

NEW YORK LEAGUE OF CONSERVATION VOTERS

NEW YORK LEAGUE OF CONSERVATION VOTERS EDUCATION FUND

# New York State Policy Agenda 2020





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Last year was an incredible session for environmental progress, thanks to the leadership of Governor Cuomo, Senate Majority Leader Stewart-Cousins, Assembly Speaker Heastie, and environmental champions in both houses of the Legislature. It was exciting for me to see so many of the New York League of Conservation Voters' longstanding priorities addressed in my first full year with the organization. As much progress as we made last year, there's more to do in 2020.

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 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 2020 New York State Policy Agenda will drive our advocacy throughout the legislative session and guide the bills we will select for our Legislative Scorecard. We focus on five major issue areas: funding for the environment, climate change, public health, protecting natural resources, and agriculture.

Now that we've enacted the historic Climate Leadership and Community Protection Act, we need to start implementing it. Reaching the CLCPA's goals means tackling transportation emissions, which is a major focus for us this year. We also need to address the recycling crisis, increase funding for the Environmental Protection Fund and agency staff, get serious about resiliency, and move forward on a range of other issues that you can read about in the following Agenda.

We look forward to working with the Governor, Senate, and Assembly to build on 2019's successes and have another big year for the environment.

A handwritten signature in black ink that reads "Julie Tighe".



# Top Priorities in 2020

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## Transportation

Reducing transportation emissions is one of the most important, and most difficult, parts of achieving the CLCPA's goals. New York should join the Transportation and Climate Initiative and push for it to be as strong as possible. New York should also establish a low carbon fuel standard that makes the dirtiest fuel providers subsidize low and zero-emission alternatives. We must also implement a congestion pricing program that maximizes emission reductions and improves air quality.

## Recycling

Waste is an often overlooked part of the climate crisis. The recycling system is facing numerous challenges that must be addressed to make New York's waste management more sustainable. New York 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 with funding; expanding the Bottle Bill; standardizing a statewide list of recyclable materials; and requiring the sale and purchase of products with recycled content.

## Energy

To achieve 100% clean energy by 2040, the State must increase the speed at which utility-scale renewable energy is approved through the Article 10 process and build out more transmission to bring renewable energy from where it is most plentiful to where it is most needed. Energy efficiency in building codes and appliance standards should also be tightened to reduce how much energy we need in the first place.

## Lead in School Drinking Water

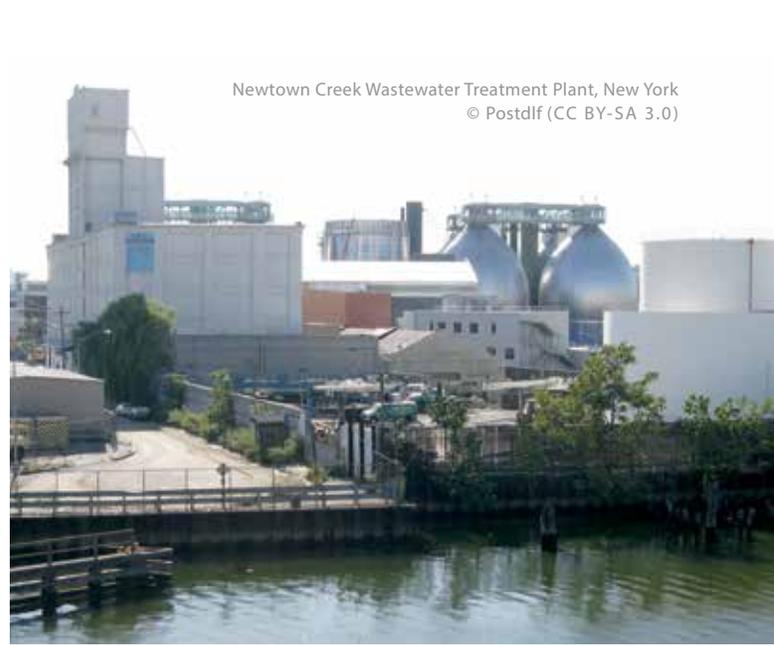
In 2016, New York became the first state to require lead in drinking water testing and remediation in all public schools. It is time to revisit the law and update it based on what we have learned since then, including reducing the action level below 15 parts per billion, extending the testing requirement to private schools and day cares, and changing the testing guidelines to reflect newer best practices.



