



GREEN SHEET | New York

A Publication of Environmental Advocates of New York • JANUARY/FEBRUARY 2009 Vol. 14, No. 1



**ENVIRONMENTAL
ADVOCATES OF NEW YORK**

YOUR GOVERNMENT WATCHDOG

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STATE OF GREEN

241—Scientists, engineers and enforcement officials cut from the DEC by Governor Paterson

\$50,000,000—Gov's proposed cut to the Environmental Protection Fund

10—Years since New York's air pollution fees were updated

\$12M—Money lost by not updating air pollution fees

\$0—Proposed increase in air pollution fees by Governor Paterson

\$10M—Tax breaks for dirty bunker fuel

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- Staff News
- Director's Chair
- 2009 NYS Legislative Priorities
- 40th Anniversary

State of the (NY) State

The 2009 New York State Legislative Session is officially underway, and anything is possible.

BAD NEWS BUDGET

First, the bad news. Governor Paterson's 2009-2010 budget proposal includes big cuts to the Environmental Protection Fund and will result in the loss of 241 critical staff at the Department of Environmental Conservation.

And last year, the Governor made a 20 percent reduction to the Fund appropriation, from \$255 million to \$205 million. Additional cuts this year will derail hundreds of projects that range from conservation and recycling to public health and water quality across the state.

To continue protecting the environment in the face of the state's fiscal crisis, we uncovered a few revenue-generating steps for New York. For example, updating Title V air pollution fees and repealing tax breaks for dirty bunker fuel could help fill the budget hole.

MAKE POLLUTERS PAY

The Governor's budget proposal fails to update the fees polluters are required to pay on air pollution or move the burden of paying these fees from taxpayers to polluters, as mandated by federal law.

Making polluters pick up the tab could save New York tens of millions of dollars next year—money that could be used to protect the state's primary environmental agency from staff cuts.

An update for these fees is long overdue and could result in up to \$12 million in

new revenue.

Environmental Advocates isn't the only group that wants a Title V update. Last March, the U.S. Environmental Protection Agency expressed concern that New York's Title V program fees do not adequately cover the cost of running the program. Failure to update the fees could result in sanctions such as loss of state authority to run the program or monetary sanctions that could hurt New York as the federal economic stimulus package is being discussed.

TAX BREAKS FOR BIG POLLUTERS

As we highlighted in our report, *Saving Green: Addressing New York State's Fiscal Crisis & Protecting the Environment*, under current state law sales of bunker fuel, a leftover sludge that powers cargo ships and is responsible for 43 percent of port-area air pollution, are tax exempt. Burning this fuel releases harmful gases including the main contributors to acid rain and smog, which are both linked to health problems such as asthma. New York's bunker fuel sales are on the rise, while other states are reducing the use of this dirty fuel and its pollution.

The bunker fuel tax break is a fiscal hit the state cannot afford. Over the last five years, New York has lost millions of dollars annually as a result of the tax exemption.

MONEY BETTER SPENT

Repealing the bunker fuel tax break and making polluters pay could generate revenue to help protect the Department of Environmental

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STAFF NEWS

Environmental Advocates of New York welcomes Ellen Donovan as our new Development Director. Ellen now oversees all of the organization's fundraising activities. She maintains relationships with our donors, members and supporters across the state.

Prior to joining Environmental Advocates, Ellen served as the Assistant Director of Stewardship for the Roman Catholic Diocese of Albany, which includes 175 parishes spread throughout 14 counties. At the Diocese, she designed, implemented and managed annual fundraising campaigns and stewardship programs across the state.

And before joining the Diocese, Ellen was the Assistant Director of Corporate and Foundation Relations for the University at Albany.

Ellen has a M.S. in Communications Management from Simmons College and a B.A. in English from the University of Scranton.



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DIRECTOR'S CHAIR

Just as President Barack Obama has brought the spirit of change and hope to the nation, a Democratic Majority in the New York State Senate has brought an opportunity for change to Albany.

Although New York and the country face a flagging economy and other challenges, I'm energized by the opportunities on the horizon. And the possibility of advancing environmental protection and clean energy is stronger than ever before.

In the State Capital, Environmental Advocates is poised to push an ambitious agenda. Legislation previously supported in the Assembly that has never made it through the Senate has new life.

Capping global warming emissions will be at the top of that list. Last year we convinced 33 State Senators to sponsor this legislation. This year we know it's just a matter of new Senate leadership allowing those votes to be cast on the Senate floor.

Also among our priorities is a bill that would open the door for citizens to challenge decisions under the State Environmental Quality Review Act. Currently, New Yorkers are restricted in their ability to challenge these decisions. This bill has long languished in the Senate, but now New York has the chance to right this wrong.

Another cause for celebration, and concern, is the federal economic stimulus package. On the upside, the government is preparing to invest billions of dollars in much-needed "green" infrastructure.

If the stimulus is passed, everything from clean energy generation, energy efficient building retrofits, mass transit and water infrastructure will receive assistance. The package is a reflection of the president's vision for the future. And based on what we see, this vision includes protecting the environment and helping to stop global warming.

