

## Keep Watching

New York State's regulatory agencies are not as transparent as they once were. Many decisions being made at the regulatory level that have profound consequences for environmental policy are not publicly vetted, or even publicly acknowledged. The problem is compounded by a number of facts and trends, among them: a growing presence of industry lobbyists where regulatory decisions are being made, an overarching executive policy goal of making the agencies business-friendly, a culture of secrecy in the executive branch, and a shift of responsibility for environmental protection from the federal to the state level.

That's why Environmental Advocates of New York (EANY) has launched a new Regulatory Watch program designed to increase the environmental movement's scrutiny of key state agencies. The program will begin by concentrating on three areas:

**Agency budgets:** The creation of New York's annual state budget has increasingly become a battleground, marked by late budgets and major policy decisions being made as part of the bitterly partisan budget process. One arcane result of this trend has been the artful and purposeful obscuring of what lies behind budget figures. EANY's new program will work to develop a clearer picture of how environmental programs are being staffed, what essential services are being outsourced and whether or not the purposes set out in specific legislation are being carried out.

**Field staff:** Agency staffing has been reduced significantly in the past decade; hundreds of positions have been eliminated in the Department of Environmental Conservation alone. Some of the work that was done by these employees is now performed by outside contractors. But it is clear that the larger percentage of these layoffs resulted in a dramatically reduced staff, especially for in-the-field enforcement.

**Enforcement:** The largest polluters are frequently the beneficiaries of the policy dubbed compliance assistance, the regulatory reform alternative to enforcement, even as the smaller mom and pop businesses — who could benefit most from a true compliance assistance program — fill the enforcement dockets.

For more information on EANY's new program, contact Regulatory Watch Project Director Karen De Vito at 518-462-5526 ext. 235 or email [kdevito@eany.org](mailto:kdevito@eany.org). \*

## On the Alert

■ **Hearing Aid:** Recent changes to Clean Air Act weaken new source review (NSR) requirements, the part of the federal law that requires old grandfathered power plants to meet modern pollution standards when they expand or modify. In the proposed NSR rule, the US Environmental Protection Agency (EPA) states it will hold one public hearing, if requested, in North Carolina. The hearing will take place about 30 days after publication of the rule in the Federal Register, most likely in mid-January. The hearing will be officially noticed 21 days after publication. Send letters to Dave Svendsgaard, Information Transfer and Program Integration Division (C339-03), US EPA, Research Triangle Park, NC 27711, or to [svendsgaard.dave@epa.gov](mailto:svendsgaard.dave@epa.gov), or call 919-541-2380. For more information, contact Anne Reynolds, EANY, at 518-462-5526 ext. 238 or [areynolds@eany.org](mailto:areynolds@eany.org).

■ **Shoot First:** A bill has been introduced in the state Legislature that mirrors the Bush Administration's Health Emergency Powers Act, designed to combat bioterrorism. Critics of the law cite three areas of major concern: required vaccinations for all US citizens, freedom from liability for pharmaceutical companies, and confiscation and possible destruction of personal property without compensation if considered contaminated. Many citizens concerned about health and the environment would prefer to avoid vaccines for themselves and their children. The state versions of the law, A.9508/S.5841-A, is currently being reviewed by the Senate and Assembly Health Committees. Contact your state legislators and urge them to protect civil liberties.

■ **Water Ways:** The Bush Administration is set to announce a new rulemaking that could strip federal Clean Water Act protections from many of the nation's streams and wetlands. The new rules would exclude intermittent and ephemeral streams, small tributaries and wetlands adjacent to those waters from coverage under the 30-year old law. Giving polluters and developers free rein means states and localities will have to

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**Environmental Advocates of New York** is a non-partisan public interest organization working since 1969 on a comprehensive agenda of issues designed to oppose threats to the environment, to preserve natural resources and human health, and to fight for high drinking water and air quality standards.