## Ensure Adequate Funding for the Environment

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New York State is a national leader on the environment. To maintain New York's competitive advantage as a state and an environmental leader, environmental programs must be fully funded and we must have adequate resources for effective implementation and enforcement.



1. Increase the Environmental Protection Fund to \$500 million over five years, beginning with an increase to \$350 million in the 2020-2021 State budget to address significant environmental, land protection, infrastructure, and conservation needs throughout the state without sweeps, raids, staff offloads, or one-shot funds.
2. 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.
3. Invest \$1 billion in new clean water infrastructure funding in the 2020-2021 budget to reduce the backlog of water infrastructure projects, provide ongoing maintenance, and support green infrastructure.
4. Increase funding and resources, especially for additional personnel, to the agencies charged with protecting and preserving the environment and public health, including new staff for 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), the Department of Agriculture & Markets (DAM), the Department of Health (DOH), and the Department of State (DOS).
5. Allocate at least \$1 billion in new funding over ten years to the Revive Mother Nature initiative for habitat restoration, with an emphasis on environmentally restorative projects such as coastal wetlands that also have resiliency benefits.
6. Create a sustainably-funded \$10 billion Resilient Infrastructure Fund to support environmentally restorative projects that make New York more resilient to flooding, including buyout programs, setbacks, and green infrastructure. Develop a comprehensive roadmap for implementing fundable projects.
7. Fully fund mass transit capital 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.
8. Continue to make allocations to the \$10 billion Green Future Fund for clean water, renewable energy and green transportation, recreation and land preservation, and resiliency.

# Climate Change

Implement the Climate Leadership and Community Protection Act (CLCPA) to achieve economy-wide carbon neutrality by 2050 and 100% clean energy by 2040. Invest in resiliency to protect vulnerable communities from the changing climate. Focus at least 35% of investments in environmental justice communities.

## Energy

1. Ensure the CLCPA target of generating 70% renewable energy by 2030 and 100% clean energy by 2040 includes interim benchmarks, performance metrics, and transmission modernization, with specific measures to achieve:
  - a. Six gigawatts of distributed solar energy capacity by 2025.
  - b. Three gigawatts of energy storage capacity by 2030.
  - c. Nine gigawatts of offshore wind capacity by 2035.
2. Implement a price on carbon in the wholesale electricity market and consider applying carbon pricing in other sectors of the economy.
3. Implement the Public Service Commission's energy efficiency mandate in the CLCPA with rigorous evaluation standards.
4. Progressively tighten building energy codes and work with other states to develop building energy codes that provide deep energy savings. Require new appliances to be more energy efficient.
5. Implement a coordinated building electrification strategy, including aggressive goals, strong incentives, and integrated programs from NYSEERDA and utilities. Where electrifying heating is not feasible, replace #6 and #4 heating oil with lower emission and renewable fuel alternatives.
6. Establish effective, streamlined siting guidelines and regulatory processes for large-scale renewable energy projects that are consistent with protection of natural resources, including:
  - a. Proactively plan for renewable energy projects with local governments, the public, and private developers, including offering incentives.
  - b. Establish a mitigation bank to offset project impacts.
  - c. Ensure local appointments are made to the Article 10 Siting Board.
  - d. Exclude funds a municipality may receive from a renewable project from the State's 2% property tax cap.
  - e. Dedicate \$1 million in funding for staff at the State's nine regional planning boards to assist municipalities with planning.
7. Use Regional Greenhouse Gas Initiative auction proceeds exclusively for clean energy and energy efficiency projects and programs.

