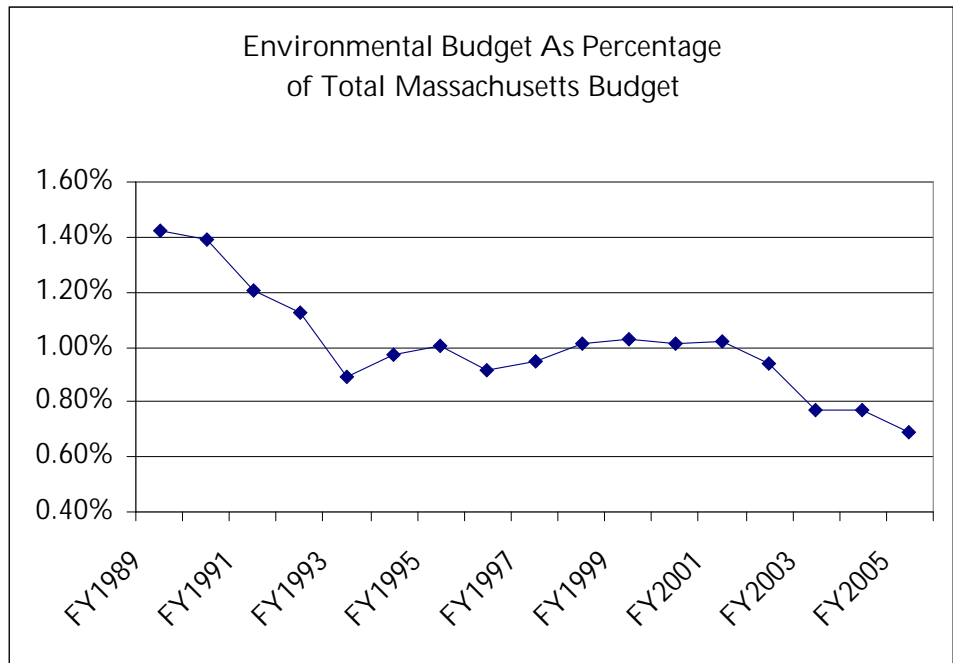
The Environmental League of Massachusetts (ELM) has been publishing its Green Budget analysis for many years. In the late 1990s, ELM titled its Green Budget recommendations “The Decade of Decline.” We could not have known then that what was a budget in decline for environmental agencies in the 1990s would look like “the good old days” just a few short years later. There has been a marked drop off after Fiscal Year 2002—budgets in some agencies have been cut by up to a third. And according to US Department of Labor statistics, Massachusetts cut government workers more than any other state in the nation to deal with the economic downturn. The number of state workers has continued to decline.

Our environmental programs simply cannot sustain any more budget cuts. There is no way to avoid spending money to pay for the services and law enforcement that protect the commonwealth’s environment, and many of these services have been cut repeatedly. Regardless, citizens of the commonwealth still expect the state’s environmental agencies to protect public health, safeguard our drinking water supplies, keep our air clean, and preserve our natural areas, working farms, and wildlife when they pay their state taxes every April. Many would be surprised to learn that for every dollar they send to the state in taxes, only two-thirds of one cent goes to environmental protection.

Since 1989, despite a number of recessions and partially because of strong economic growth, the total budget for the state of Massachusetts, when adjusted for inflation, has increased by one third, an increase of approximately \$6.5 billion overall. Unfortunately, the Fiscal Year 2005 budget continued the downward trend in environmental funding and Massachusetts is now spending \$86 million less on environmental protection, when adjusted for inflation, than it did over fifteen years ago. That amounts to a 33 percent decrease in the environmental budget; the state now has two-thirds the purchasing power it did in 1989 and many new environmental responsibilities.



The environmental share of the total Massachusetts budget in FY2005 was the lowest percentage it has been in the over fifteen years for which ELM has records. The environmental operating budget has gone from a high of 1.4¢ of every dollar going toward environmental protection to the current 0.69¢. As of 2000 Massachusetts ranked 44th out of 50 states in environmental spending per capita, and 48th as a proportion of the total budget. Since these statistics came out, the environmental budget in Massachusetts has been cut 25 percent. The purchasing power of the Massachusetts environmental budget has never been lower than it is today.



The consequences of these budget cuts have been many. Both the Department of Environmental Protection (DEP) and the Department of Conservation and Recreation (DCR) have seen dramatic cuts: DEP has been cut 19 percent since 2002 and DCR has been cut 37 percent since 2001. This has resulted in the reduction or elimination of programming and services. For example, hazardous waste sites are no longer being proactively identified, DEP has limited its hazardous waste site cleanup oversight, the monitoring of our water quality has been seriously cut back, our park facilities and skating rinks are falling apart, there are fewer park rangers present to enforce environmental laws and protect park users, trail maintenance has fallen off, and the Department of Agricultural Resources (DAR) has barely begun to implement the Children and Families Protection Act of 2000, which is intended to protect children against exposure to toxic pesticides. While all agencies have created short-term savings by temporarily scaling back programs to function within the parameters prescribed for them, the environmental agencies cannot continue to protect public health, safety, and the environment on such limited resources.

