Last year was an incredibly strong year for environmental policy. We began 2023 grounded in the knowledge that, by voting overwhelmingly in favor of the Clean Water, Clean Air and Green Jobs Environmental Bond Act, New Yorkers sent an unmistakable, bipartisan message to lawmakers that protecting the environment and fighting climate change must be a priority.

We were also encouraged by what came out of the 2022 legislative session and executive budget. In addition to increased funding for the Bond Act, we saw historic investments in the state’s offshore wind supply chain, a boost to the Environmental Protection Fund to $600 million, expansion of the Brownfield CleanUp Program, and stronger protections for our wetlands. Add to that a nation leading commitment to transition to zero-emission school buses, progressive energy codes, a thermal energy network pilot program, and a mandate to protect 30% of the state’s land and water by 2030, and that spells more than strong policy—that’s the momentum we need to fight climate change going into 2023.

And so it is with great excitement and confidence that we present NYLCV’s 2023 State Agenda. While the following pages are a summary of our priorities for the upcoming legislative session and the next year, guiding bills for selection in our Legislative Scorecard and directing our educational programming. We look forward to working with the Governor, the State Senate, and the State Assembly to achieve these measures.

Fighting climate change and undoing generations of damage to the environment will be difficult work. It will take legislative action and substantial investments in each of the coming years. We propose here what we believe are the measures we need to get there.

Environmental Protection Fund; and maximizing matching federal dollars from the Inflation Reduction Act and the Infrastructure Investment and Jobs Act. Whether it’s tackling air pollution or creating family sustaining green jobs, we firmly believe that environmental justice is a necessary component to any good environmental policy, and we look forward to advocating for that in everything we do.

Each year, NYLCV and NYLCV Education Fund collaborate with leading environmental, conservation, energy, public health, transportation, and environmental justice organizations to identify the most urgent priorities. This agenda is the result of those efforts.

The 2023 State Policy Agenda will guide much of our work and advocacy throughout the upcoming legislative session and the next year, guiding bills for selection in our Legislative Scorecard and directing our educational programming. We look forward to working with the Governor, the State Senate, and the State Assembly to achieve these measures.

Fighting climate change and undoing generations of damage to the environment will be difficult work. It will take legislative action and substantial investments in each of the coming years. What we propose here will not all be easy, but we believe these measures are attainable, and we will fight tooth and nail to get there.

Foreword

Julie Tighe
President
ENSURE ADEQUATE FUNDING FOR THE ENVIRONMENT

Investing public dollars into our environment is essential to building a more sustainable, more resilient, more environmentally just future for New York as we continue our pandemic recovery. Environmental programs are more important than ever, as investments in green projects create jobs. Funding for environmental agencies must be increased to protect the environment, safeguard public health and combat climate change.

1. Implement the $4.2 billion Clean Water, Clean Air and Green Jobs Environmental Bond Act, while expediting funding to the appropriate programs, and monitoring the timely investment of these funds.

2. Maintain the Environmental Protection Fund at $400 million, on the path to a $500 million annual allocation, to address significant environmental, land protection, infrastructure, and conservation needs throughout the state.

3. Maximize the programs and opportunities made available by newly-created federal funding streams from the Infrastructure Investment and Jobs Act and the Inflation Reduction Act to update New York’s aging infrastructure and accelerate the transition to a just carbon-free economy, including funding for EV charging infrastructure and modernized electric transmission.

4. Identify existing revenue streams and plan for new revenue streams to support implementation of the Climate Leadership and Community Protection Act (CLCPA). Ensure that at least 35% of CLCPA investments benefit environmental justice communities, with a goal of at least 40% of investments benefitting these communities.

5. Redirect spending from tax benefits and expenditures that benefit fossil fuels to programs that will accelerate the transition to net carbon neutrality by 2050.

6. Continue to allocate at least $1 billion in annual clean water infrastructure funding in the 2023-2024 budget to reduce the backlog of water infrastructure projects, address emerging contaminants, provide ongoing maintenance, and support green infrastructure.

7. Increase staffing levels to ensure effective operations and achieve measurable outcomes for environmental policies at the agencies charged with protecting and preserving the environment and public health, including the Department of Environmental Conservation (DEC), the New York State Energy Research and Development Authority (NYSERDA), the Department of Public Service (DPS), the Office of Parks, Recreation, and Historic Preservation (OPRHP), Office of Renewable Energy Siting (ORES), the Department of Agriculture & Markets (DAM), the Department of Health (DOH), the Adirondack Park Agency, and the Department of State (DOS).

