

**CITIZENS  
CAMPAIGN**  
FOR THE ENVIRONMENT



www.citizenscampaign.org

- 225A Main Street • Farmingdale, NY 11735  
516-390-7150
- 744 Broadway • Albany, NY 12207  
518-772-1862
- 733 Delaware Road, Box 140 • Buffalo, NY 14223  
716-831-3206
- 2000 Teall Avenue, Suite #204 • Syracuse, NY 13206  
315-472-1339
- 2404 Whitney Avenue, 2nd Fl. • Hamden, CT 06518  
203-821-7050

Empowering Communities, Advocating Solutions.

**Testimony to the Joint Hearing on the Environmental Budget**  
William Cooke, Director of Government Relations  
January 28, 2015

Thank you for the opportunity to speak today. I am William Cooke, Director of Government Relations for Citizens Campaign for the Environment. CCE is a statewide 80,000 member non-profit, non-partisan advocacy organization that works to empower communities and advocate solutions that protect public health and the natural environment.

**ENVIRONMENTAL PROTECTION FUND (EPF)**

The Environmental Protection Fund is critical to every New Yorker. From Montauk to Buffalo, the EPF enhances the quality of life for everyone living in the Empire State. A 2012 analysis by The Trust for Public Land found for every \$1 of EPF funds invested in land and water protection, \$7 in economic benefits through natural goods and services is returned to the state of New York. The EPF supports thousands of jobs in our state from outdoor tourism and agriculture to drinking water protection. EPF-supported industries generate approximately \$40 billion in revenue every year. **CCE supports increasing the EPF to \$172 million in SFY 15-16, which is an important step toward fully funding the EPF.** Through the EPF, New York is conserving and enhancing farms, forests, rivers, beaches, and lakes. The EPF is supporting community parks, recycling programs, zoos and botanical gardens. EPF programs improve the quality of life for all New Yorkers. The programs attract businesses, create jobs and protect our water, air, and quality of life. A healthy economy is reliant on a healthy environment.

As the economy has rebounded so has the EPF's primary revenue source, the Real Estate Transfer Tax (RETT). This fiscal year, RETT is expected to generate \$955 million. Additionally, the RETT is projected to exceed \$1 billion in out years. Unfortunately, the EPF appropriation from the RETT is stagnant at \$119 million. **The EPF should be funded primarily from the RETT, which is how it was designed, and gains in the RETT should be reflected in the EPF's recovery.** Unfortunately, increases in EPF funding are tied to raiding funds generated by the Regional Greenhouse Gas Initiative (RGGI). RGGI funds are intended to spur our clean energy economy and not balance the books on the EPF. RGGI programs include: the Green Jobs, Green New York program; the Hudson Valley's five college Clean Energy Technology Training Consortium; and commercial energy audit training at the CUNY, SUNY Stony Brook, and Monroe County Community College. New York has made significant progress toward its clean energy economy with support from RGGI. This progress cannot and should not be undermined by sweeping these funds. Again, the EPF's primary source of funding, the RETT, is extremely healthy and the EPF's increase should be coming from the RETT. **CCE opposes raiding RGGI funds to pay for the EPF.**

## OCEANS & GREAT LAKES

In part due to the funding invested in the EPF's Ocean and Great Lakes subcategory since 2005, New York has made real strides in improving our knowledge of our ocean, coastal and Great Lakes resources. Additional resources are needed to continue and expand the work to protect these critical economic treasures.