The loss of dedicated funds has also been a blow to environmental protection. Fees paid for particular services are now never directly linked to that service, shortchanging businesses and citizens alike. For many programs, for example the programs created from the Toxics Use Reduction Act (TURA), the amount of money brought in through fees exceeds the amount appropriated to the TURA programs. The remainder is then spent on entirely unrelated programs. Reinstatement of the Clean Environment and the TURA dedicated funds would ensure that the programs receive the money they bring in.

This document addresses the needs of the environmental operating budget. However, the commonwealth also spends tens of millions of dollars on environmental capital projects. These capital dollars support critical state programs such as land conservation, the financing of municipal water supply and wastewater systems, and the long-term maintenance of parks and parkways. While these programs are beyond the scope of this document, ELM and its Massachusetts Environmental Collaborative partners are also deeply concerned about inadequate funding of these programs.

A POTENTIAL NEW PROBLEM: EMPLOYEES PAID OUT OF BOND FUNDS

A new initiative Governor Romney's administration has proposed is that employees paid out of bond funds, referred to as 02 employees (full-time equivalents who receive benefits but are paid out of bond monies) and 03 employees (contract employees who do not receive benefits and are paid from bond monies), be paid out of the operating budget. While ELM does not oppose the concept of paying these employees out of the operating budget—in fact we welcome providing standard state employee benefits to 03 employees who in many cases have worked for years as contractors—the consequences of not providing sufficient operating funds to pay for these employees could dramatically affect environmental protection. The costs of these employees must be reflected in the operating budget if they will no longer be paid for out of bond funds. The environmental operating budget must therefore be increased dramatically just to maintain current program activities.

In the face of uncertainty about whether agencies will be required to pay these employees out of the operating budget, ELM is offering below two numbers as our recommended funding for each of the relevant priorities—a number that includes funding for 02s and 03s for relevant programs in case they must be paid out of the operating budget and an alternative number for the program if 02s and 03s continue to be paid out of bond funds.

**ENVIRONMENTAL LEAGUE OF MASSACHUSETTS
FUNDING PRIORITIES FOR FY2006
EXECUTIVE SUMMARY**

		<i>FY2005</i>	<i>Recommended FY2006 Not Including 02s and 03s</i>	<i>Recommended FY2006 Including 02s and 03s</i>
DEPARTMENT OF CONSERVATION AND RECREATION				
2810-0100	State Parks	\$17,749,682	\$25,677,383	\$27,145,383
2820-0100	Urban Parks	\$21,936,478	\$31,851,794	\$31,925,794
DEPARTMENT OF ENVIRONMENTAL PROTECTION				
2200-0100	DEP Administrative	\$28,373,935	\$31,820,112	\$33,834,261
2220-2220	Clean Air Act	\$899,814	\$1,325,610	n/a
2220-2221	Clean Air Act Permits	\$1,877,420	\$2,471,555	n/a
2260-8870	Hazardous Waste Site Cleanup	\$14,240,365	\$16,466,883	n/a
DEPARTMENT OF FISH AND GAME				
2300-0101	Riverways	\$401,147	\$434,719	\$535,000
2310-0301	Natural Heritage and Endangered Species	\$0*	\$460,000	\$810,000
DEPARTMENT OF AGRICULTURAL RESOURCES				
2511-3002	Integrated Pest Management	\$100,000	\$300,000	n/a
DEPARTMENT OF ECONOMIC DEVELOPMENT				
7007-0210	Brownfields Redevelopment Fund	\$0†	\$30,000,000	n/a
TOXICS USE REDUCTION ACT				
2020-0100	Office of Technical Assistance	\$1,299,323	\$1,314,914	n/a
2210-0100	DEP TURA	\$918,782	\$1,010,168	n/a
7100-0300	Toxics Use Reduction Institute	\$1,225,217	\$1,239,919	n/a

* This line item was removed from the operating budget in FY2004. The amount requested by ELM represents a restoration of the line item at previously funded levels.

† The FY2006 recommendation for this line item is replenishing a fund created in 1998, in which only \$4 million remains. No appropriation was made in FY2005.

