

2019 New York State Policy Agenda



NEW YORK LEAGUE OF CONSERVATION VOTERS

NYLCV EDUCATION FUND

Introduction

This year brings an exciting new political landscape in the Capitol that provides us with an unprecedented opportunity to advance New York's historic leadership on environmental issues. Similarly, we have new leadership at NYLCV. I am excited to be here, strengthening NYLCV's presence in the halls of the State Capitol, a place I worked for nearly two decades. I look forward to championing policies that will advance New York's role as a national leader on environmental policy.

Each year, NYLCV and NYLCV Education Fund work closely with New York's leading environmental, public health, conservation, energy, environmental justice, and transportation organizations to identify the state's most pressing priorities on fighting climate change, conserving land and water, and protecting public health. The result of that effort is this document.

The 2019 New York State Policy Agenda will drive our advocacy throughout the legislative session, and will guide the bills we select for our Environmental Scorecard. We focus on five major issue areas: ensuring adequate funding for the environment, addressing the causes and effects of climate change, protecting the health of New Yorkers and their communities, conservation of natural resources, and protecting agricultural lands.

In the wake of recent sobering reports on the impacts of climate change and the short timeframe that we have to act on it, now is the time for New York to adopt policies on climate change across the spectrum, from reaching carbon neutrality to renewable energy siting to investing in zero emission transportation. We must enact congestion pricing in New York City. We need to reduce the garbage we send to landfills, overhaul our recycling system, and, in fact, cut the amount of waste we create in the first place. We must also continue to invest in clean water, preserve the state's forests and working farms, protect children from toxic chemicals, and plan for a more resilient future.



We look forward to working with Governor Cuomo, Assembly Speaker Heastie, Senate Majority Leader Stewart-Cousins, and both new and continuing environmental champions in the State Legislature to make 2019 the most productive year in recent memory for the environment.

-Julie Tighe, President, NYLCV & NYLCVEF

Top Priorities

Congestion Pricing: The New York City metropolitan region's subway system, bus service, and commuter rail lines are broken, encouraging commuters to use less environmentally-friendly modes of transportation. The City's streets are choked with traffic, harming both public health and the fight against climate change. Charging a fee on all vehicles entering Manhattan's central business district



must be the cornerstone of a sustainable and equitable funding plan for the Metropolitan Transit Authority (MTA) and regional mass transit. The use of a fee would also improve air quality, reduce asthma and other respiratory illnesses, improve bus speeds, and make streets safer for pedestrians and cyclists by reducing congestion and improving the pace of traffic.

Climate Change: It is critical to adopt a statewide plan to address the root causes of climate change and achieve net-zero greenhouse gas emissions as soon as practicable. The State should codify its commitment to have a carbon-neutral electric grid by 2040 and an 80% reduction in overall emissions by 2050.

Clean Transportation: The transportation sector is now the leading source of greenhouse gas emissions in New York State. The State should continue to pursue an aggressive program to reduce transportation emissions through the interstate Transportation and Climate Initiative, promote the deployment of zero emission vehicles statewide, and electrify transit and school buses.

Food Waste: Food waste makes up 18% of the solid waste stream in New York and significantly contributes to climate change by releasing methane, a potent greenhouse gas, when it decomposes in landfills. New York State should pass legislation requiring large generators of food waste to donate excess wholesome food to food banks and recycle inedible food and food scraps in order to assist food-insecure New Yorkers, divert food waste from landfills, and stimulate the market for organic recycling in New York.

Recycling: The recycling market is facing numerous challenges that need to be addressed in order to make New York's waste management more sustainable. New York State should explore a range of short-, medium-, and long-term options to fix the recycling market, including: passing more extended producer responsibility laws; supporting local recycling efforts, including funding for recycling coordinators and public education campaigns; covering additional containers in an expanded Bottle Bill; standardizing a statewide list of recyclable materials; and encouraging or requiring the sale and purchase of products with recycled content.