In 2010, ocean sector industries like fishing and tourism contributed more than \$21.7 billion to New York's Gross Domestic Product (GDP) and supported nearly 300,000 jobs.<sup>1</sup> The largest ocean economy sector is tourism and recreation: in 2010, tourism and recreation contributed more than \$16.5 billion to the state GDP and supported nearly 254,000 jobs.<sup>2</sup> The Great Lakes also contribute significantly to the state's economic well-being, supporting a sport fishery valued at more than \$2.27 billion that generates nearly 12,000 jobs. In addition, Lakes Erie, Ontario and the St. Lawrence River provide the foundation for a multi-million dollar tourism industry in the New York Seaway Trail region, serve as a key water resource for hydropower generation and manufacturing industries and allow for recreational boating opportunities that contribute over \$600 million a year to New York's economy.<sup>3</sup> **The Oceans and Great Lakes line of the EPF is proposed to be funded at \$6.5 million, a \$1 million increase. CCE supports this increase, and urges the Legislature to look for additional opportunities to increase this line in the EPF.**

The DEC recently released action agendas for both the ocean and Great Lakes. The *Draft 10-year Ocean Action Plan to Protect and Restore New York State's Rich Ocean Resources* is a blueprint for protecting our oceans and estuaries, which are major economic drivers. Additionally, New York's Interim *Great Lakes Action Agenda* identifies the most pressing problems facing the lakes, and provides specific goals and activities to address these problems. The Great Lakes Action Agenda is broad in scope, addressing a range of issues related to water quality, water quantity, coastal resiliency, emerging pollutants, sustainable economic development, and more. The Action Agenda has also aligns New York's Great Lakes goals and priorities along with the federal Great Lakes Restoration Initiative (GLRI) Action Plan, thus making NY well-positioned to secure and leverage federal restoration dollars. In order to implement important goals laid out in both of the Ocean Action plan and the Great Lakes Action Agenda, and to leverage additional federal dollars, additional funding is needed in the Ocean and Great Lakes program.

## SEWAGE POLLUTION RIGHT TO KNOW IMPLEMENTATION

In 2012, the Legislature passed the Sewage Pollution Right to Know Act (SPRTK), a critical step to protecting public health and water-based recreation and tourism. Unfortunately, there are still communities are unable to fully comply with the law because they lack the right technology. Specifically, communities with Combined Sewer Overflows (CSOs) need assistance to comply with the law. Across the state more than 33 billion gallons of combined sewage and stormwater

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<sup>1</sup> National Oceanic and Atmospheric Administration. Economics: National Ocean Watch. Data Wizard. New York, 2010. Available at: <http://www.csc.noaa.gov/ENOWDataWizard/index.jsp?StateFIPS=36000&vYears=2010>.

<sup>2</sup> National Oceanic and Atmospheric Administration. Economics: National Ocean Watch. Data Wizard. New York, 2010. Available at: <http://www.csc.noaa.gov/ENOWDataWizard/index.jsp?StateFIPS=36000&vYears=2010>.

<sup>3</sup> Great Lakes Commission. March 2013. "Great Lakes Restoration at work in New York." Available at: <http://www.glc.org/files/main/New-York-GLRIStateFactsheet2013-final-Feb28.pdf>.

is discharged into New York's waterways each year. The volume of raw sewage discharged from these CSO systems make them the largest single source of sewage contamination that is covered by SPRTK.

In 2014 the Legislature allocated \$500,000 to give communities technical assistance in complying with the Sewage Pollution Right to Know Act, specifically monitoring and modeling for CSO discharges. **CCE urges the Legislature to once again allocate \$500,000 for the DEC to assist communities with implementation.**

#### **PHARMACEUTICAL TAKE-BACK PROGRAM**

The DEC runs a safe disposal program for hospitals, and health care facilities within the NYC watershed, on Long Island, and in Monroe County. The DEC picks up unused or expired pharmaceutical drugs from hospitals, health care facilities and long-term care facilities. Right now, the program is limited to the aforementioned regions. There is a need and a demand for DEC to expand this program to other areas in NYS. Health-care facilities are still flushing unused and expired drugs. In March 2013 CCE released a report, "Analysis of Existing Drug Disposal Plans at Health Care Facilities in Suffolk County, NY." The report found that 51% of Suffolk County hospitals, long-term care facilities and nursing homes are flushing expired and unused controlled substances. In Spring 2013, Westchester County Health Department conducted a survey of the 16 hospitals and found 5 are still flushing controlled substances and 2 are flushing non-controlled substances.