**ENVIRONMENTAL LEAGUE OF MASSACHUSETTS
FUNDING PRIORITIES FOR FY2006**

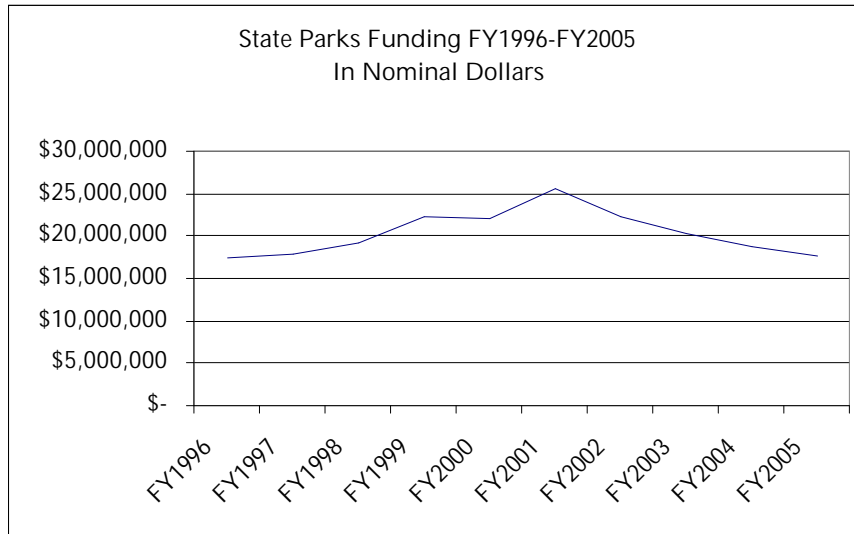
DEPARTMENT OF CONSERVATION AND RECREATION

		<i>FY2005</i>	<i>Recommended FY2006 Not Including 02s and 03s</i>	<i>Recommended FY2006 Including 02s and 03s</i>
<i>2810-0100</i>	<i>State Parks</i>	<i>\$17,749,682</i>	<i>\$25,677,383</i>	<i>\$27,145,383</i>
<i>2820-0100</i>	<i>Urban Parks</i>	<i>\$21,936,478</i>	<i>\$31,851,794</i>	<i>\$31,925,794</i>

Callahan State Park in Framingham is an 820 -acre day park with 7 miles of marked trails. Unfortunately, because of DCR budget cutbacks, park maintenance and usability has suffered. The trails have eroded from overuse, wildlife habitat has been damaged, and trails are poorly marked and confusing, encouraging individuals to undo existing trail work and signage or do their own. The state has added a parking lot adjacent to property of the Sudbury Valley Trustees, a regional land trust in the area, which adds to the visitors' experience, but DCR has been unable to increase maintenance of the state park commensurate with the increased visitation. Instead, many visitors look to the Sudbury Valley Trustees for assistance and guidance for park maintenance and enforcement.

While DCR works to bring seven new urban parks online in the next two years, the agency still struggles with basic maintenance of its existing parks. Along the Esplanade and the other Charles River parklands, pathways have not been maintained and there has been a decrease in efforts to protect public safety. Trees have not been sufficiently pruned along major stretches of the path causing safety concerns for park users and tree health. Trees suffering from Dutch Elm Disease, a deadly disease to many elm tree species that spreads rapidly through urban areas destroying healthy trees, have not been sufficiently addressed or removed, either at the Esplanade or elsewhere along the Charles River. This lack of care of the elm trees along the Charles River may have far reaching effects in the natural landscape of greater Boston as Dutch Elm Disease spreads.

When Governor Romney announced in FY2004 that he wanted to combine DEM and MDC, he spoke of a vision of "World Class Parks." Unfortunately, under his watch funding for state parks have continued to be cut, and both state and urban parks have been cut a total of 31 percent each since 2001. These cuts have had a tremendous impact on the state parks, on top of \$100m in deferred maintenance and continuing degradation of facilities. There are fewer park rangers, resulting in increased illegal dumpings, understaffing at swimming areas, fewer park programs for children, and recreational clubs are left to clear and maintain trails they use because DCR lacks the resources to do so. Facility maintenance is also a tremendous problem for urban parks, and in FY2006 urban parks will require an additional \$1.3m for new parks alone, equaling 44 acres of new park space. Restoring these line items to 2001 levels will support safer and better maintained parks.



The Romney administration’s proposal to pay 03 contractors from the operating budget would also have a tremendous effect on the state parks, and a smaller effect on the urban parks. The state parks have been cut every year since FY2001, and DCR has been unable to keep up with park needs. Without increased funding, the state parks will fall into further disrepair, making them even less safe and discouraging visitors and tourism. And without increasing the budget another \$1.4m to pay the salaries of these employees, DCR will lose another 25 state park employees, which would curb many activities that are even now not keeping up with state park needs.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

	<i>FY2005</i>	<i>Recommended FY2006 Not Including 02s and 03s</i>	<i>Recommended FY2006 Including 02s and 03s</i>
<i>2200-0100 DEP Administrative</i>	<i>\$28,373,935</i>	<i>\$31,820,112</i>	<i>\$33,834,261</i>

DEP has lost over a quarter of its staff in the last three years. The Waterways program in particular has gone from 19 to 5 employees in the same time period, tying the program’s hands for adequate permit application and environmental notification form (ENF) review. In one case regarding a Nantucket waterfront development project, the Selectmen of Nantucket and other groups, including the Nantucket Land Council, requested that a mandatory Environmental Impact Report (EIR) be done since more than one acre of filled tidelands was involved in the development. Unfortunately, the developer did not provide complete information regarding the extent of DEP Chapter 91 jurisdiction on the ENF. Because the Waterways program has too few staff to do a thorough ENF review, and despite serious doubts about the project, DEP reluctantly decided not to request that the secretary require the preparation of a EIR that would normally have been required at that point in the environmental review process. DEP’s decision has led to citizen outcry that the developer is running the show and has caused deep cynicism about DEP’s ability to carry out its responsibilities.