8. Ensure full funding for mass transit capital and operating needs throughout the state, including the State’s portion of the historic 2020-2024 MTA Capital Plan. Ensure that dedicated transit funds are not diverted to the General Fund or used for other purposes.

9. Implement the New York metropolitan region congestion pricing plan with minimal exemptions, maximum emission reductions, and a robust public education campaign. Ensure that any potential negative impacts of congestion pricing in environmental justice communities are mitigated, such as by capping the Cross-Bronx Expressway, planting more trees along roadways, and investing in clean truck fleets.

10. Allocate sufficient funding to improve and expand public transit in the Hudson Valley and the Central, Western, and Northern regions of New York, including clean buses and rail for both intra- and inter-city transit. Ensure upstate projects are in place to take advantage of new and existing federal funding streams for transportation.

11. Ensure full funding and the timely completion of Phase 2 of the Second Avenue Subway and the community vision enhancements to the 145th Street transit hub to increase subway ridership and better connect uptown to mid- and lower-Manhattan. Provide funding to make the subway system more hospitable.

12. Use Regional Greenhouse Gas Initiative auction proceeds exclusively for clean energy and energy efficiency projects and programs.

13. Allocate funding to create a state rebate for the private purchase of e-bikes and e-scooters, to help incentivize the transportation mode shift.

14. Support state and local resilience planning by developing a statewide resilience plan and increasing investments in the Climate Smart Communities program.
As climate change threatens the well-being of our people, our infrastructure, and our economy, we must take bold action to address this crisis. We must ensure the timely and effective implementation of the Climate Leadership and Community Protection Act (CLCPA) to achieve economy-wide net carbon neutrality by 2050 and 100% clean energy by 2040. We must invest in resiliency to protect vulnerable communities from the changing climate. Across climate actions, we must implement at least 35% of programmatic benefits in environmental justice communities, with a goal of 40%.

**TRANSPORTATION**

1. Establish a Clean Fuel Standard to incentivize electric vehicle adoption and decarbonize and reduce air pollutants from combustion engines used in passenger vehicles and medium- and heavy-duty transportation with renewable fuels.

2. Require public transportation systems to purchase only zero-emission transit buses before the end of this decade so that all transit buses in the state are zero-emissions by 2040, ensuring safeguards to protect good-paying jobs through the transition to clean public transit. Support the electrification of, and other decarbonization strategies for, other forms of transportation and mass transit. Increase government fleet adoption of zero emission vehicles (ZEV) outside of public transit.

3. Eliminate the cap on manufacturer-owned ZEV dealerships. Promote deployment of ZEVs by significantly expanding ZEV infrastructure, including charging infrastructure, and continuing incentives to purchase ZEVs. Support the Public Service Commission’s updates and improvements to utility tariffs and approved programs to meet the need for rapid and scaled deployment of ZEV fast charging stations through innovation and cost-effectiveness.

4. Prioritize the Gateway Project, including repairing existing infrastructure as well as developing a new rail tunnel between New York and New Jersey and all associated infrastructure on the New York side of the Hudson River.

5. Support electrification of travel hubs and modes of transportation within those hubs, with an emphasis on high-capacity hubs, including the Port Authority of New York and New Jersey and the NYS Thruway.

6. Implement legislation to support Complete Streets and make communities more walkable and bikeable in order to decrease total vehicle miles traveled. Expand the scope of the New York State Complete Streets law to include maintenance and repaving projects.

7. 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.

8. Support integrated multimodal transportation like bus rapid transit, dedicated bus lanes, rails-to-trails conversions of abandoned rail lines, low- and zero-emission ferries, connected regional bike lanes and trails, and community multi-use trails that promote cycling, walking, and safety for all people with local community access. Provide appropriate infrastructure to support these modes of transportation. Pursue efficiency and decarbonization measures such as electrification for carbon-intensive multimodal transit including rail and ferries.

9. 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 in order to reduce single occupancy vehicle use. Amend the Vehicle and Traffic Law to allow for cargo bikes to transport goods and services in addition to people.