Clean Water: The Clean Water Infrastructure Act of 2017 is a nation-leading investment in protecting water resources. New York should build on this success by allocating another \$2.5 billion to clean water infrastructure over the next five years and build on the Safe School Drinking Water Act to further protect children from lead-containing fixtures in all environments.

Ensure Adequate Funding for the Environment

New York State is a national leader on the environment. We have some of the strongest and most effective laws, regulations, agencies, and programs in the country. However, to protect and enhance clean air, water, and soil, reduce greenhouse gas emissions, mitigate the impacts of climate change, and preserve wilderness and open space, we must have adequate resources for effective implementation and enforcement. In order to maintain New York's competitive advantage as a state and an environmental leader, environmental programs must be fully funded.

1. Continue to fund the Environmental Protection Fund at \$300 million in the 2019-2020 State budget to address significant environmental, land protection, infrastructure, and conservation needs throughout the state without sweeps, raids, or one-shot funds.
2. Fully fund mass transit capital needs throughout the state. Support the MTA, particularly the Fast Forward plan, with new, reliable revenue sources including congestion pricing in Manhattan's central business district and fair tolling on all East River crossings. Ensure that dedicated transit funds are not diverted to the General Fund or used for other purposes.

3. Ensure the Clean Water Infrastructure Act's \$400 million allocation for the 2019-2020 budget year is fully supported to reduce the backlog of water infrastructure projects, provide ongoing maintenance, and support green infrastructure. Consider potential improvements to the Act to make it more efficient, including technical support for local governments.
4. Finalize New York State's funding plan for the new rail tunnel between New Jersey and Manhattan as part of the Gateway Project.
5. Increase funding and resources, especially for additional personnel, to the agencies charged with protecting and preserving the environment and public health, including the Departments of Environmental Conservation, Public Service, and Health, as well as the Office of Parks, Recreation, and Historic Preservation.
6. Release a detailed plan on how the \$10 billion Green Future Fund will be allocated, including allocations for clean water, renewable energy and green transportation, recreation and land preservation, and resiliency.
7. Ensure NYSERDA has adequate budget support for energy efficiency programs, including research and development, that reach all consumer groups.

Address Causes and Effects of Climate Change

Develop a statewide plan to address the root causes of climate change and achieve net-zero greenhouse gas emissions as soon as practicable. Enshrine in law the goals and benchmarks needed to achieve that result, including 50% renewable energy by 2030, a carbon-neutral electric grid by 2040, and an 80% reduction in emissions by 2050. Implement a long-term strategy to mitigate and adapt to the impacts of climate change.

Renewable Energy and Energy Efficiency

1. Design and support programs to ensure affordable and equitable delivery of reliable clean energy in low-income communities through projects such as microgrids, energy efficiency retrofits, and shared purchasing models. Dedicate at least 25% of proceeds from the Regional Greenhouse Gas Initiative auctions to these programs.
2. Implement the Public Service Commission's newly adopted energy efficiency mandate with rigorous evaluation standards. As part of the plan, implement a coordinated building electrification strategy, including taking advantage of heat pump technologies with aggressive goals, strong incentives, and integrated programs from NYSERDA and utilities.
3. Develop sufficient distributed solar energy to power one million households by 2023. Invest in and support other forms of distributed generation.
4. Ensure the Clean Energy Standard 2030 state target of 50% generation of clean energy includes interim benchmarks, performance metrics, and transmission modernization.
5. Establish effective, streamlined siting guidelines, regulatory processes, and regional plans to facilitate large-scale renewable energy projects that are consistent with protection of natural resources to meet the Clean Energy Standard goals. Maximize community support for clean energy projects and energy efficiency programs through advanced outreach, public engagement, and other programs.
6. Use Regional Greenhouse Gas Initiative auction proceeds exclusively for clean energy and energy efficiency projects and programs.