#### To Contact Elected Officials:

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518.474.8390  
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New York State Senate  
Albany, NY 12247  
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New York State Assembly  
Albany, NY 12248  
518.455.4100  
[www.assembly.state.ny.us](http://www.assembly.state.ny.us)  
US Capitol Switchboard  
202.224.3121

pay the tab for the toxic cleanups, drinking water contamination, flooding and declining recreation value of their streams and wetlands. Urge your Congressional representatives to reaffirm the law by sponsoring or voting for the Clean Water Authority Restoration Act (S 2780/HR 5194 in the last Congress). This bill is expected to be re-introduced in the new Congress. For more information, contact American Rivers at 202-347-7550.

■ **TEA Time:** Congress will renew the federal surface transportation law, TEA-21, this year. It allows states, regions, communities and the public ways to use federal transportation funds to achieve broader objectives, like livable communities, urban revitalization and clean air. The highway lobby will be out in force to support the usual road funding. One-size-fits-all highways do not serve our communities. Tell your congressional representatives that TEA-3 must increase the share of funding for walking, biking and transit and allow more local control over how transportation dollars are spent. Visit [www.antic.net](http://www.antic.net) for the latest information on TEA-3 and action alerts.

# The Month Ahead



## January

**1:** 13th Annual Traditional New Year's Day Environmentalists Walk, coordinated by Protectors of Pine Oak Woods and Natural Resources Protective Association. Gateway National Recreation Area. 12:00PM-2:30PM. Call Dick Buegler at 718-761-7496.

**8:** *This Fine Piece of Water with Tom Anderson*, a discussion of the environmental history of the Long Island Sound and what is being done to save it presented by the Bedford Audubon Society. Katonah Village Library. 7:30PM. Call Ginny Powers at 914-764-4320.

**8:** Last day to submit comments on the proposed Millennium Pipeline, a gas pipeline that will run from Ontario, Canada to Westchester, NY. Email comments to the Department of Commerce at millennium.comments@noaa.gov. See [www.numb-in-ny.org](http://www.numb-in-ny.org) for details.

**11:** 25th Annual Winter Living Celebration, hosted by the Rogers Environmental Education Center. Exhibits, outdoor recreation music, storytelling and more. REEC, 2721 State Highway 80, Shelburne. 11:00AM-4:00PM. Call 607-674-4017 or email: rogers@gw.dec.state.ny.us.

**13-17:** *An Organic Approach to Turfgrass Management*, offered by the Western NY Society for Organic Horticulture and the Cooperative Extension Associations of Monroe and Erie Counties. Genesee Community College, Batavia, NY. Contact Al Festaiuti at 716-741-3372 or [abland98@aol.com](mailto:abland98@aol.com).

**14:** Public hearing on future of the Tappan Zee Bridge and I-287. Sleepy Hollow High School. Also: 1/15 at Palisades Mall and 1/16 at Orange County Community College. All hearings: 4:00PM-9:00PM. Call Sher Chorost, GUARD, at 914-524-0002.

**15:** *Community Call to Providers*, the North Brooklyn Asthma Action Alliance's (NBAAA) General Meeting. Woodhull Medical & Mental Health Center, 760 Broadway, 10th Floor Solarium, Brooklyn. 8:00AM-1:00PM. Breakfast and lunch will be served. RSVP to 718-630-3201 or 718-963-7916.

**21:** *Containment: Life After Three Mile Island*, showing of film directed by Nick Poppy, a resident of Middleton, PA during the 1979 near-meltdown at Three Mile Island. After the film, Kyle Rabin of Riverkeeper will speak on the campaign to close Indian Point. Puffin Cultural Forum, 20 East Oakdene Avenue, Teaneck. 7:00PM. Call Kathy Urffer at 201-968-0808.

**23:** *The Future of Indian Point*, a discussion presented by Saw Mill River Audubon,

Westchester County, the New Castle League of Women Voters and Chappaqua Library. Free. Chappaqua Library Theater, 195 S. Greeley Avenue. 2:00PM. Call 914-666.6503.

**25-26:** *Celebrating Organic Community: Organic Growing Techniques, Local Marketing Ideas, Land Ownership Strategies*, the Northeast Organic Farming Association of NY's 21st Annual Education Conference. Crowne Plaza Hotel & Conference Center, Albany. Call Mayra Richter at 518-734-5495.

