



2017 Federal Policy Agenda



NEW YORK LEAGUE OF CONSERVATION VOTERS

NEW YORK LEAGUE OF CONSERVATION VOTERS EDUCATION FUND

INTRODUCTION

Each year, NYLCV and the NYLCV Education Fund work closely with New York's leading environmental, public health, conservation, energy, environmental justice, and transportation organizations to identify pressing priorities on fighting climate change, conserving land and water, and protecting public health. These collaborations result in the formulation of statewide and local agendas that guide our advocacy efforts.

For the first time, we have decided to add a federal agenda to our advocacy portfolio. Many of the biggest threats to environmental policy and funding in New York are coming from Washington, posing a significant challenge to local officials. At the same time, we see opportunity. New York's congressional delegation includes leaders on both sides of the aisle who can play an important role in their respective caucuses in ensuring that New York does not get left behind.

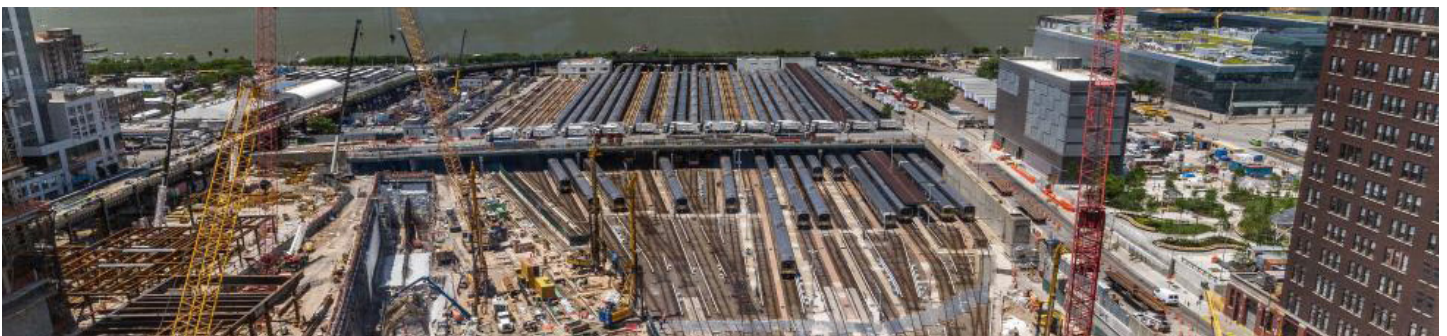
While we recognize that the League cannot single-handedly protect the Clean Power Plan or the Paris Agreement, we can be a key driver in pushing the New York delegation to fund the Gateway Program and regional conservation initiatives from the Great Lakes to the Long Island Sound. Our 2017 Federal Agenda comprises



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issues that significantly impact New York where we believe our representatives can make a difference.

Though much of our energy is focused on preventing defunding and rollbacks of past successes, we are emboldened by a resolution calling for action on climate change put forward by a number of Republicans in Congress, including four from New York. We see space for achieving a bipartisan conservation agenda and look forward to advancing the dialogue to reach agreement on bold solutions.



The Gateway Program, specifically creating new Hudson River tunnels, is an essential infrastructure project that must be funded immediately in order to avert a future environmental and economic catastrophe.

TOP PRIORITIES

Clean Air and Climate Change - New York has made tremendous progress reducing air pollution that harms human health and contributes to climate change, and it is vitally important that we do not roll back the laws and regulations that have allowed us to reach this point. NYLCV also strongly supports investing in clean energy, including offshore wind, that will both reduce greenhouse gas emissions and create jobs in a globally competitive field.

Clean Water - NYLCV supports increasing funding and maintaining current funding formulas for the Clean Water and Drinking Water State Revolving Funds, which provide low-interest loans that leverage state and private money to a wide variety of water projects, including wastewater treatment, green infrastructure, pipe replacement, and source water protection. The CWSRF returns \$2.31 for every \$1 invested.

Food and Farms - The Farm Bill will be up for renewal in 2018. NYLCV strongly urges maintenance or increases in funding for conservation programs including the Regional Conservation Partnership Program, Environmental Quality Incentives Program, Agricultural Conservation Easement Program, and Conservation Reserve Program.