8. 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 that bear a disproportionate impact of these emissions.

## Resiliency and Sustainability

1. Extend DEC's regulatory authority over wetlands and make wetlands mapping an educational tool rather than a prerequisite for DEC regulation.
2. Finalize and adopt updated state coastal erosion hazard area and wetlands maps that reflect state-of-the-art science.
3. Continue to fully implement the Community Risk and Resiliency Act as amended by the CLCPA.
4. Encourage proactive resiliency projects that reduce community risk 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. 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.

## Transportation

1. Join the Transportation and Climate Initiative to reduce carbon and other emissions from the transportation sector across participating states, with a clear plan to prioritize investments in environmental justice communities.
2. Establish a Low Carbon Fuel Standard.
3. Implement the New York metropolitan region congestion pricing plan by January 2021 with minimal carve outs, maximum emission reductions, and a robust public education campaign.
4. 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.
5. 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, and other decarbonization strategies for, transit buses, school buses and other forms of transportation and mass transit.
6. Continue to support the Gateway Project, including a new rail tunnel between New York and New Jersey and all associated infrastructure on the New York side of the Hudson River.
7. Make communities more walkable and bikeable by supporting 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.

8. 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.
9. Repair and upgrade critical commuter and freight rail lines throughout the state to limit car and truck traffic on local roads and highways.

## Waste Management

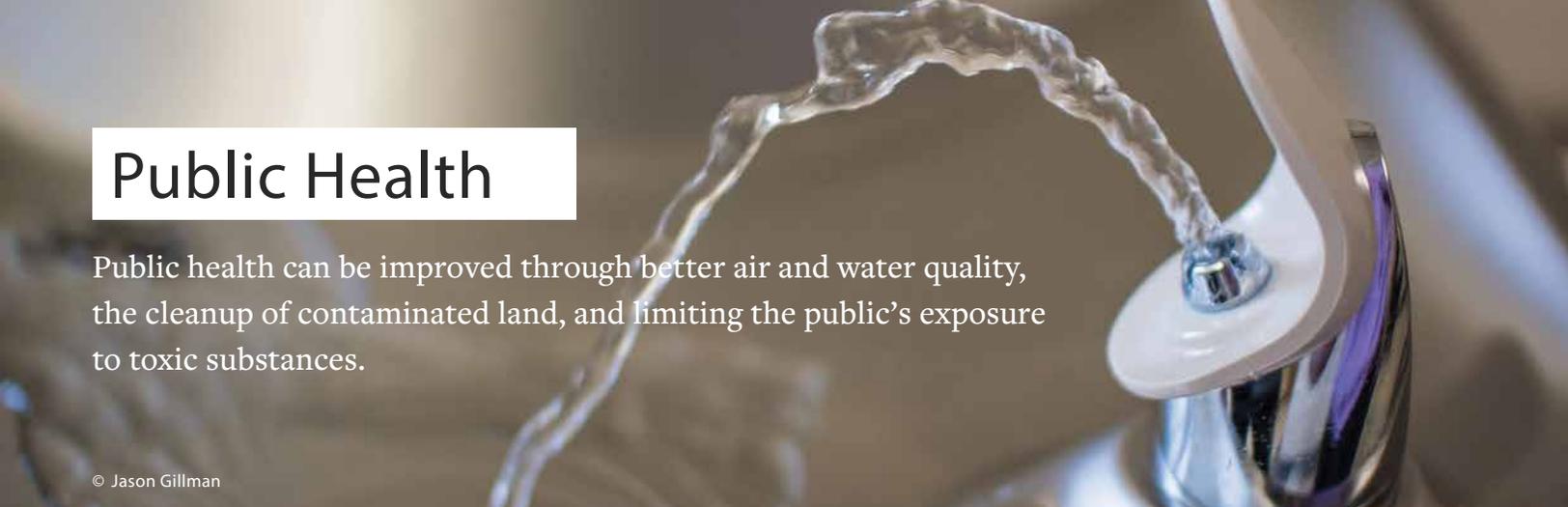
1. Set a statewide goal of reducing waste sent to landfills by 90% by 2040, and enact policies to create a circular economy.
2. Address challenges in the recycling market. Consider:
  - a. Passing more extended producer responsibility laws, especially for packaging.
  - b. Supporting local recycling efforts, including funding for recycling coordinators.
  - c. Covering additional types of glass containers in an expanded Bottle Bill.
  - d. Standardizing a statewide list of recyclable materials.