DEP has been forced by budget cuts to do much less water monitoring, leaving the responsibility on local watershed organizations and volunteer groups. For example, the

Neponset River Watershed Association (NepRWA) is now the only organization doing any water quality monitoring for the Neponset River and its tributaries. Because it could not afford to do the work itself, in the last few years DEP provided NepRWA grants to purchase equipment, but those grants were cut in FY2004. Now even NepRWA does not have the capability to consistently monitor water due to shortages of basic supplies for its volunteers such as pH meters, dissolved oxygen meters, and waders. The result has led to even less information on pollution sources for the watershed.

The DEP Administrative line item funds the heart of DEP's programs. This line item funds permitting, environmental enforcement and compliance, water monitoring, wetlands and watershed protection, toxics waste monitoring and reduction, recycling, and many more programs. Much of the protections DEP provides many people take for granted—our water supplies must be monitored, toxic waste must be properly disposed of, polluting facilities must be inspected to verify that they are complying with the law and punished if they are not doing so, and our families must not be subject to unnecessary toxics exposure. However, the funding cuts of the last four years, leaving DEP with 24 percent fewer staff and what is now a 10 percent reduction in funding from FY2001, have jeopardized the management of the most basic protections.

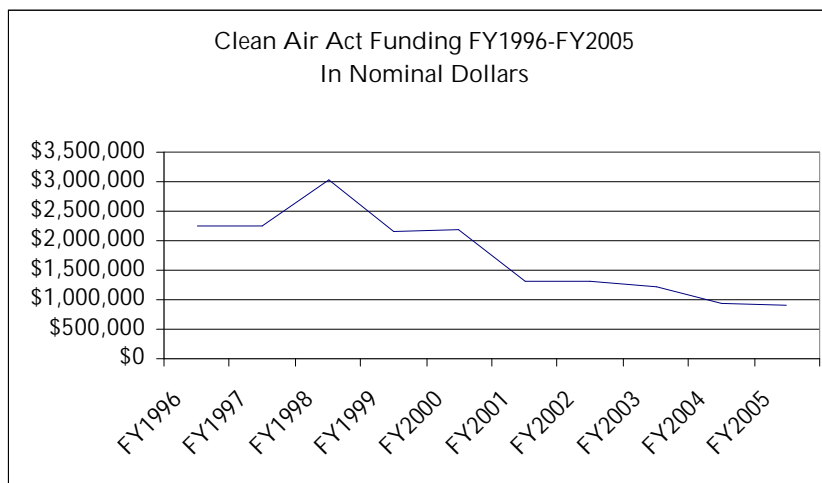
DEP has been able in some cases to work around those funding restrictions and, for example, enforce emergency perchlorate monitoring when dangerously high levels of the developmental disrupter were found in town drinking water supplies across the commonwealth.[‡] Unfortunately, DEP has only been able to put resources toward new public health threats once exposure has already occurred. In other cases, DEP has not been able to keep up with the need for new regulations or increased enforcement, such as training waste water treatment operators to monitor and inspect waste water treatment plants. The lack of funding has caused DEP to be unable to take on any new, non-emergency initiatives to protect public health, for example with persistent bioaccumulative toxins (PBTs), MTBE, or mercury. And ELM calculations, based on DEP data, have determined that regulated facilities can expect a DEP inspection once every 17 years.[§] This is hardly the inspection rate residents near these facilities would hope for.

The Romney administration's proposal to pay employees currently paid from capital monies from operating funds would have a profound effect on DEP. While DEP has already lost almost a quarter of its staff in the last three years, crippling its ability to work on many important issues while it moved the focus of its staff to work on the most vital priorities, without continued bond funding or compensatory operating fund increases DEP could lose another 33 people.

[‡] Perchlorate is a man-made and naturally occurring toxic that interferes with iodide uptake into the thyroid gland. The functions of the thyroid, which effect development and metabolism in children and metabolism in adults, are then disrupted. This may result in changes in behavior, delayed development, and decreased learning capability in a newborn and thyroid gland tumors in children and adults. The traditional sources of perchlorate contamination are military use or solid rocket propellant, however neither those sources of contaminant nor naturally occurring levels of perchlorate account for the contamination seen in Massachusetts' drinking water. For most cases the source of the perchlorate contamination is unknown.

[§] While DEP promotes 2004 as a particularly active year for enforcement, data is not yet publicly available for all 2004 enforcement to ascertain what DEP actually did. Enforcement statistics can fluctuate for a variety of reasons, and even a real increase over prior years where little enforcement activity took place may still leave the state underprotected.