Funding for Regional Initiatives - New York benefits from many federally-funded programs that must be supported, including the Great Lakes Restoration Initiative, the Delaware River Basin Conservation Initiative, Chesapeake Bay Program, Lake Champlain Basin Program, and the National Estuary Program. NYLCV also supports passage of the Long Island Sound Restoration and Stewardship Act to improve the coordination and management of programs that benefit the Long Island Sound.

Sustainable Transportation - Investment in mass transportation pays dividends for both the environment and the economy, and expanded federal funding for projects including the Gateway Tunnel, East Side Access, and the Second Avenue Subway is vital to the economy of the entire region. Specifically, the federal budget must continue to support New Starts, Small Starts, and TIGER grants through the Department of Transportation.

ENSURE ADEQUATE FUNDING FOR THE ENVIRONMENT

Nearly all of our day-to-day activities have an impact, positive or negative, on the environment. As a result, a wide array of federal agencies and programs affect the air, water, food, and ecosystems around us, including the Environmental Protection Agency (EPA), Department of Agriculture (USDA), Department of Energy (DoE), Department of the Interior (DOI), Department of Transportation (DOT), Department of Health and Human Services (HHS), Federal Emergency Management Agency (FEMA), National Oceanic and Atmospheric Administration (NOAA), and many others. Federal representatives and policymakers, and the budgets and programs they produce, must recognize and appropriately value the importance of all of these programs.

CLEAN AIR AND CLIMATE CHANGE

Climate change is the greatest challenge of our time. The United States must be a global leader in the effort to reduce greenhouse gas (GHG) emissions and air pollution and invest in clean energy for the benefit of our health, our economy, and our planet.

The Clean Air Act: The Clean Air Act is a foundation of environmental law, empowering the EPA to regulate emissions of air pollutants to protect public health and welfare. The CAA addresses issues of ozone depletion, acid rain, and toxic air pollution, as well as greenhouse gas standards for mobile and stationary sources. It must be protected.

California Clean Air Standards: The Clean Air Act of 1970 grants California the authority to, with a waiver from the EPA, set stricter vehicle emissions standards than the federal government and allows other states to adopt these standards. New York and all of its neighbors currently abide by California's emissions standards. Maintaining California's authority to set higher standards - and granting waivers when it proposes new standards - is vitally important to reducing automobile pollution.

EPA Greenhouse Gas Endangerment Finding: In 2009, the EPA identified six greenhouse gases, including carbon and methane, that threaten public health and welfare. This finding is the basis of nearly all EPA regulations that seek to reduce greenhouse gas emissions, has been thoroughly litigated in federal court, and must be defended from further legal or legislative challenges.

Paris Climate Agreement: The 2015 Paris Climate Agreement commits 194 countries, including the United States, to hold global warming below 2° C in order to avoid catastrophic climate change. Recent federal policy including the Clean Power Plan, higher mileage standards for vehicles, and developing a social cost of carbon represents a positive step towards meeting these goals and must be continued and expanded in the coming years.

Clean Power Plan: The Clean Power Plan will combat climate change and improve public health through carbon dioxide emission performance rates for coal steam, oil steam, and natural gas power plants. States are also tasked with creating their own implementation plans to meet state rate- and mass-based goals utilizing the “best system of emission reduction” (BSER). The Plan is a core component of meeting our obligations under the Paris Climate Agreement and should be implemented as proposed.

Investment Tax Credit (ITC) for Solar/Production Tax Credit (PTC) for Wind: The ITC provides a 30% rebate for solar, fuel cells, and wind and a 10% rebate for geothermal, microturbines, and combined heat and power technologies. The PTC is an inflation-adjusted per-kWh tax credit for electricity generated by wind, geothermal, closed-loop biomass, and solar facilities not claiming the ITC. The clean energy generation supported by these tax credits builds economic, social, and environmental resiliency and furthers New York State’s pledge of reducing greenhouse gas emissions 80% by 2050.

