sun-sentinel.com/news/opinion/fl-jmcol-epa-budget-cuts-mintz-0324-20110322,0,2310805.story

South Florida Sun-Sentinel.com

Joel Mintz: U.S. House-approved EPA budget cuts threaten environmental devastation

By Joel Mintz

March 22, 2011

The U.S. Environmental Protection Agency, which has brought us cleaner air and water over the past four decades, is once again under attack. It's long been a target of polluting industries and their supporters, upset with what they view as excessive government regulation, and now the strategy is to slash the EPA's budget, saving a few bucks at the expense of potentially severe environmental and health consequences.

To put the proposed cuts in perspective, consider that the EPA's budget today is about one-tenth of one percent of federal expenditures. That makes it hard to take seriously the claim that the cut is about reducing the deficit. That aside, it's important to understand how poorly funded EPA has been historically, how its present budget is working out and the likely effect of cutbacks.

EPA has been chronically underfunded for many years. As early as 1980, John Quarles, the agency's first deputy administrator, observed that "In the nine years of EPA's existence, its manpower has roughly doubled while its responsibilities have been multiplied by a factor of twenty. ...Today, it cannot perform its workload." Bad as it was in 1980, the situation worsened during the 1980s and 1990s. In the early '80s, EPA's budget was cut severely, then it rebounded to 1979 levels within one year. Yet during the same period, EPA's responsibilities — as measured by the laws passed by Congress — grew enormously, and growth in the U.S. economy vastly expanded the number of industrial pollution sources subject to EPA regulation. Although nominally unchanged, the EPA's working budget also effectively decreased during the late 1990s and most of the 2000s because Congress repeatedly mandated cost of living pay raises for federal employees without appropriating any extra funds. Thus, at low levels of visibility, EPA has long been forced to operate "on a shoestring," significantly hampering its ability to carry out its public responsibilities.

Unmoved by that history, GOP leaders in the House of Representatives put together and passed a funding bill for the remainder of the fiscal year that would devastate nearly every facet of EPA's work. The measure would reduce the EPA's budget by an astounding \$3 billion, cutting it 29 percent from 2010. And while they were at it, the House included a provision to permanently suspend EPA's ability to regulate the greenhouse gas emissions that result in climate change.

The Senate will now work on its version of the bill, and it's important that they take a far different path.

House leaders would have us believe they're cutting fat from the budget. In fact, they're taking dead aim at nerves, muscles, and vital organs. EPA's existing regulations — and their enforcement — provide vital protections against emissions of toxic air and water pollutants, contamination of public water supplies, the abuse of dangerous pesticides, exposure of school children to asbestos, releases of poisonous chemicals from abandoned hazardous waste dumps, and the destruction of fish, shellfish, and other aquatic life.

If the House-proposed EPA budget cuts — or anything anywhere close to them — are enacted into law, EPA's ability to implement all of those protections (along with other important facets of its work) would be

very severely restricted. The EPA might well be forced to reduce the size of its already overburdened work force, making it all the more difficult to enforce environmental laws. EPA's crucial contributions to protect vast natural resources and ecosystems — including those in the Gulf of Mexico, Great Lakes, Chesapeake Bay, San Francisco Bay, Puget Sound, and Long Island Sound will also be dramatically reduced. Moreover, EPA would need to cut back extensively on its annual grants to state environmental agencies, entities with important environmental responsibilities that — in many instances — are struggling with significant budgetary problems of their own and thus need federal help.

In sum, this ill-conceived, ideologically driven cut in EPA's budget passed by the House would do extraordinary damage to a vitally important and already resource-starved agency. As Russell Peterson, the late former Governor of Delaware, once pointed out: Just as governments have budgets to balance, nature has a budget all its own. If we balance our governmental budgets, but fail to balance nature's, we do so at our peril.

Now that the House has taken its whacks, the Senate and the President must insist on minimizing greatly — if not eliminating altogether — the destructive, ill-conceived cuts that the House has proposed. The stakes could not be higher. Let's hope reason prevails.

Joel Mintz is a professor at Nova Southeastern University Law Center and a member scholar of the Center for Progressive Reform.

Copyright © 2011, South Florida Sun-Sentinel