



**ENVIRONMENTAL  
ADVOCATES OF NEW YORK**

YOUR GOVERNMENT WATCHDOG

February 13, 2009

Governor David A. Paterson  
State Capitol  
Albany, New York 12224

Dear Governor Paterson,

Charged with protecting our air, land and water, New York State's Department of Environmental Conservation (DEC) is responsible for many critical public health and safety functions. By imposing a statewide hiring freeze, Environmental Advocates of New York believes that your Administration has considerably weakened the agency's ability to protect New York's natural resources.

While the Executive Budget did not include layoffs at the agency, the hiring freeze will leave the DEC unable to fill at least 241 positions that will be lost to attrition during 2008 and 2009. Staff levels will then dip to approximately 3,500 positions. Levels have not been this low since the hiring freeze imposed by Governor Pataki, and the agency has never fully recovered.

The DEC's Core Mission Report, submitted to the Division of Budget in October 2008, asserts that the state's core regulatory programs are failing because of chronic staff shortages.

For example, due to chronic lack of resources more than 1,000 polluters have not undergone the legally required review of their discharges in more than a decade. As a result, billions of gallons of effluent and industrial waste are being released every day from facilities that have not undergone the review required by the federal Clean Water Act.

We were pleased to see your Executive Budget included a proposal to increase water pollution permit fees, a proposal that is projected to raise more than \$5 million. Environmental Advocates urges you, however, to ensure that these fees are used to strengthen the state's permit program by hiring staff to provide proper water quality protections, as well as to ensure that responsible water quality monitoring is conducted.

As budget negotiations with the State Legislature begin, we ask you to accept legislative changes to the Environmental Conservation Law that would increase fees on polluters in an effort to fund necessary staff positions at the DEC.

We are aware that in the past, staff positions added by the Legislature have not been funded by prior administrations. We ask you to abandon this practice and instead commit to fully fund staff positions at state agencies.

The statewide hiring freeze is not universal. Per a cursory review of the Executive Budget documents, we learned that a number of agencies have received authority to hire staff during the coming budget year. These agencies include the Department of Taxation and Finance (300 new staffers), Medicaid Inspector General (71 new staffers), and the Division of Alcoholic Beverage Control (50 new staffers). In the case of the Division of Alcoholic Beverage Control, new staff has been proposed to address a backlog of state liquor permits. We question whether processing these permits is as important to New Yorkers as reviewing pollution permits that protect our drinking water.

Based on these actions, we can only conclude that environmental protection is taking a back seat to other, less critical, state responsibilities under the Paterson Administration. The health of New York's families and our natural resources deserve better. Environmental Advocates of New York looks forward to your response to this letter.

Respectfully yours,

A handwritten signature in black ink that reads "Robert J. Moore". The signature is written in a cursive style with a large initial "R" and "M".

Robert J. Moore  
Executive Director  
Environmental Advocates of New York

Cc: Judith Enck, Deputy Secretary, Environmental Affairs  
Assemblyman Robert Sweeney, Chair Environmental Conservation Committee  
Senator Antoine Thompson, Chair Environmental Conservation Committee