Resiliency and Sustainable Development

1. Finalize and adopt updated state coastal erosion hazard area and wetlands maps that reflect state-of-the-art science.
2. Require utilities and transportation agencies and authorities to integrate climate change science into planning, construction, and budget decisions.
3. Continue to fully implement the Community Risk and Resiliency Act of 2014.
4. Encourage proactive resiliency projects to protect communities from future storms, require the incorporation of climate change science into emergency response plans, and provide funding and training for their implementation.
5. Incorporate green infrastructure into gray and hard infrastructure projects funded or supported by the State.
6. Promote sustainable growth and community revitalization through State support for higher density mixed-use development near transit hubs, walkable neighborhoods, and green buildings.
7. Hold relevant agencies accountable to use any remaining federal money provided by the HUD Community Development Block Grant disaster recovery program and other federal funds for the implementation of resiliency measures, buyout programs, and setbacks. Develop a comprehensive plan for securing funds and managing disaster relief in the future.



Transportation Infrastructure and Efficiency

1. Continue to develop an interstate program to reduce carbon and other emissions from the transportation sector through the Transportation and Climate Initiative.
2. Support integrated multimodal transportation like bus rapid transit, rails-to-trails conversions of abandoned rail lines, ferries, connected regional bike lanes and trails, and community multi-use trails that promote bicycling, walking, and safety.
3. Promote deployment of zero emission vehicles (ZEV) by significantly expanding ZEV infrastructure, increasing government fleet adoption of ZEVs, and continuing incentives to purchase ZEVs. Support the electrification of transit buses, school buses and other forms of transportation and mass transit.
4. Make communities more walkable and bikeable by supporting the design, construction, and maintenance of roadways as complete streets and expanding the scope of the New York State Complete Streets law to include maintenance and repaving projects. Support street safety initiatives including traffic calming, lower speed limits, conversion of elevated highways into surface-level boulevards and

streets, electronic speed enforcement, and increased penalties and enforcement for reckless driving.

5. Support the expansion of programs and services, such as car sharing, bike sharing, and other alternative modes of transportation that enable greater mobility

in areas not served by mass transit and reduce single occupancy vehicle use.

6. Repair and upgrade critical commuter and freight rail lines throughout the state to limit car and truck traffic on local roads and highways.

Sustainable Waste Management

1. Set a statewide goal of reducing waste sent to landfills by 90% by 2040.
2. Reduce the use of single-use bags and associated pollution through local initiatives that ban or require nominal fees for single-use bags, or pursue statewide legislation to do the same.
3. Address challenges in the recycling market. Consider:
 - a. Passing more extended producer responsibility laws.
 - b. Supporting local recycling efforts, including funding for recycling coordinators.
 - c. Covering additional types of containers in an expanded Bottle Bill.
4. Support legislation requiring large generators of food waste to donate wholesome food to food banks and compost or otherwise recycle food scraps and waste.
5. Implement the Drug Take Back Act of 2018.
6. Enact legislation that ensures the State's
 - d. Standardizing a statewide list of recyclable materials.
 - e. Funding a coordinated and comprehensive public education campaign.
 - f. Encouraging or requiring the sale and purchase of products with recycled content.





Protect the Health of New Yorkers and Their Communities

Public health can be improved through better air and water quality, the cleanup of contaminated land, limiting the public’s exposure to toxic substances, and ensuring universal access to fresh and healthy food.