Emissions Standards for New Vehicles: The EPA and the National Highway Traffic Safety Administration jointly set efficiency standards for automobile model years 2012 through 2025 that will reduce greenhouse gas emissions and improve fuel economy. These standards have already prevented air pollution and reduced GHG emissions, and they must continue to be implemented through 2025.

Mercury and Air Toxics Standards (MATS): These national emission standards for hazardous air pollutants (NESHAP) regulate mercury, acid gases, and non-mercury metallic toxic pollutant emissions by coal- and oil-powered electric generating units under the Clean Air Act. The MATS, which will modernize air pollution control in aging American power plants, protecting public and ecosystem health, must be preserved.

Cross State Air Pollution Rule (CSAPR): This critical 2011 rule requires coal-, gas-, and oil-fired generating units in 27 eastern states to reduce NO_x and SO₂ emissions that cross state lines, reducing downwind smog and soot air pollution and consequent deleterious health effects. This flexible CSAPR Trading Program set an emission cap for each covered state and allocated pollution allowances, to be traded between affected sources, to ensure upwind states do not exceed the pollution limits.



Left: Strong emissions standards for new vehicles are critical to reduce pollution and advance the electrification of transportation. Right: Offshore wind is just starting to take off in New York. Federal tax credits and support from the National Oceanic and Atmospheric Administration are critical to ensure its success.

CLEAN WATER

We have made tremendous progress in cleaning up our waterways and drinking water supplies due to decades of federal commitment, but recent crises have shown how far we still have to go.

Clean Water Act: The Clean Water Act is a foundation of environmental law, regulating pollutant discharge and water quality. It ensures safe drinking water, watersheds, and aquatic ecosystems, with benefits for public health, recreation, and security, and must be preserved and expanded as monitoring and compliance technology continue to advance.

Clean Water and Drinking Water State Revolving Funds (CWSRF & DWSRF): The SRFs are federal-state partnership projects that provide low-cost financing for water quality infrastructure projects to communities across the nation. Increased funding for these programs will help ensure safe, clean water for New Yorkers through improved drinking water, wastewater, and stormwater management projects and prevent disasters like the lead crisis in Flint, Michigan. It is also important that the funding allotment formula for the SRFs continue to provide New York with an adequate share of federal funds.

Water Resources Development Act (WRDA): The WRDA structures the planning and development of Army Corps of Engineers water projects and funds water quality improvement and water conservation projects. The WRDA passed at the end of 2016, known as the Water Infrastructure Improvements for the Nation Act, must be properly funded and implemented.



Federal clean water regulations and funding are critical to protect our watersheds, aquatic ecosystems, and our drinking water. Aging infrastructure has led to a spate of water and sewer main breaks across New York. Small municipalities rely on state and federal funding to fix and prevent these costly crises.



New York's small farms, located across the state from around the Finger Lakes, to the Hudson Valley, to Long Island, provide our towns and cities with fresh and local produce but they are under considerable pressure from developers, which would lead to a more carbon-intensive use of these lands.

FOOD AND FARMS

The Farm Bill, which will be up for renewal in 2018, funds a wide variety of environmentally critical programs including land and water conservation, bio-energy, and nutrition. The 2018 Farm Bill must continue to focus on these priorities and ensure that farmers have the support they need to engage in sustainable agriculture.

Regional Conservation Partnership Program (RCPP): The RCPP fosters partnerships between agricultural producers to promote sustainable natural resource use within designated land regions or watersheds. Soil, water, and wildlife health is promoted through the implementation of innovative, voluntary conservation strategies, ensuring sustainable land use in New York.

Environmental Quality Incentives Program (EQIP): EQIP provides financial and technical assistance to “implement conservation practices that improve soil, water, plant, animal, air and related natural resources” on agricultural and private forestland for agricultural producers with annual income under \$900,000. Protecting New York’s farmlands for smaller-scale farmers ensures healthy resources for future generations, helps local ecosystems, and fosters local economies.

Agricultural Conservation Easement Program (ACEP): ACEP provides technical and financial assistance to non-profit organizations and state, local, and tribal governments to conserve agricultural lands and wetlands. The continuation of funding for this program aids in New York’s long-term sustainability of food supply, wildlife habitats, environmental quality, and related economic and recreational benefits by promoting sustainable use of these working lands.