10. Repair and upgrade critical commuter and freight rail lines throughout the state to limit car and truck traffic on local roads and highways. Incentivize zero-emission engines and additional decarbonization measures for rail and non-rail freight transportation in order to reduce emissions from heavy-duty vehicles.
BUILDINGS

1. Implement a coordinated building decarbonization and energy efficiency strategy aimed at the eventual phase out of fossil fuel usage in buildings. Adopt legislation to require regulation of new and existing fossil fuel infrastructure for energy and heating needs to align with the State’s climate objectives.

2. Tighten building energy codes through the Department of State’s Building Codes Council, and work with other states to develop building energy codes which take into account differences in building types and usages to maximize reductions of greenhouse gas emissions and facilitate energy and utility bill savings.

3. Adopt a building decarbonization “roadmap” that utilizes available current energy sources as an interim solution while the grid transitions to renewables. Benchmarks should be adjusted based on building types, occupancy space types, hours of operation, grid capacity, and hourly carbon factors. Reliability and resiliency should also be considered when determining benchmarks. Suggested decarbonization measures must include full life cycle carbon analysis to determine feasibility.

4. Develop strong incentives—particularly those that reward innovation—for implementation of effective building decarbonization technologies at scale this decade, including, as appropriate, heat pumps, geothermal networks, and other emerging technologies. Promote strong labor language to help ease the transition of displaced workers, and develop a workforce pipeline to construct future projects.

5. Coordinate electrification programs from NYSERDA and utilities, ensure that utility retrofit programs are funded sufficiently so that all interested ratepayers can take advantage of them, and fund robust consumer education programs to spread the word about these programs.

6. Eliminate the 100-foot rule that subsidizes the expansion of gas infrastructure for new gas customers.

7. Where electrifying heating is not feasible in the near-term, replace #6 and #4 heating oil and natural gas with alternatives that reduce carbon, particulate matter, and other emissions in the most cost-effective manner. Monitor the efficacy of distributed generation (CDG) projects and funding for low- to moderate-income customers.

8. Decarbonize all state-owned buildings, including SUNY campuses, by switching to zero-emission heating and cooling systems by 2040. Attach strong green job requirements to this program.

9. Adopt legislation to allow New York City agencies the ability to use progressive design build in future capital projects.

10. Promote sustainable growth and community revitalization in resilient areas through state support for higher density mixed-use development near transit hubs, walkable neighborhoods, and green buildings.

11. Ensure that indoor air quality improvements/protective measures are included in energy goals for future buildings. Good indoor air quality is essential to keeping buildings open and occupants healthy.

ENERGY

1. Increase the state’s offshore wind statutory goal to 20 gigawatts by 2050.

2. Continue to support the Public Service Commission’s ongoing work to achieve 70% renewable energy by 2030 and 100% clean energy by 2040, including:
   a. Necessary procurement, siting, permitting, and transmission for nine gigawatts of offshore wind by 2025.
   b. Regulations and incentives to achieve ten gigawatts of distributed solar by 2030.
   c. Regulations and incentives to achieve six gigawatts of energy storage by 2030.
   d. Technical assistance and planning support for renewable energy and energy storage siting, as well as integrated transmission planning and grid upgrades necessary to support increased renewables.


4. Amend the CLCPA to include energy from anaerobic digesters in the definition of renewable energy.

5. Ensure the implementation of environmental justice benchmarks in the CLCPA by making sure at least 35-40% of clean energy investments benefit disadvantaged communities.

6. Extend credits and other incentives for community distributed generation (CDG) projects through the NY-Sun program, with a focus on funding downstate CDG projects and funding for low- to moderate-income communities.

7. Implement a price on carbon in the wholesale electricity market and consider applying carbon pricing in other sectors of the economy.

8. Implement the Public Service Commission’s energy efficiency mandate in the CLCPA with rigorous evaluation standards.

9. Ensure that all tax policies are fairly implemented to support establishment of renewable energy projects. Ensure that the policy framework encourages and integrates new emissions-reducing technologies as they demonstrate their effectiveness.

10. Ensure that state energy plans and regulations provide for the reduction of fine particulate matter, sulfur dioxide, nitrogen oxides emissions, and other air pollutants, especially in environmental justice communities. Further, that all tax policies are fairly implemented to

11. Amend the competitive NYSERDA Tier 2 program that provides utility support to the state’s legacy renewable energy resources in order to ensure they are maintained and continue to contribute to the state’s renewable energy goals.
RESILIENCY AND SUSTAINABILITY

1. Invest any federal relief funds resulting from climate-related natural disasters in a timely manner, with a focus on recovery projects that enhance resilience against future storms and floods.

