



## **Environmental Bond Bills Go to Conference Committee**

### **Legislation Would Provide Funding for Environmental and Climate Resiliency Programs**

**Please Call Your Legislators to Oppose New Unfunded Solid Waste Mandates on Cities and Towns, and Preserve Flexibility on Local Land Use Transfers**

July 19, 2018

Dear Chilmark Selectmen,

As the formal legislative session is coming to a close, the House and Senate have both passed Environmental Bond bills that would provide over \$2 billion in capital investments, fund environmental programs, and increase resilience in our cities and towns and the Commonwealth. A conference committee is now tasked with negotiating a final bill before the end of the formal legislative session on July 31.

This legislation provides funding for the Municipal Vulnerability Preparedness program, the Massachusetts Electric Vehicle Incentive Program, the Complete Streets Program, the Clean Water Trust and other important environmental programs that benefit cities and towns by investing in our infrastructure and improving air and water quality.

However, several policy changes in the legislation would negatively impact cities and towns. Please call your legislators to weigh in on the following sections:

**Please urge your legislators to oppose solid waste mandates on communities and taxpayers**

A provision in the Senate bill (Section 101 of S. 2602) would impose costly new unfunded mandates on cities and towns, requiring communities to meet aggressive waste reduction targets. In addition to the unaffordability of this provision, the proposal would increase the administrative burden on municipalities through new requirements. This language would direct the Department of Environmental Protection to establish performance standards for the reduction of municipal solid waste and would require municipalities to report information on solid waste disposal annually.

Please call on your legislators to oppose this unfunded mandate. Cities and towns are currently facing significantly increased recycling costs, due to a policy change in China and other shifts in global and regional recycling markets. Rather than legislation that imposes unfunded mandates on municipalities and their taxpayers, the MMA supports additional study to examine municipal solid waste and recycling operations and the impact of the changing markets, so that we can have a common local-state partnership in addressing the rising cost of recycling and solid waste management.

**Please urge your legislators to oppose implementing statutory restrictions on local land use transfers**

The MMA opposes a provision in the Senate legislation (Section 71 of S. 2602), which would codify a specific process for Article 97 land use transfers, sometimes known as the Public Lands Preservation Act. This proposed PLPA language would place in statute a legal requirement that municipalities proposing a disposition or change in use of Article 97 natural resource land must mitigate the loss by providing comparable replacement land, resulting in no net loss in protected land, and undergo a process with the Executive Office of Energy and Environmental Affairs that would include a feasible alternatives study and a review of the replacement land.

There is already a process in place for local land use transfers that works well and allows for flexibility, established by a 1997 amendment to the state's constitution. Rather than imposing strict and one-size-fits-all language, a better alternative would be a collaborative review of the existing Article 97 Land Disposition Policy with the goal of clarifying the process for municipalities to follow when submitting proposals for Article 97 land dispositions. The MMA feels that the best solution is to update and clarify the current policy, rather than making statutory changes.

[Click here to view MMA's letter to the conference committee.](#)

**Please call your legislators and ask them to oppose policy changes in the Environmental Bond Bill that would negatively impact cities and towns.**

**Thank You!**