		FY2005	Recommended FY2006 Not Including 02s and 03s	Recommended FY2006 Including 02s and 03s
2220-2220	Clean Air Act	\$899,814	\$1,325,610	n/a
2220-2221	Clean Air Act Permits	\$1,877,420	\$2,471,555	n/a



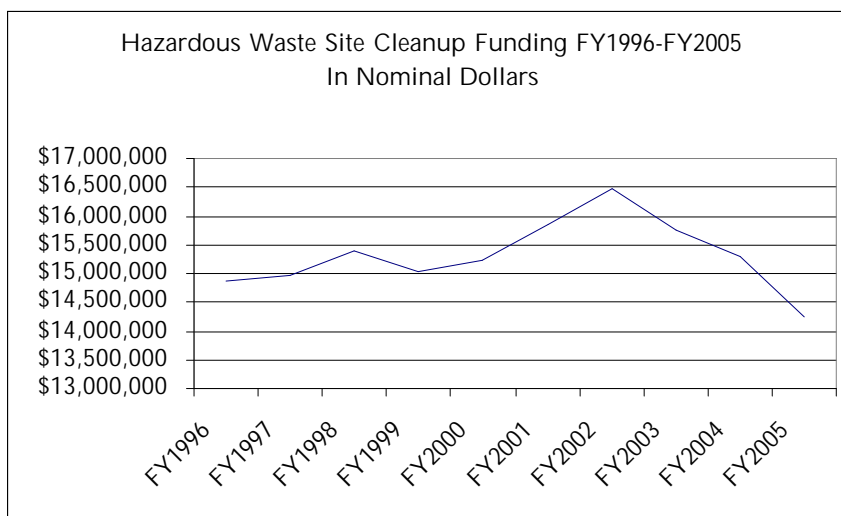
Note: The Clean Air Act Permits line item (2220-2221) did not exist prior to FY2001 and is not included in this graph.

DEP’s Clean Air Act programs are vital to monitoring air quality in Massachusetts. The results of monitoring can provide insight into pollution hotspots in the state and can have major impacts on federal and state policy decisions. The implementation of the Clean Air Act in Massachusetts encompasses air quality monitoring, the development of pollution control strategies to meet air quality standards set by EPA, mercury and acid rain reduction programs, and a permitting program for large pollution sources. Together, these programs form the basis for lowering ozone and particulate matter levels in Massachusetts and protecting the health of all of its citizens from asthma and other respiratory conditions as well as mercury. These programs have been cut dramatically in the last few years: the Clean Air Act line item has been cut 32 percent since 2001 and the Clean Air Act Permits line item has been cut 24 percent since 2002. The two programs combined have lost 30 percent of their staff.

Thanks to the commitment the commonwealth displayed in the late 1990s to promoting cleaner air, this program has recently begun to show encouraging results. The EPA announced in December that Massachusetts has now achieved attainment with fine particle air quality standards. These results must now be maintained and there is still more to do, especially as DEP has had to reduce or eliminate mercury programs because of budget cuts. In fact, the Massachusetts Health Council also announced in December that the prevalence of asthma in the commonwealth is increasing and is above the national average. In Boston, poorer communities and communities of color bear the burden of high asthma rates: Roxbury and Dorchester both have five times the state asthma incidence average. Restoring these line items will assist DEP both in building on the promising results we are beginning to see with fine particles and helping combat the rising incidence of asthma and the health and environmental threats of mercury and acid rain.

		FY2005	Recommended FY2006 Not Including 02s and 03s	Recommended FY2006 Including 02s and 03s
2260-8870	Hazardous Waste Site Cleanup	\$14,240,365	\$16,466,883	n/a

The city of Brockton is known for the number of private wells and the considerable amount of industry it contains. While many residents and DEP were concerned about the probability of drinking water contamination, the hazardous waste site discovery process was put on hold because of DEP's limited resources and its disinvestment in site discovery to save money. Since then, several residents have contacted DEP about concerns of high cancer rates in particular areas in the city. Because no site discovery was done, citizens are now even more concerned about health threats and the lack of response from DEP.



The Hazardous Waste Site Cleanup program has reduced its programming dramatically since budgets were cut four years ago. While the program's funding has been cut over 13 percent, that number does not begin to reflect the degree to which services have been cut—this program has lost 72 employees, dropping from 264 employees to 192. DEP went as far as changing the permitting process for the most toxic hazardous waste sites, called tier 1A sites, eliminating scrutiny of the plans for 1A site cleanups before a permit is issued. DEP has reduced technical assistance to municipalities and eliminated grants to communities with hazardous waste sites, which risks increasing costs: as municipalities are provided increasingly less information about complying with environmental laws, DEP must increase its efforts to clean up the environmental and public harms caused by inadequate compliance.

