



30 Broad Street – 30th Floor
New York, NY 10004
212-361-6350
politics@nylcv.org
www.nylcv.org

2016 Environmental Candidate Questionnaire

CAMPAIGN CONTACT INFORMATION

Candidate Name: Felix W. Ortiz

Office Sought (district if applicable): Assembly District 51

Facebook Page: Felix W. Ortiz

Twitter handle: FelixWOrtiz

1. Please share your accomplishments or experiences that indicate your commitment to advancing a pro-environment agenda. These experiences may be professional or personal.

I have continued my awareness of and interest in the environmental issues that New York faces and participate in the NYS Caucus of Environmental Legislators and the National Caucus of Environmental Legislators.. I support these group's effort to urge EPA to adopt stronger national standards to cut climate-disrupting power plant pollution. My interest in preserving the state's natural resources and the health of our communities has grown over the years and has led me to become more involved as a legislator and to develop my own legislative agenda that I feel is responsive to the needs and interest of my constituents in Brooklyn. This year I have reintroduced several pieces of legislation that seek to improve the state's environment and the quality of life for New Yorkers. Notable among them are a \$2 billion urban restoration bond act (A3503) to fund capital projects to improve the state's infrastructure, the Electric Super Highway Act (A4980A) to encourage the use of electric vehicles and thereby improve air quality, and A1089 to expand freight rail service within the state. I am a firm believer in improving our environment by using the cleanest forms of transportation and industry possible.

Please indicate your level of commitment to, and if applicable your recent personal and professional activity with respect to, the following issues:

(To ensure your responses address the issues NYLCV and its partners are most concerned about, please review [NYLCV's 2016 State Policy Agenda](#))

2. Ensuring adequate funding for the environmental agencies and programs

I voted for the 2016-17 state budget that included \$1.4 billion for environmental agencies and programs. This includes \$300 million, the highest funding level to date, for the Environmental Protection Fund (EPF) The Environmental Protection Fund (EPF) provides funds for a variety of environmental initiatives including: municipal recycling, waterfront revitalization, open space protection, including land acquisition and farmland protection, water quality improvement projects, and support for Soil and Water Conservation Districts.

3. Addressing the causes and effects of climate change (e.g., clean energy and emission controls)

I am the Assembly sponsor of the Fossil Fuel Divestment Act ([A.8011-A/S.5873](#)), which would require the State Comptroller to divest the New York State Common Retirement Fund from all holdings in the 200 largest publicly traded fossil fuel companies, as defined by carbon content in the companies' proven oil, gas, and coal reserves (the CU 200). Divestment from coal companies would be completed within one year; divestment from all other fossil fuel companies would be completed by January 1, 2020. Failure to do so exposes the Fund to increasing levels of financial risk associated with the unburnable carbon in these companies' reserves, and is incompatible with our goals of moving toward a sustainable, clean-energy future. My Senate cosponsor, Senator Liz Krueger and I held a joint forum on the divestment act in Albany on February 29th to bring together scientists and policy experts on climate change to discuss the issue and raise awareness of the legislation.

The Assembly also advocated for \$32 million in funding for climate change programs during the 2016-17 State budget negotiations. However, the final 2016-17 SFY Budget agreement, provides \$24 million to the State's Environmental Protection Fund (EPF) for several newly established climate change initiatives, including \$1 million for greenhouse gas management outside the power sector; \$4.5 million to conduct vulnerability assessments; \$14 million for

the newly established Climate Smart Communities Program to fund clean vehicle, flood mitigation and coastal resiliency measures; and \$2.5 million for Climate Resilient Farms.

4. Protecting the health of New Yorkers and their communities (e.g., toxics, air quality, food quality and security)

I reintroduced legislation this session to require thruway service stations to install charging stations for electric cars (A.4980A- The Electric Super Highway Act). I supported the 2016-17 State Budget that included \$300 million for the Environmental Protection Fund (EPF) including: \$14 million for municipal recycling (organic recycling equipment is an eligible item); \$40 million for open space; \$20 million for farmland protection; \$16 million for waterfront revitalization; and \$20 million for municipal parks. In addition, the EPF contained several water initiatives including: \$20 million for water quality improvement projects; \$27 million for non-point source pollution control; \$1.5 million for water testing and \$1 million for drug collection.

I also amended my smoke-free public housing bill to include electronic cigarettes (A8330). Emphasizing that smoking on public housing grounds has always been a privilege not a right. With overwhelming evidence that secondhand smoke, even in the form of nicotine-laced vapor, presents serious health risks, I expanded my legislation to include e-cigarettes and renewing my commitment to the 400,000 residents of public housing in New York City. Our public policies on all forms of 'smoking' need to catch up to the scientific evidence of the dangers it poses, especially where indoor air quality is concerned.

