



**ENVIRONMENTAL
ADVOCATES OF NEW YORK**

YOUR GOVERNMENT WATCHDOG

March 8, 2017

Hon. John Flanagan
Senate Majority Leader
State Capitol, Room 332
Albany, NY 12247

Hon. Carl Heastie
Speaker of the Assembly
LOB, Room 932
Albany, NY 12248

Hon. Jeffrey Klein
Senate IDC Leader
LOB, Room 913
Albany, NY 12247

Hon. Andrea Stewart-Cousins
Senate Democratic Leader
LOB, Room 907
Albany, NY 12247

Hon. Brian Kolb
Assembly Minority Leader
LOB Room, 933
Albany, NY 12248

Re: Funding diesel clean up in this year's budget

Dear Legislative Leaders:

In 2006, a groundbreaking law – the Diesel Emissions Reduction Act (DERA) – was enacted to ensure the State led through example and reduced the diesel pollution from its vehicles and those operated under State contracts. Full compliance, scheduled for 2010, has never been achieved.

Diesel exhaust particles have serious health effects. Diesel triggers asthma attacks, heart attacks, it causes lung cancer, and cuts short lives. Studies have found that up to 20-percent of Bronx children have asthma, while 25-percent of students at one Buffalo school suffered from asthma according to a 2013 study. Half of all residents at Albany's Ezra Prentice Homes have asthma, where 1,000 diesel trucks pass by daily. Close to 300,000 Long Island residents currently suffer from asthma. This is a statewide issue with countless communities affected.

During the past few budget cycles, the rationale given for the DERA delay was a lack of resources. This year, no such argument can be made due to a national settlement with Volkswagen, from which New York State will receive \$117 million that **must** be used to mitigate air pollution. In fact, 90-percent of the funding stream needs to be designated for diesel emissions reduction.

Asking New York's children to hold their breath is not an air pollution reduction strategy. Using the clean air settlement funds associated with Volkswagen's emissions cheating is the path you must take in the SFY2017-18 Budget in order to protect children's health and the health of all New Yorkers.

In 2015, both houses stepped up to fund water infrastructure investments. Last year it was funding for electric vehicle purchase rebates. This budget should be the year that you fully fund DERA and demonstrate once again, that you'll act when the Executive fails to.

Thank you for considering this proposal to improve the lives of millions of New Yorkers who breathe dirty diesel emissions.

Sincerely,

Peter M. Iwanowicz
Executive Director