DEP no longer does hazardous waste site discovery, leaving communities with inadequate information about hazardous waste sites nearby. This has become a serious public health concern and has the added effect of reducing our knowledge about pollution sources that contaminate our drinking water. While DEP reacted quickly upon discovering perchlorate contamination in water supplies across Massachusetts, it is a telling example of how an active site discovery program could have caught the problem far sooner and before damage had been done. Highly contaminated sites, if not discovered, can continue to contaminate the surrounding environment, including residential and recreational areas and drinking water.

The lack of DEP oversight of hazardous waste site cleanups has left communities across the commonwealth depending too heavily on private oversight, upsetting the balance of public and private

oversight in the hazardous waste site program that had successfully cleaned up hundreds of sites throughout the commonwealth. While leaning too much on public oversight caused tremendous backlogs of hazardous waste sites, leaning too heavily on private oversight, by licensed site professionals (LSPs) hired by the owner of the site, runs the risk of improper or inadequate cleanup. Returning this line item to its FY2001 level would begin to restore needed public oversight of hazardous waste sites, and therefore lessen the threat of health and economic harms caused by hazardous waste sites in the commonwealth.

DEPARTMENT OF FISH AND GAME

	<i>FY2005</i>	<i>Recommended FY2006 Not Including 02s and 03s</i>	<i>Recommended FY2006 Including 02s and 03s</i>
<i>2300-0101 Riverways</i>	<i>\$401,147</i>	<i>\$434,719</i>	<i>\$535,000</i>

The Riverways program is one of Massachusetts’ most popular and well-known environmental programs due to its wide constituency and extensive work with local organizations and communities. The program has many aspects, but the most visible and arguably the most important is its work in developing and providing technical assistance to stream teams through its various programs: the Adopt-A-Stream program, which organizes communities, volunteers, and companies to leverage work and funding for water protection; the River Instream Flow Stewards (RIFLS) program, the first program of its kind in the nation, which assists local groups in identifying, documenting, and restoring rivers and streams that suffer from unnaturally low flows; small grants, which are provided to communities and municipalities and help leverage foundation funding for water monitoring and river restoration; and technical assistance for developing restoration plans, shoreline and watershed surveys, and planning monitoring programs. In 2004 the Adopt-A-Stream program worked with over 50 groups including 28 Stream Teams in 40 different communities, which amounted to over 285 volunteers in 18 distinct watersheds. While the RIFLS program was just created in 2003, by the end of 2004 it was already working in 8 separate watersheds with over 50 volunteers.

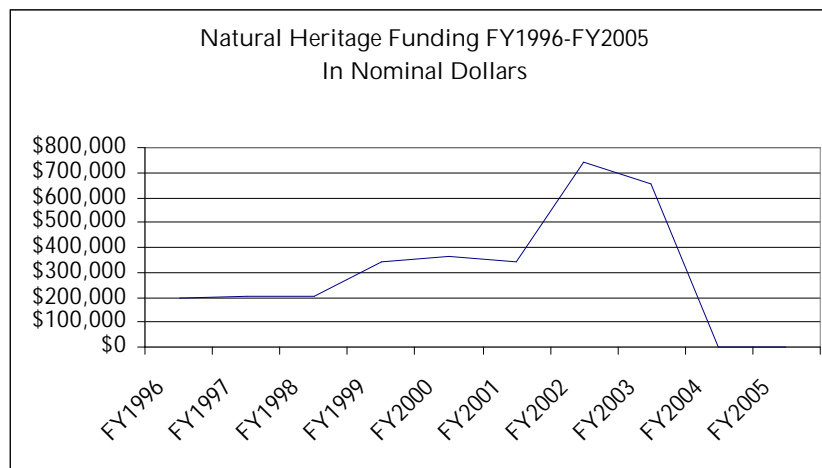
Along with this extensive local assistance, Riverways has the River Restore project, which returns impacted rivers to their natural state, improves the health of fisheries, and demolishes dams that are no longer able to serve their original purpose, saving tax dollars that would have been spent repairing them. Restoring Riverways to FY2001 funding levels would allow it to continue administering these programs and developing the RIFLS program.

The administration’s proposal to move employees paid from capital monies to the operating budget threatens two full-time Riverways employees unless the operating budget is increased accordingly. Both of these employees play a vital role in the effectiveness of Riverways. One employee, the only specialist in Massachusetts who understands the physical structures of rivers, plays such a vital role in river restoration that the loss of his expertise would impact the entire state. The other employee is the only Riverways employee in western Massachusetts and coordinates the western Adopt-a-Stream volunteers. Without the expertise and regional presence of these 03s, Riverways would be seriously hampered in providing the kind of technical assistance communities across the commonwealth have come to rely on.