The federal government is likely to leave some of the discretion to the states on how to spend these dollars. In New York, that's a mixed blessing. While we've got an excellent record of responsible spending on clean energy and efficiency, Environmental Advocates has concerns over infrastructure spending (see our reports: *Wa\$ted Green* and *Saving Green*).

Rest assured, we're talking with state officials to make sure these dollars are used wisely to jump-start our economy and environmental protection. The stimulus package will do great things if properly managed. It's an once-in-a-lifetime opportunity to start moving our state to sustainability.

A special thanks to our members who took time to contact their representatives in Washington, D.C. and added their voices to the stimulus debate.



CONTINUED FROM PAGE 1

STATE OF THE STATE

critical programs that safeguard New Yorkers statewide.

ENERGY IS JOB 1

There's also some good news. In his State of the State address, the Governor called for a clean energy plan and support for schools, hospitals and universities, as well as homeowners and small businesses, to become more energy efficient.

Governor Paterson recommitted to realizing New York's preexisting goal to reduce energy consumption 15 percent by 2015 and to expand the state's commitment to renewable energy.

He highlighted the role that installing energy efficiency retrofits will play in the state's economy by increasing investments in workforce training. According to the Governor, these efforts will create 50,000 jobs.

Any way you look at it, the 2009 New York State Legislative Session is sure to keep us on our toes. Stay tuned, we'll keep you posted on key environmental measures as they move through the Legislature this year.

Environmental Advocates of New York has identified our legislative priorities for the year. Here are a few of the key measures we support, because each bill, if passed, would do a great deal to protect the state's, air, land and water while helping reduce the pollution that is changing our climate.

The **Bigger, Better Bottle Bill** would update the state's bottle deposit law to expand the definition of "beverage" to include non-carbonated drinks other than milk and liquor, and direct unclaimed deposits to the Environmental Protection Fund.

The **Greenhouse Gas Pollution Control Act** would direct New York State's lead environmental agency to develop programs that would reduce statewide greenhouse gas emissions 80 percent by the year 2050.

The **Environmental Access to Justice Act** would restore the legislative intent of the State Environmental Quality Review Act (SEQRA) by allowing groups or individuals to challenge SEQRA decisions if they can show they will suffer harm as a result of a project's environmental impact.

Maintaining staff at the **Department of Environmental Conservation** is also among Environmental is also among Environmental Advocates' top priorities, especially in light of the Governor's budget proposal and state agency-wide hiring freeze. We are particularly concerned that staff lost at the agency could jeopardize New York's efforts to provide proper oversight of natural gas drilling in the **Marcellus Shale Formation**.

To see a complete list of our priorities for the 2009 season, visit www.eany.org.

New Senate Committee Assignments

Control of the New York State Senate has been turned over to Democrats for the first time in decades. These leadership changes will bring a fresh perspective and new energy to the Senate's Environmental Conservation and Energy & Telecommunications Committees.

Senator Antoine Thompson (D-Buffalo) replaces Senator Carl Marcellino (R-Oyster Bay) as the chair of the Environmental Conservation Committee. Senator Thompson was instrumental in fixing tax credits related to the state's Brownfield Cleanup Program to ensure cleaner cleanups and more balanced incentives for developers. Last year, Senator Thompson also inspired many of his colleagues to cosponsor legislation he introduced that would require New York to reduce global warming pollution from all sources by 80 percent by the year 2050.

Senator Kevin Parker (D-Brooklyn) replaces Senator George Maziarz (R-Wheatfield) as the chair of the Energy & Telecommunications Committee. Senator Parker's work in the Energy Committee includes ensuring that the state's environmental protection and clean energy goals are aligned.

Environmental Advocates looks forward to working with the New York State Senate this year.

40TH ANNIVERSARY

In the late 1960s, a group of activists got together and Environmental Advocates of New York was born.

Back when we got started, people who cared about the environment didn't have anyone working on their behalf in the State Capital. Some of our rivers, lakes and streams were so polluted that people swam and fished at their own risk. New Yorkers in some parts of the state couldn't trust their drinking water. The Adirondacks were threatened by logging. And air pollution in New York City was off the charts.

Our founding members saw a need to change what was happening and brought people together from every corner of the state to speak with one clear voice and demand change, if not for ourselves then for our children. And that's what we're still doing today.

For the rest of the year, we'll introduce you to a little bit of our history in every issue of *Green Sheet New York*.

Help Environmental Advocates celebrate our 40th Anniversary by visiting www.eany.org to donate \$40 for 40 years of environmental protection.



BECOME AN ENVIRONMENTAL ADVOCATE TODAY!

Stay up-to-date on statewide environmental issues by becoming a member of Environmental Advocates of New York for just \$35. Membership includes a subscription to our bi-monthly *Green Sheet New York* newsletter and a copy of EPL/Environmental Advocates' annual *Voters' Guide*.

Please be sure to include your address with your payment. For more information, contact **Margaret Fandrich at 518.462.5526, ext. 236.**

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