



GREEN SHEET | New York

A Publication of Environmental Advocates of New York • MARCH/APRIL 2009 Vol. 14, No. 2



**ENVIRONMENTAL
ADVOCATES OF NEW YORK**

YOUR GOVERNMENT WATCHDOG



BY THE NUMBERS

\$131.8 BILLION—
NYS Budget for 2009-2010

\$222 MILLION—
Environmental Protection Fund for
2009-2010

\$432 MILLION—
Stimulus money dedicated to the
Clean Water State Revolving Fund

\$100+ MILLION—
Revenue that will be raised by
updating NYS' bottle deposit law

23%—Projected Metropolitan
Transportation Authority fare hike



INSIDE THIS ISSUE

- Donor Spotlight
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- 40th Anniversary

A Very Green Budget

This budget season found New York State lawmakers looking for ways to fill a gigantic budget gap. And in the end, efforts to protect our shared natural resources were saved from the chopping block.

In what amounts to a very "green" budget, state lawmakers updated the state's bottle deposit law, kept the Environmental Protection Fund's stable funding stream, and updated fees to encourage polluters to clean up their act.

It's safe to say that many of the green victories in this year's budget are thanks to the efforts of environmental advocates like you. Your calls and letters matter and may have made the difference between a good and a bad budget season when it comes to protecting our air, land and water.

BIGGER BETTER BOTTLE DEPOSITS

This year's budget expands and updates New York's bottle deposit law to include plastic water bottles. The original law, enacted in 1982, resulted in more than 90 billion bottles and cans kept out of our landfills and incinerators, making it New York's most successful recycling and litter prevention program.

The expanded bottle deposit law matches consumer drinking habits and gives New Yorkers a stronger incentive to recycle. In New York, beverages with the deposit have an 80 percent recycle rate, whereas beverages without a deposit have only a 20 percent recycle rate. And more than 80 percent of revenue generated by updating the law will go to support state services—rather than bottlers and beverage giants.

ENVIRONMENTAL PROTECTION FUND

Although the Environmental Protection Fund took a hit during budget negotiations, it came out on top in the end. Most importantly, the approved budget maintains the Fund's stable funding formula by keeping its current revenue source, Real Estate Transfer Tax (RETT) revenue. The Fund is slated to receive approximately \$200 million in RETT revenue in the year ahead, dollars that will go to support projects statewide that generate big economic benefits.

In addition, the proposed \$45 million cash sweep from the Fund was eliminated, ensuring that New York's dedicated funding source for all things green will remain solvent for now.

MAKING POLLUTERS PAY

The approved budget also updates the state's Title V air pollution permit program by raising the program cap and changing the flat \$45 per ton fee to release contaminants to a sliding scale based on the amount of pollution. Raising the cost to pollute will encourage polluters to reduce overall emissions of sulfur dioxide and nitrogen oxides, as well as other contaminants.

Environmental Advocates called on Governor Paterson and state lawmakers to fix outdated fees associated with the program earlier this year. The Title V update means that polluters, and not New York taxpayers, will pay the cost of regulatory oversight for the state's air pollution permitting program, as required by the federal Clean Air Act.

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DONOR SPOTLIGHT: MARCIA FOWLE

Friends and donors are vital to the success of Environmental Advocates of New York, and generous contributions from supporters like Marcia Fowle enable us to protect New York's air, land and water for generations to come.



Marcia has been part of the Environmental Advocates family for 20 years. She currently serves on the NYC Audubon Board of Directors and has long been a member of New York's larger environmental community. Marcia was honored for her work in sustainable urban planning with our Advocate Award in 2006. She continues to work to protect the biodiversity of habitat and wildlife across New York.

"Environmental Advocates is the one group in Albany that always has its fingers on the pulse of state government. They know when the decisions are being made that will impact us all and that's why I continue to support their critical work."

Marcia's gifts help us protect New York's environmental trust fund from insolvency, keep the regional plan to cut global warming pollution from power plants on track, and ensure that water pollution permitting is safely enforced.

Marcia is an inspiration to advocates from Buffalo to Long Island. For more information about donating to Environmental Advocates, visit www.eany.org.

DIRECTOR'S CHAIR

David Paterson became New York's Governor under less than ideal circumstances. He's been challenged by a bad economy and what might be called a confusing political landscape. As a result, the Governor's reputation for protecting our natural resources has taken some hits.

The Governor got off to a green start. He squashed plans for a floating liquid natural gas facility in Long Island Sound, a proposal the environmental community and others opposed. He was the first governor to speak at Earth Day Lobby Day in the State Capitol. In addition, he made sure Environmental Protection Fund dollars moved swiftly to support projects statewide. We estimate that more than \$180 million will go to green projects this year, an all-time record.

But 12 months into his tenure, the green sheen has started to corrode and efforts to address a ballooning deficit have shortchanged the environment. The Governor's across-the-board staff cuts to state agencies did not take into account the reductions made by prior administrations. The hiring freeze will disproportionately impact the Department of Environmental Conservation. This year, the agency will lose more than 240 staff due to attrition.