	<i>FY2005</i>	<i>Recommended FY2006 Not Including 02s and 03s</i>	<i>Recommended FY2006 Including 02s and 03s</i>
2310-0301 <i>Natural Heritage and Endangered Species</i>	<i>\$0**</i>	<i>\$460,000</i>	<i>\$810,000</i>

The Natural Heritage and Endangered Species (NHES) program is the program most responsible for protecting the state’s biodiversity and ecological health. As 40 acres a day are lost to development, many communities have begun to see the effects of limited wildlife habitat—the newspapers in the last year have been full of stories of residential communities conflicting with local wildlife, from beavers to bears. This ongoing conflict signals a need to protect important habitats while we still have them and before conflicts escalate.

NHES has all but concluded two major projects, BioMaps and Living Waters, that mapped the areas in most need of protection to safeguard the commonwealth’s biodiversity. It has now started a more comprehensive project building a database that will be used for years to come. The database indicates the precise land and habitat needs of every listed endangered species for use in developing policies that protect those resources. These programs will have a tremendous effect on how well wildlife habitat is protected and how effectively we plan new development to minimize impacts.



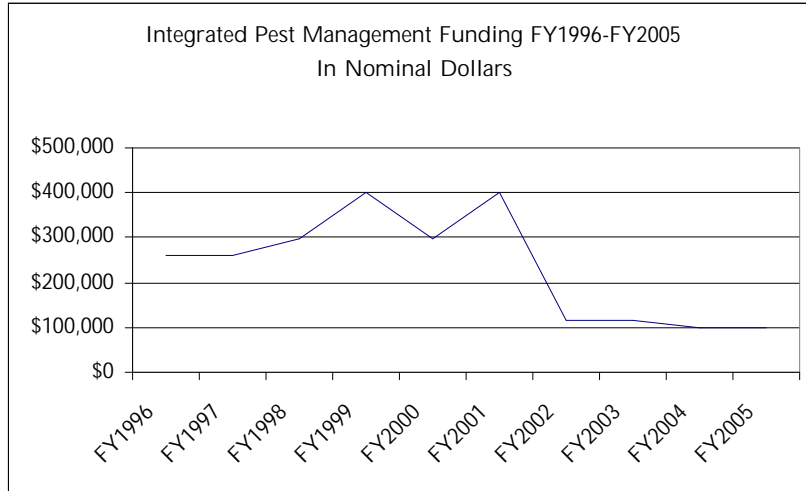
NHES has now gone two budget cycles without any funding from the general fund. Instead, the program has been left to function on personal donations on tax returns, which has amounted to less than half of what the legislature once provided in the operating budget. It is notable that 19,000 households have elected to donate to the program, demonstrating continued public support for the work NHES does.

Further, in light of the Romney administration’s proposal to require all employees currently paid from the capital budget to be paid from the operating budget, NHES is at a distinct disadvantage. This proposal threatens the jobs of 10 NHES employees, considerably jeopardizing its critical database project as well as the existing services NHES provides including biological field surveys, environmental impact reviews, and land protection. If the legislature has not provided an operating budget for NHES from which to pay these 10 employees, these employees will certainly be lost under the administration’s proposal.

** This line item was removed from the operating budget in FY2004. The amount requested by ELM represents a restoration of the line item at previously funded levels.

DEPARTMENT OF AGRICULTURAL RESOURCES

		<i>FY2005</i>	<i>Recommended FY2006 Not Including 02s and 03s</i>	<i>Recommended FY2006 Including 02s and 03s</i>
2511-3002	<i>Integrated Pest Management</i>	\$100,000	\$300,000	n/a



Pesticides are known to be toxic to humans, pets, amphibians, pollinators, birds, and aquatic life through contact with pesticides on lawns or surface or groundwater contamination. Studies have linked pesticides to a number of conditions and diseases, including prostate, brain, and pancreatic cancer; acute leukemia; non-Hodgkin’s lymphoma; birth defects, fetal death, and infertility; and Parkinson’s disease. Because of the toxicity, and because homeowners use 10 times more pesticides per acre on their lawns than are used in agriculture, Integrated Pest Management (IPM) is a crucial tool for limiting the exposure of children, families, and pets to toxic chemicals. IPM is a system of nontoxic pest management that provides alternatives to using pesticides unless pesticide use becomes absolutely necessary.

This line item also funds the data reporting requirement of the Children and Families Protection Act (CFPA). The CFPA required a data collection system for data on pesticide use in agriculture, forestry, industry, and in commercial and home settings. While a data collection system exists under this law, because of insufficient funding the system falls far short of the law’s requirements: it only requires reporting by licensed pesticide applicators, which catches a significantly limited portion of the population of pesticide users, and it does not collect data in a functional format for data analysis. Restoring this line item to FY2001 levels will allow DAR to put more emphasis on IPM training and education and will allow DAR to look more closely at the data collection system and provide some resources for updating it.