Conservation Reserve Program (CRP): This Farm Service Agency program pays an annual rental fee to farmers for removing environmentally sensitive land from agricultural production, instead planting flora that will improve ecosystem health. The CRP develops sustainable, ecologically-helpful land cover, and its continued funding is important to improve water and soil quality and wildlife habitat across New York.

REGIONAL INITIATIVES

Federal environmental spending across a range of agencies protects local ecosystems, fosters interstate cooperation, and strengthens New York's economy.

Long Island Sound Restoration and Stewardship Act: The Long Island Sound Restoration and Stewardship Act would add to current water quality and shore restoration programs in the Long Island Sound, improving coordination and management of the programs and allocating over \$65 million. The increased funding and improved oversight would help protect New York's recreation, tourism, and shipping industries and ensure the long-term health of the Sound and the nine million inhabitants of its surrounding communities.

Plum Island Protection and Preservation: New Yorkers have mobilized to take action to preserve undeveloped lands on the ecologically-significant Plum Island, an 840-acre island off the eastern coast of Long Island. The federal government must take steps to protect this valuable hub of biodiversity in perpetuity.

Highlands Conservation Act: Through this 2004 Act, the US Forest Service has identified priority lands in New York and three bordering states (CT, NJ, PA) to allow the states to acquire land of high conservation value. Any cuts for land acquisitions under the National Forest System would endanger the health of ecological, recreational, economic, and cultural resources of the Hudson Valley.

Great Lakes Restoration Initiative (GLRI): This multi-agency initiative serves to assess and preserve the quality of the Great Lakes, while developing regional education on the valuable ecological function of the Lakes. Any cuts to this initiative would negatively affect quality of life by preventing the cleanup of dangerous pollutants, interrupting long-term research and outreach programs, and ceasing invasive species prevention initiatives in these valuable watersheds. Lake Ontario and Lake Erie serve as sources of drinking water in Western New York, and the continued funding of GLRI has important implications for the health and wellness of hundreds of thousands of New Yorkers.

Delaware River Basin Conservation Initiative: This multi-level program joins federal, state, and local agencies and organizations to promote watershed health and revitalize communities along the river that have historically suffered economic and environmental losses from river degradation. The headwaters of the Delaware River are in the Catskill Region, supplying valuable drinking water, habitat, and recreational opportunities. Any cuts to the program would negatively affect the health of the Delaware River, and consequently the New Yorkers that depend upon it.

Chesapeake Bay Program: The Chesapeake Bay Program is a regional partnership between federal, state, municipal, and nonprofit actors that has led to demonstrable improvements in the Bay's ecological, economic, and human health since its inception in 1983. The continued federal funding of this project is invaluable to preserve and improve the largest estuary in the United States. Nineteen New York counties are in the watershed of the Chesapeake Bay and therefore benefit from the program's water quality improvement and preservation programs.

National Estuary Program (NEP): The EPA's National Estuary Program protects and restores 28 estuaries nationwide, including the Long Island Sound, the Peconic Estuary, and the New York-New Jersey Harbor. The continued funding of this program is important for coastal research and management programs and will improve New York's environmental health and coastal resiliency.

Lake Ontario-St. Lawrence River Plan 2014: Under the International Joint Commission, this Plan creates more natural variations of water levels in Lake Ontario and the St. Lawrence River to restore the ecosystems. The plan will also improve navigation, recreation, and hydropower production, and aid in resilience to climate change.

Lake Champlain Basin Program: The Lake Champlain Basin provides drinking water, recreation, and economic benefits to communities in New York, Vermont, and Quebec. The Lake Champlain Basin Program is a highly effective joint effort of these governments and the EPA to preserve and enhance the environment of the basin for multiple uses. It should continue to be fully funded and supported.