Pharmaceutical drug contamination in ground and surface waters is an emerging issue throughout the state. DEC's take-back program should protect all NY waters. Flushing unused and expired drugs end up polluting drinking and surface waters throughout all of NY. **CCE supports the \$150,000 in the Executive budget for continuing the take-back program on Long Island urges the Legislature to allocate additional funds for drug take programs throughout the state. CCE encourages the Legislature to allocate \$1 million for drug-take back programs of hospital and healthcare facilities throughout New York.**

#### **STREAM GAGES**

Stream gages measure the quantity and variability of our surface water resources. In addition, the analysis of streamflow data in combination with groundwater data helps us understand the relationships of the hydrologic cycle. When flooding occurs, stream gages are indispensable as tools for flood forecasting and warning along rivers and streams. Reliable funding of the stream gage network is necessary in order to obtain the information needed to make good decisions about the managing of our shared water resources.

The U.S. stream gaging network saves one billion dollars annually in property losses, aids in preventing loss of life, provides important information in bridge designs, and is essential for the monitoring of water use and allocation. This network provides the hydrologic information needed to aid in defining, using, and managing our country's invaluable surface water resources. The stream-gaging network provides a continuous source of well-archived, well-documented, and unbiased water data that are used in countless ways by governmental and private industries alike. For example, stream gaging data is used to watch river levels for both wastewater treatment plants and recreational users. The water data are put to work for everyone, every

single day. Unfortunately, many gages with valuable long periods of record have been lost in recent years due to discontinued funding. New York State needs more stream gages and cannot rely upon federal funding for adequate data. **CCE urges the Legislature to allocate \$2 million for stream gages in the SFY 15-16 budget.**

#### **AGENCY STAFF AND FUNDING**

Unfortunately, for yet another agency staff and funding remain relatively flat. In fact, the DEC is projected to lose another three enforcement officers. New York State is not doing its job to protect its natural resources and staff its agencies. DEC and DOS have mandates to protect New York's land, air, and water. Doing these jobs well will not only benefit New York's environment, it will ensure sustainable economic growth. **CCE urges the Legislature to significantly boost DEC and DOS funding and staffing levels.**

#### **WATER INFRASTRUCTURE**

New York State has a \$36.2 billion wastewater infrastructure deficit. Additionally, clean water infrastructure, such as water mains, are outdated and in a constant state of failure. New York was presented with a \$5 billion windfall and could have used that opportunity to repair our aging and failing water infrastructure, unfortunately it did not. As New York looks to move forward and re-invest in a new New York, it is important to remember that we are tied to antiquated water infrastructure. As a state we recognize the need to plan for floods, snowfall, and other extreme weather events; but we are unwilling to invest in the infrastructure that carries stormwater to appropriate drainage areas. Instead we are constantly faced with sewage overflows, flooded sewage treatment plants, broken water mains, and leaking pipes.

We know that investing in infrastructure supports jobs. Every billion in infrastructure investment supports approximately 29,000 construction jobs. However, we rarely look at the long-term return on the investment. Standard & Poor released a report in May 2014 that looks at the long-term multiplier effects of infrastructure investment. In fact the report found that, "*After an initial increase in aggregate demand, the economy's productive capacity and output typically increase once the infrastructure is built and absorbed into the economy. That means increased growth and more job gains long after the project ended.*" In New York, we need that long-term impact and the short-term relief. Not only will investing in our water infrastructure result in real economic benefits, but it will also protect existing jobs and economic productivity. When a water main breaks or a storm pipe overflows that impacts the small business in downtown that cannot open its doors, or the mom and dad who cannot go to work because their child's daycare is closed. Investing in water infrastructure must be a part of the discussion of moving New York forward. These are real problems; fortunately, the solution is easy it just needs support from Governor Cuomo and the New York State Legislature.

Thank you for your time and consideration of our remarks.