Water and Air Quality

1. Improve the Safe School Drinking Water Act with permanent stringent, up-to-date standards to ensure that public schools with lead-containing fixtures address them in a timely manner. Expand the law to include testing for nursery schools, pre-schools, and private schools and provide funding for such testing where appropriate.
2. Regularly convene the Drinking Water Quality Council and issue new regulations to address emerging contaminants as required by the Public Health Law.
3. Develop a comprehensive approach to improve water quality, protect watersheds, and address surface water impacts such as runoff and nitrates, including sewerage and other infrastructure projects in developed areas. Enforce and strengthen Water Quality Standards to increase the protection of our water bodies.
4. Implement and continue to fund a robust program to address harmful algal blooms in lakes, ponds, and waterways statewide.
5. Incentivize the continued adoption of zero emission home heating systems like heat pumps and conversions to electric heat. Where that is not yet a viable option, replace #6 and #4 home heating oil with lower emission alternatives.
6. Ensure that State energy plans and regulations provide for the reduction of particulates, sulfur dioxide, and nitrogen oxide emissions so that residents living near distributed power generators and large-scale fossil fuel plants, particularly environmental justice communities, do not experience adverse air quality impacts.

Toxic Chemicals

1. Enact legislation to require disclosure of toxic chemicals in consumer products, including toys.
2. Lower New York State’s definition of elevated blood lead level to the CDC’s recommended level and automatically lower it when the CDC lowers its recommendation in the future in order to protect children’s health.



Protect Natural Resources

New York's spectacular natural resources not only provide awe-inspiring views and recreational opportunities, they also help keep our children and families healthy. Our parks, forests, rivers, lakes, and oceans should be protected so future generations can enjoy them.

1. Support legislation that enables communities to raise local funds for open space conservation and community preservation.
2. Implement and strengthen regional ecosystem programs including the Comprehensive

Conservation and Management Plan for Long Island Sound, the Hudson River Estuary Action Agenda, and other comprehensive Oceans and Great Lakes management initiatives.



3. Continue support for habitat management and conservation on private lands through fiscal incentives for landowners. Update the State's forest tax abatement program to include sustainable forestry and wildlife habitat management on smaller parcels. Offset fiscal impacts to local governments with reimbursements.
4. Complete the Empire State Trail and encourage continued development through a statewide planning process for trails that link communities and destinations such as state parks to the existing trail network.
5. Enforce a rigorous process for parkland alienation to hold municipal governments accountable and protect parks, playgrounds, and recreation areas from inequitable land swaps and sales.
6. Examine the cumulative impacts of clearcutting on private lands within the Adirondack Parks and support the use of sustainable forest management practices.
7. Adequately fund and implement robust programs to deal with the growing threat of invasive species, and pass legislation to make permanent the prohibition on the introduction of invasive species into our waterways. Make boat inspections or washing mandatory in the Adirondack and Catskill Parks.
8. Support legislation to prohibit the harvesting of menhaden with purse seines.
9. Support legislation to prohibit offshore drilling in state waters.
10. Develop a strategy of integrated pest management bringing together biological, cultural, mechanical and chemical options to manage and control pests while minimizing environmental and health risks.
11. Ensure that crude oil rail and barge transporters are fully insured, subject to strict air quality and water protection regulations, and financially responsible for robust Community and Spill Response Plans.

Agricultural Preservation

New York's farmland can be improved through policies and programs that support sustainability, agricultural growth and natural land preservation.

1. Preserve the state's farmland and regional foodsheds and improve transportation options available for the movement of farm-fresh food.
2. Support legislation that allows working farms subject to easements acquired with farmland preservation funds to make necessary and appropriate infrastructure improvements related directly and exclusively to farm operations that are in accordance with terms of the easement.
3. Create programs to support new and beginning farmers, and continue funding for existing programs including Farmland for a New Generation.
4. Develop policies to support pollinator colonies and better understand and prevent pollinator collapse.
5. Explore incentives for agricultural practices, and other natural and working lands, that reduce carbon emissions and sequester atmospheric carbon to help achieve the U.S. Climate Alliance Natural and Working Lands Challenge.





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NEW YORK LEAGUE OF CONSERVATION VOTERS, INC.

NYLCV is the only nonpartisan, statewide environmental organization in New York that fights for clean water, clean air, renewable energy and open space through political action.

NEW YORK LEAGUE OF CONSERVATION VOTERS EDUCATION FUND, INC.

NYLCVEF educates, engages and empowers New Yorkers to be effective advocates for the environment.