Top left: The Delaware River Watershed provides fresh drinking water for over 15 million people, including most of New York City. Top right: Toxic algal blooms have been plaguing Lake Erie during the summer months and could get worse without GLRI funding. Bottom left: Plum Island, a nesting ground for birds and other wildlife, is under threat of being developed. Bottom right: The Chesapeake Bay Watershed begins in New York and federal restoration funding has benefitted conservation projects in 13 New York counties.



CONSERVATION AND HABITAT PROTECTION

Climate change and pollution are contributing to a global crisis for threatened and endangered species. We need a response that recognizes the enormity of the problem.

Endangered Species Act: Established in 1973, the Endangered Species Act's purpose is to "protect and recover imperiled species and the ecosystems upon which they depend", including 2,054 species worldwide and 1,436 species domestically. The protection of these plant and animal species preserves cultural and ecological heritage and integrity and must be continued, especially as climate change drives more species to the verge of extinction.

State Wildlife Grants (SWG): State Wildlife Grants, allocated by the Fish and Wildlife Service, fund priority conservation projects administered by DEC's Division of Fish and Wildlife, such as those identified in the State's Wildlife Action Plan. Continued funding for this program will ensure that "species of greatest conservation need" and their habitats are assessed and protected, thereby ensuring ecological integrity in vulnerable regions.

Recovering America's Wildlife Act: This legislation would allocate \$1.3 billion annually to implementation of State Wildlife Action Plans, which are not adequately funded by State Wildlife Grants.

Land and Water Conservation Fund (LWCF): Since 1964, this National Park Service Fund, sourced from earnings on offshore oil and gas leasing, has helped states and federal agencies obtain lands and water to promote "natural, cultural, wildlife, and recreation management objectives." The Fund has been extended twice but is set to expire on September 30, 2018. It is vitally important to permanently reauthorize this valuable mechanism for preserving lands for outdoor recreation for present and future generations.

Neotropical Migratory Bird Conservation Act (NMBCA): The NMBCA provides funding to foster international partnership to "perpetuate healthy bird populations" throughout the Western Hemisphere. It has led to the conservation of 4.2 million acres of migratory bird habitat, ensuring long-term conservation strategies and therefore ecological stability.

Antiquities Act: The Antiquities Act of 1906 grants the President the authority to designate new national monuments within existing federal lands, preserving nature, open spaces, culture, and history for future generations. It has been used more than 100 times by presidents of both parties, and has been used in New York to create monuments including the Statue of Liberty, Fort Stanwix, the African Burial Ground in lower Manhattan, and Governors Island. A designation under the Antiquities Act has never been reversed and should not be now.

TRANSPORTATION

Reliable, affordable, low-carbon transportation is important to both economic growth and environmental protection, and it requires federal investment to succeed.

Highway Trust Fund: The HTF, sourced from a federal fuel tax, is a Federal Highway Administration program that funds the development of highways and mass transit systems. Projects funded by the HTF could suffer if the Department of Transportation's budget were cut. Any changes to the HTF should reorient it towards increased mass transit projects and the development of more sustainable forms of transit.

FAST Act: The Fixing America's Surface Transportation Act of 2015 allocated \$305 billion over five years to transportation projects including highways, freight, and mass transit. It must be fully funded, focus on projects that reduce GHG emissions or otherwise get private cars off the road, and allocate funding with a recognition that infrastructure projects in New York State have uniquely large multiplier effects.

Investment in Transit and Mass Transportation: Mass transportation reduces congestion, fuel use, pollutant and GHG emissions, and commuter costs while creating jobs and benefiting local and regional economies. The continued prosperity of the entire northeastern corridor of the United States is dependent upon federal investment in projects including the Gateway Tunnel, East Side Access, Second Avenue Subway, and other mass transit projects around New York State.

PUBLIC HEALTH

Every New Yorker should have the expectation that the products they purchase – from children's toys, to household cleaners to toiletries – are free of toxic chemicals.

Toxic Substances Control Act (TSCA) Reform: After decades of pressure from concerned citizens, Congress finally reformed TSCA in 2016 to make it easier for the EPA to keep harmful chemicals from entering the market and assess the safety of currently used chemicals in a timely manner. The EPA requires unwavering support and appropriate resources in order to implement these bipartisan reforms.



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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.