2. Adopt updated state coastal erosion hazard area maps.

3. Continue to fully implement the Community Risk and Resiliency Act as amended by the CLCPA.

4. Encourage proactive sustainability and resiliency projects that reduce community risk and damage from storms, including but not limited to nature-based solutions. Require the incorporation of climate change science into emergency response plans and proactive community planning such as comprehensive plans. Provide funding and training for plan implementation.

5. Incorporate green infrastructure into gray and hard infrastructure projects that are being funded or supported by the state.

6. Adopt legislation to protect residents from flood risks, including requiring residential property owners to disclose the flood risk of a property to buyers prior to point of sale or rental.

GREEN JOBS AND EDUCATION

1. Develop and fund green job retention, retraining, and workforce development programs with a focus on environmental justice communities in addition to communities and industries that are economically dependent on carbon-intensive jobs. Work with industry associations, trade schools, and trade unions’ continuing education programs to develop and implement appropriate green job curricula.

2. Work with offshore wind developers and related supply chains to create in-state port, servicing, and manufacturing jobs. Create well-paying jobs that benefit people in environmental justice communities and provide for a just transition for workers in fossil fuel industries.

3. Develop climate change and environmental education curricula to be taught in schools statewide.

4. Fund the Timbuctoo Summer Climate Careers Institute, a partnership between CUNY and SUNY, to expose high school students on the frontlines of climate change to careers centered in climate solutions.

WASTE MANAGEMENT

1. Set a statewide goal of reducing waste sent to landfills by 90% by 2040 and adopt policies to create a “circular” economy in which products are manufactured and produced in a way that prioritizes recycled and pre-used materials.

Address challenges in the recycling market, including:

a. Pass more extended producer responsibility laws, including for packaging and mattresses.

b. Stimulate markets for recycled materials by encouraging or requiring the sale and purchase of products with recycled content that is non-toxic.

c. Support local recycling efforts, including funding for recycling coordinators.

d. Cover additional types of glass containers in an expanded Bottle Bill.

e. Standardize a statewide list of recyclable materials.

f. Establish procurement specifications that specifically address glass and other recyclable materials for use by state agencies and municipalities.

g. Implement landfill bans on easy-to-recycle materials including clean gypsum wallboard to incentivize reuse, waste reduction, and recycling.

h. Fund a coordinated and comprehensive public education campaign.

i. Require high-end fashion retailers, sellers and manufacturers to disclose environmental impacts of their products, and set goals to mitigate those impacts.

2. Incentivize the reduction of single-use items and reduce or eliminate the use of non-recyclable materials, especially in packaging and food service. Incentivize the use of refilling stations. Protect against unnecessary proliferation of single-use compostable products.

3. Monitor the implementation of the 2019 Food Donation and Food Scraps Recycling Law, and explore potentially expanding the law. Explore opportunities to support residential and centralized organic waste recycling.
PUBLIC HEALTH

The health of our environment impacts the health and well-being of our people and our communities both directly and indirectly. By identifying and addressing the cumulative impacts of environmental injustices, improving our air and water quality, cleaning up contaminated land, and limiting the public’s exposure to hazardous or toxic substances, we can protect both.

WATER QUALITY

1. Require public water systems to disclose information about the presence of lead service lines in their service area and to publicly disclose this information on their website.
2. Adopt a statewide lead service line removal timeframe of no later than ten years that ensures, among other things: community involvement and communication, prioritization for at-risk communities, and full funding by state and federal governments of the water system.
3. Expand the Safe School Drinking Water Act, which regulates lead in drinking water at or above 5 ppb in K-12 public schools, to cover other areas where children congregate for long periods of time including nursery schools, pre-schools, private schools, and public parks.
4. Regularly convene the Drinking Water Quality Council and issue new regulations to address emerging contaminants as required by the Public Health Law.
5. 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. Adopt updated rules and regulations as part of the state’s Drinking Water Source Protection Program.
6. Establish engineering planning grants for drinking water infrastructure to help municipalities pay for the initial planning stage of clean drinking water projects eligible for Clean Water State Revolving Fund monies.
7. Implement and continue to fund a robust program to address harmful algal blooms in lakes, ponds, and waterways statewide.
8. Protect clean drinking water, human health, and aquatic ecosystems by mitigating the impacts of road salt application on our roadways.
9. Authorize local water and sewer authorities to charge and collect stormwater fees, and to credit ratepayers with discounts based on behavior or improvements that mitigate or treat stormwater runoff.