Public housing authorities across the country are beginning to make the change. The Philadelphia Housing Authority's Board of Commissioners voted unanimously in the summer of 2015 to ban smoking (tobacco-based) in all of its units. Philadelphia's move follows a national trend. Public housing agencies in other major metropolitan areas, including Houston, Boston, and Detroit have also gone smoke-free in recent years; yet, none has enacted a similar ban on e-cigarettes.

The trend comes partly in response to federal pressure. Although the U.S. Department of Housing and Urban Development does not require local housing agencies to ban smoking, the agency took a stance on the issue in 2009, issuing a notice "strongly" encouraging smoke-free policies because of the health risks associated with tobacco use and secondhand smoke.

Adolescents in public housing are already considered at high risk for early experimentation with cigarettes; e-cigarettes pose the same nicotine-addiction potential. It is hard to believe that despite the data on the dangers of secondhand smoke, and the medical costs to our state

from tobacco-related illnesses like lung cancer and asthma, we still lack the will to proclaim our public housing as smoke and nicotine vapor free,” said Ortiz.

Although the hazards of tobacco smoke exposure, and now also vapors from e-cigarettes, are established, and clean indoor air laws are widespread, private homes have long been considered spaces beyond the legitimate reach of regulation. Reflecting this view, the federal government has not required the residential units it subsidizes through its public housing programs to be smoke-free. The U.S. Department of Housing and Urban Development (HUD) historically has maintained a neutral stance, saying that although local Public Housing Authorities (PHAs) may opt to ban smoking, they are not required to do so. To date, only about 140 PHAs across the country (about 4% of the total) have reported that they voluntarily banned smoking in the public housing units they manage. If enacted, New York would be the first state to ban both tobacco cigarettes and electronic cigarettes from public housing properties.

The 2016-17 State Budget also included \$300 million for the Environmental Protection Fund (EPF) including: \$14 million for municipal recycling (organic recycling equipment is an eligible item); \$40 million for open space; \$20 million for farmland protection; \$16 million for waterfront revitalization; and \$20 million for municipal parks. In addition, the EPF contained several water initiatives including: \$20 million for water quality improvement projects; \$27 million for non-point source pollution control; \$1.5 million for water testing and \$1 million for drug collection.

5. Conserving and protecting natural resources (e.g., water, open spaces, habitat, organic recycling)

My Brooklyn district abounds in natural resources, including the New York Harbor waterfront from Red Hook to Bay Ridge. Protecting the harbor and proper development of the parks and industrial areas along the shore make the 51st district so attractive. The brownfields in several of my district’s communities plus the federally designated Gowanus Canal Superfund site make funding of state Superfund programs critical. The Gowanus Canal, Red Hook and Sunset Park communities must find the proper balance between environmental quality, economic development and housing. They are all on the rebound, becoming “destinations” for new homebuyers and businesses alike.

I also supported the 2016-17 State Budget that funded \$300 million for the Environmental Protection Fund (EPF) including: \$14 million for municipal recycling (organic recycling equipment is an eligible item); \$40 million for open space; \$20 million for farmland protection; \$16 million for waterfront revitalization; and \$20 million for municipal parks. In addition, the EPF contained several water initiatives including: \$20 million for water quality improvement projects; \$27 million for non-point source pollution control; \$1.5 million for water testing and \$1 million for drug collection.

6. Investing in better, smarter infrastructure (e.g., transportation, electrical grid, green infrastructure, smart growth, rail transport of crude oil)

I supported legislation (A.7625) that passed the Assembly in 2015 and this year to increase the requirements for major petroleum facilities to demonstrate financial responsibility and require railroads to submit certain financial preparedness information.

The state's 2016-17 budget also provided:

\$700 million for costs associated with the replacement of the Tappan Zee Bridge and other capital costs of the Thruway and recommends no changes. Appropriations are made from the special infrastructure account;

\$10.88 billion, an increase of \$73.4 million over the Executive proposal;

\$198.7 million for operating assistance for upstate transit systems, an increase of \$5 million, or 2.6 percent above the Executive proposal;

\$27.14 billion, including \$1.99 billion for the Thruway Authority, \$3.99 billion for the DOT capital plan in year 2020-21, and \$21.17 billion for the 2015-2020 DOT capital plan, an increase of \$1.04 billion allocated as follows:

\$860 million over four years for road and bridge projects throughout the State;

\$100 million over four years for upstate and non-MTA downstate transit systems, for total annual capital funding of \$84.5 million;

\$50 million over four years for rail projects, for total annual funding of \$27.5 million; and

\$30 million over four years for the Airport or Aviation State Program and the Airport Improvement and Revitalization program (AIR 99), for total annual funding of \$16.5 million. The Legislature also increases the cap on grants and loans in the AIR 99 program from \$1 million to \$1.5 million.

The Legislature also modified the Executive proposal by supplementing the Consolidated Highway Improvement Program (CHIPs) with \$100 million in SFY 2016 -17, comprising the local portion of the new Pave NY program.

\$4 million was also provided to support diesel train engine retrofits to meet higher emissions standards, including the upgrade of one diesel train engine owned by the LIRR.