DEPARTMENT OF ECONOMIC DEVELOPMENT

		<i>FY2005</i>	<i>Recommended FY2006 Not Including 02s and 03s</i>	<i>Recommended FY2006 Including 02s and 03s</i>
7007-0210	<i>Brownfields Redevelopment Fund</i>	<i>\$0^{††}</i>	<i>\$30,000,000</i>	<i>n/a</i>

Brownfields are contaminated sites that are now abandoned or for sale, but historically were used for industrial or commercial purposes. The legislature saw the wisdom of encouraging redevelopment of these unused sites and in 1998 passed the Brownfields Act. The Act created a Brownfields Redevelopment Fund that encourages reuse of brownfields in economically distressed areas by providing flexible, low-cost financing. Financing can be applied to brownfields site assessments or remediation. To date, the state has provided financing for both purposes in dozens of communities across the Commonwealth.

Thirty million dollars was initially appropriated for the fund at the time the Act was passed. Approximately \$4 million remains in the fund and the time has come to recapitalize the fund so that these contaminated sites can continue to be assessed and remediated and once again become a part of the fabric of our communities. The recommended amount for this program would be a one-time infusion of funds that could be expected to reinvigorate the Brownfields Redevelopment Fund for the next three to five years. It would ensure that the Brownfields Act continues to assist economic development in areas in most need of redevelopment and relieving communities of brownfield blights.

TOXICS USE REDUCTION ACT

		<i>FY2005</i>	<i>Recommended FY2006 Not Including 02s and 03s</i>	<i>Recommended FY2006 Including 02s and 03s</i>
2020-0100	<i>Office of Technical Assistance (OTA)</i>	<i>\$1,299,323</i>	<i>\$1,314,914</i>	<i>n/a</i>
2210-0100	<i>DEP TURA</i>	<i>\$918,782</i>	<i>\$1,010,168</i>	<i>n/a</i>
7100-0300	<i>Toxics Use Reduction Institute (TURI)</i>	<i>\$1,225,217</i>	<i>\$1,239,919</i>	<i>n/a</i>

These line items implement the Toxics Use Reduction Act (TURA) within EOE, DEP, and the Department of Higher Education. TURA is a vital program for pollution prevention and public health protection. It also saves the commonwealth money in the long term with reduced cleanup costs and saves businesses money in hazardous waste cleanup, disposal, and other costs. Line items 2020-0100 and 7100-0300 require at least a modest increase for FY2006 just to keep up with inflation. For DEP, line item 2210-0100 has taken a 9 percent cut since 2001. This program at DEP certifies toxic use reduction planners; compiles, analyzes, and establishes data on the use of toxic chemicals; and enforces TURA. Without sufficient funding the hundreds of companies regulated by TURA will not receive either sufficient oversight or assistance in reducing their use of toxics. These line items constitute the heart of TURA and adequately funding these programs will continue TURA's progress and success.

^{††} The FY2006 recommendation for this line item is replenishing a fund created in 1998, in which only \$4 million remains. No appropriation was made in FY2005.

To assist the legislature in providing these appropriations, the TURA Fund should be reinstated. Fees paid by industries were meant to ensure that companies receive assistance from TURI and from OTA to adopt toxic use reduction strategies and to properly report toxic chemical use. However only a portion of the fees paid for TURA have actually been appropriated to these three programs. Access to those dedicated funds would guarantee continued adequate service to industry and would allow these programs to expand to assist companies in further toxic use reduction or to employ environmental management practices that would make Massachusetts' industries more competitive in the global market.

ORGANIZATIONS THAT SUPPORT THE FY2006 GREEN BUDGET

Appalachian Mountain Club
Association of Massachusetts Wetlands Scientists
Bay Circuit Alliance
Berkshire Environmental Action Team
Berkshire Initiative for Children's Environmental Health
Berkshire Natural Resource Council
Boston GreenSpace Alliance
Charles River Conservancy
Charles River Watershed Association
Clean Water Action
Environmental Defense
Environmental League of Massachusetts
Essex County Greenbelt Association
Essex County Trail Association
Friends of the Blue Hills
Friends of the Middlesex Falls
Friends of the Muddy River
Housatonic River Restoration
Island Alliance
Massachusetts Association of Conservation Commissions
Massachusetts Audubon Society
Massachusetts Land Trust Coalition
Massachusetts Watershed Coalition
Nashua River Watershed Association
Neponset River Watershed Association
North and South Rivers Watershed Association
Salem Sound Coastwatch
Saugus River Watershed Council
Sheffield Land Trust
Sierra Club, Massachusetts Chapter
Sudbury Valley Trustees
Taunton River Watershed Alliance
Trust for Public Land



Please address any questions regarding the Green Budget to Megan Amundson at MAmundson@EnvironmentalLeague.org.

The Environmental League of Massachusetts is an independent, nonprofit, citizens' organization dedicated to protecting the Massachusetts environment by bringing about strong, responsible public policies. ELM has been carrying out a program of policy development, legislative advocacy, "watchdog" work on the implementation of environmental laws, and public education for over 100 years.

14 Beacon Street, Suite 714
Boston, MA 02108
Phone: 617-742-2553
Fax: 617-742-9656
elm@environmentalleague.org
www.EnvironmentalLeague.org