**26:** *Eagles Over The Hudson*, sponsored by the Teatown Lake Reservation. See eagles fishing for their breakfast at Croton Point. Dress warmly and bring binoculars. Also: 3/1. Limited to 15 adults. Teatown Lake Reservation. 9:00AM. Call 914-762-2912 ext. 17.

**28-29:** *Innovations in Agriculture*, sponsored by the NYS Energy Research and Development Authority. Network with innovative farmers from across the state who are developing energy-efficient systems to cut energy costs, manage farm wastes, improve productivity, add value to farm products and increase farm profitability. Call 1-866-NYSERDA or email: [agriculture@nyserda.org](mailto:agriculture@nyserda.org).

**31:** Environmental Debates for High School Students. Debate an individual's right to the use of property vs. the needs of the community, genetically engineered food, nuclear energy and more. 6:00PM-9:00PM. More details TBA. Contact Riverkeeper at 800-21-RIVER or [info@riverkeeper.org](mailto:info@riverkeeper.org).

## For Your Information



**Plowing Ahead:** A new study by the American Farmland Trust (AFT) highlights trends in the loss of farm and ranch land across the country. *Farming on the Edge* identifies three regions of New York among the top 20 most threatened farming regions in the country – the Hudson Valley, Finger Lakes/Lake Ontario Plain and eastern Long Island. In the face of these growing threats, AFT has worked with Environmental Advocates of New York, Scenic Hudson, state Soil and Water Conservation Districts and the NY Farm Bureau to promote common interests in the state's farms and farmers through the Keep Farms Growing coalition. For more information, call 518-581-0078 or visit: [www.farmland.org](http://www.farmland.org).

**Cool Issue:** In an effort to combat global warming at the local and personal level, the September/October issue of *Westchester Environment*, Federated Conservationists of Westchester County's newsletter, is devoted to highlighting some concrete steps that can and have been taken to reduce energy consumption, increase efficiency and move towards locally generated renewable sources. The issue is available online at: <http://fcwc.org/WEArchive/091002/index.htm>.

**What's the Point:** *Nowhere to Run* is a new 21-minute documentary on Indian Point produced for the Indian Point Safe Energy Coalition. The film explains all aspects of the issue, including the plant's troubled operational history, security from terrorist attack, the evacuation plan and the potential economic impact of closure and energy production from environmentally friendly sources. It includes interviews with many experts, including nuclear engineers and scientists, elected officials, emergency service planners and emergency medicine physicians. Copies are available from Clearwater on loan for gatherings, or it can be purchased for \$14 (includes shipping). Contact KC at 845-454-7673 ext. 101 or [kc@clearwater.org](mailto:kc@clearwater.org).

**Book Ends:** In *When Smoke Ran Like Water*, world-renowned epidemiologist Devra Davis confronts the public triumphs and private failures of her lifelong battle against environmental pollution. She shows how environmental toxins contribute to human diseases, including breast cancer, cardiovascular disease, asthma and emphysema, and how these toxins affect the health and development of the heart, lungs and reproductive system. *When Smoke Ran Like Water* is available at most bookstores.

## Activists' Corner

**On the Waterfront:** The New York/New Jersey waterfront is rapidly changing, with private development proceeding at a gold rush pace and public agencies leasing out dozens of key parcels. The Metropolitan Waterfront Alliance (MWA) is a growing network of organizations and concerned individuals dedicated to helping this region reclaim and reconnect to its greatest natural resource—the harbor, rivers and estuaries of metropolitan New York and New Jersey.

MWA works through education, grassroots organizing and media advocacy to include the public's voice and values in the decision-making process.

MWA's current projects include *Blue Links for NJ and NY*, creating a network of waterborne transportation connections linking the communities and attractions on the waterfront, and *The Nation's Gateway*, an attempt to connect the various natural and historic attractions scattered around the harbor.

For more information, visit MWA at: [www.waterwire.net](http://www.waterwire.net), or call 800-364-9943.



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