TOXIC CHEMICALS

1. Enact legislation to require disclosure of toxic chemicals in consumer products, especially products meant for children.
2. Ban toxic chemicals, including per- and polyfluoroalkyl substances (PFAS) in consumer products, especially products such as cookware, building materials, and waterproof materials that pose the highest risk to human health.
3. Improve the regulation of chemicals in personal care products to better assess their impact on public health and the environment, especially for disproportionately impacted groups such as women of color.
4. Adopt legislation or regulations that would curtail the unnecessary use of neonicotinoid pesticides, including as a seed treatment for corn and soy.
5. Adopt comprehensive policies that restrict hazardous or toxic chemicals, reward innovative green products, and remediate New York’s legacy of toxic chemical contamination.
6. Continue to invest in the State’s successful green procurement program and extend it to public and private schools, with dedicated assistance for the education sector in utilizing the green procurement portal.
7. Ensure the use of non-toxic materials in transition to electrified or otherwise decarbonized transportation.
8. Require schools to conduct “chemical clean outs” to rid school closets and garages of old, outdated and misused chemical products, including pesticides and herbicides.
New York’s spectacular natural resources provide awe-inspiring views and recreational opportunities, keep us healthy, mitigate the impacts of climate change, protect our biodiversity, and make us more resilient to extreme weather events. 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, community preservation, and water quality improvement.

2. Adopt incentives for research, technical assistance, and implementation of climate-resilient forest and land management practices that reduce carbon emissions and sequester atmospheric carbon in soils to help achieve the U.S. Climate Alliance’s Natural and Working Lands Challenge.

3. Implement and strengthen regional ecosystem programs, including the Comprehensive Conservation and Management Plan for the Long Island Sound, the Hudson River Estuary Action Agenda, the Mohawk River Basin Action Agenda, the Delaware River Basin Restoration Program, and other comprehensive Oceans and Great Lakes management initiatives.

4. Encourage continued development through a statewide planning process for trails that link communities and destinations such as state parks to the existing Empire State trail network. Expand the reach of the Empire State Trail by constructing additional off-road trail segments along the existing route, completing the Genesee Valley Greenway State Park, and constructing the Long Island Greenway.

5. Expand equitable public access to outdoor space by scaling up urban-to-rural connections and critical last-mile transportation infrastructure for trails and parks.

6. Enforce the existing rigorous process for parkland alienation to hold municipal governments accountable and protect parks, playgrounds, and recreation areas from inequitable land swaps, sales, and private development.

7. Increase dedicated resources for wilderness protection and visitor safety to prevent adverse impacts of overcrowding in the Catskill and Adirondack Forest Preserves.

8. 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.

9. Invest in 21st-century water quality monitoring and data collection efforts for New York lakes, rivers and streams to bolster ongoing efforts to protect public health and the environment.

10. Require publicly-owned buildings to implement bird-friendly building best practices and strategies and enact “Lights Out” requirements for all buildings in New York State to reduce avian collisions with buildings and support birds during spring and fall migration.

New York’s farm and agricultural lands and soils are precious resources that provide the region with nutritious local food. They are the least carbon-intensive type of land use, and can even capture and sequester atmospheric carbon. They must be preserved, grown, and operated sustainably.

1. Accelerate preservation of the state’s farmland, strengthen regional foodsheds, and improve clean transportation options available for the movement of fresh food from farm to table, particularly in underserved areas.

2. Support legislation that allows working farms that are 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 the 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. Support and expand Farm to School Grants and the Farm to School Reimbursement Incentive, including codifying the 30% Farm to School Initiative, and support services to connect schools and other institutions with farms.

5. Develop policies to support pollinator colonies and better understand and prevent pollinator collapse.

6. Proactively work with the agricultural community to reduce on-farm emissions and monetize farm waste through anaerobic digestion.

7. When siting renewable energy projects on farmland, do so in a way that preserves New York’s farmland, expand research on and support implementation of dual use innovation, and deploy other strategies to minimize net reductions of working farmland.

8. The cannabis and hemp industries should be closely managed to ensure they are environmentally responsible, energy efficient, and conserve water.
NEW YORK LEAGUE OF CONSERVATION VOTERS
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
NYLCVEF educates, engages and empowers New Yorkers to be effective advocates for the environment.