- e. Funding a coordinated and comprehensive public education campaign.
  - f. Stimulating markets for recycled materials, including by encouraging or requiring the sale and purchase of products with recycled content that is non-toxic.
3. Incentivize the reduction of single-use items and the use of non-recyclable materials, especially in packaging and food service.
  4. Enact legislation that ensures the State's definition of hazardous waste is applied consistently and covers waste derived from oil and natural gas drilling and extraction.

## Green Jobs and Education

1. Develop and fund green jobs training programs, with a focus on environmental justice communities, and communities and industries that are economically dependent on carbon-intensive jobs.
2. Develop a climate change education curriculum to be taught in schools statewide.



# Public Health

Public health can be improved through better air and water quality, the cleanup of contaminated land, and limiting the public's exposure to toxic substances.

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## Water 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. Adopt updated rules and regulations as part of the State's Drinking Water Source Protection Program.
4. Implement and continue to fund a robust program to address harmful algal blooms in lakes, ponds, and waterways statewide.

5. Protect clean drinking water, human health, and aquatic ecosystems by mitigating the impacts of road salt application on our roadways.

## Toxic Chemicals

1. Enact legislation to require disclosure of toxic chemicals in consumer products, especially products meant for children.
2. Ban hazardous flame-retardant chemicals in consumer products, building materials, and furniture.
3. Ban per- and polyfluoroalkyl chemicals in consumer products, especially products like food packaging that pose the highest risk to human health.
4. Adopt comprehensive policies that restrict toxic chemicals, reward innovative green products, and remediate New York's legacy of toxic chemical contamination.
5. Strengthen and expand the State's Green Procurement Program.

# Natural Resources

New York's spectacular natural resources provide awe-inspiring views and recreational opportunities, keep us healthy, mitigate climate change, and make us more resilient to extreme weather. Our parks, forests, rivers, lakes, and oceans should be protected so future generations can enjoy them.

Shoreline at Wellesley Island State Park, New York  
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1. Support legislation that enables communities to raise local funds for open space conservation, community preservation, and water quality improvement.
2. 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.
3. Implement and strengthen regional ecosystem programs including the Comprehensive Conservation and Management Plan for Long Island Sound, the Hudson River Estuary Action Agenda, the Mohawk River Basin Action Agenda, and other comprehensive Oceans and Great Lakes management initiatives.
4. Add Class C streams, which support fisheries and are ecologically vulnerable, to New York State's Protection of Waters Regulatory Program.
5. 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.
6. 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.
7. Adequately fund and implement robust programs to deal with the growing threat of invasive species. Pass legislation making the Aquatic Invasive Species Prevention Act permanent and creating an enhanced aquatic invasive species prevention program for the Adirondack Park.
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. Provide funding to support bird-friendly retrofits for buildings experiencing high numbers of bird collisions and direct state agencies and state-owned buildings to participate in the New York Lights Out Initiative during peak bird migration.



## Agriculture

New York's farms are precious resources that provide the region with nutritious local food, 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. Preserve the state's farmland and regional foodsheds and improve transportation options available for the movement of farm-fresh food from farm to table.
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. Support and expand the Farm to School Reimbursement Incentive, with support services to connect schools 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, monetize farm waste through anaerobic digestion, and site renewable energy projects without net reducing working farmland.



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#### 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.

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