And then there's the Regional Greenhouse Gas Initiative (RGGI), the nation's first-and-only enforceable program to cut global warming pollution from power plants. The Administration has had a hot-and-cold relationship with the

regional effort for some time, beginning with a draft Executive Order that the Governor said could be used to weaken the rule. Now, thanks in part to swift action by Environmental Advocates, New Yorkers know all about the backroom agreement allegedly made with polluters to re-open the RGGI rules.

What will Governor Paterson's environmental legacy be? Right now, he has big opportunities to reverse his fortunes. This year's state budget-making may have been ugly but there is reason to celebrate.

By leading efforts to update New York's bottle deposit law and revisiting his plans to mess with the state's environmental trust fund, the Governor has a chance to reclaim his title as one of the nation's greenest governors.

In our next issue, we hope to report that he's made strides to rescue the embattled Metropolitan Transportation Authority and keep the regional plan to cut climate pollution as strong as it should be.

It's our job to watchdog the Governor's every move, and we'd prefer to celebrate his good choices rather than call attention to missteps.



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GREEN BUDGET

The budget also updates water pollution discharge fees to support the Department of Environmental Conservation.

Environmental Advocates has voiced concerns about the agency's ability to enforce the Clean Water Act because of inadequate pollution discharge fees and lack of staff.

WHAT LIES AHEAD

Although the final budget for State Fiscal Year 2009-2010 includes some green victories, concerns remain. State lawmakers have not come to an agreement regarding support for the Metropolitan Transportation Authority (MTA), which is

facing a critical budget shortfall. The MTA has already voted to raise fares and cut services in the absence of a rescue agreement from the State Capitol.

We also remain concerned about the affect of Governor Paterson's plan to layoff nearly 9,000 state workers and the impact this downsizing will have on the Department of Environmental Conservation.

It's shaping up to be a green year in Albany, and hopefully it will get even greener as the Legislative Session continues.

RGGI: Regional Greenhouse Gas Initiative

In a move that left environmental advocates up in arms, Governor Paterson has allegedly promised power producers that he will weaken regulations to guide New York in the nation's first plan to cut global warming pollution, the Regional Greenhouse Gas Initiative, or "RGGI."

According to a front-page *New York Times* story, the Governor made a deal with the Independent Power Producers of New York to re-open the rule. Power plant polluters say that their voices weren't heard during more than three years of public debate and discussion during the rule-making.

Questions remain about the deal and what comes next. We're doing everything in our power to keep the RGGI on track.

Good News for Great Lakes

President Obama has announced an investment of more than \$475 million to restore the Great Lakes—money that is sure to protect the lakes while creating jobs and growing the economy. Additionally, there could be as much as \$1 billion in Great Lakes restoration and economic recovery funding provided to the Great Lakes states, including New York, through increased funding for Great Lakes and Drinking Water programs. Forty percent of New York State lies within the Basin and roughly four million New Yorkers rely on the Lakes for drinking water, energy and jobs.

Environmental Advocates of New York is working with the Healing Our Waters - Great Lakes Coalition to ensure that the Great Lakes Congressional Delegation does what is necessary to secure this funding. Visit www.healthylakes.org to learn more.

New York Receives Largest-Ever EPA Grant

New York State will soon receive the largest grant ever issued by the U.S. Environmental Protection Agency (EPA).

A \$432 million grant for the Clean Water State Revolving Fund was announced in Albany by EPA Administrator Lisa Jackson at an event with Governor Paterson.

The grant is part of the \$787 billion American Recovery and Reinvestment Act and will be used for water infrastructure projects across the state. These projects will create thousands of jobs, jump-start local economies, and protect human health and New York's environment.

40TH ANNIVERSARY

In 1969, Environmental Advocates of New York was founded in response to a growing need for a strong voice in the State's Capital representing our shared environment. Although we've enjoyed many victories since then, New York State still needs a government watchdog to look out for our air, land, water and wildlife and the health of all New Yorkers.



Irv Flinn, President of the Board of Directors, still sees Environmental Advocates as the voice of New York's environmental community. "In earlier decades we played a

leadership role in such key initiatives as the Adirondack Park Act, the State Environmental Quality Review Act, the Bottle Bill, and the Environmental Protection Fund (EPF). And in the last several years, I've been particularly proud of our climate change work, including the Regional Greenhouse Gas Initiative (RGGI), and of our role in exposing bad policies, including certain wasteful government programs that harm the environment and, most recently, two proposed actions by the Governor that unchecked would bankrupt the EPF and seriously undercut the effectiveness of RGGI. The need for us to serve as watchdog seems greater than ever."

Irv has served has served on the Board since 2002, and as President since 2005. A retired attorney, he finds the opportunity to combine his passion for environmental protection with his interest in public policy truly gratifying.

"It's a great organization with a talented and committed staff. It's also the perfect size for a board member who wants to have an active role and engage on important issues. These are things I hope don't change in the next 40 years."

BECOME AN ENVIRONMENTAL ADVOCATE TODAY!

Stay up-to-date on statewide environmental issues by becoming a member of Environmental Advocates of New York for just \$35. Membership includes a **subscription to our bi-monthly *Green Sheet New York* newsletter** and a **copy of EPL/Environmental Advocates' annual *Voters' Guide***. Please be sure to include your address with your payment. For more information, contact **Peggy Fandrich at 518.462.5526, ext. 236**.

Become an Environmental Advocate today!

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