2021 Legislative Priorities

As the Sierra Club approaches this unusual budget season and legislative session we are looking to support environmental policies which maintain funding for critical expenditures, promote Environmental Justice, and generate responsible revenue for the state without increasing costs.

**Budget:** Defend the $300 million Environmental Protection Fund and $500 million Clean Water Infrastructure Fund, maintain DEC funding and staffing lines, protect the Regional Greenhouse Initiative (RGGI) from sweeps to the General Fund, and fully fund and maintain our parks.

**Climate and Community Investment Act (CCIA):** New York communities are struggling to finance the transition from fossil fuels to wind, solar and energy storage. CCIA is more than just a revenue generator for the state. It’s a mechanism to make polluters pay for the costs of contaminating our environment and fund renewable energy development, electrify public transportation, and fund worker retraining programs and building efficiency jobs - all with a mandate to prioritize equity, racial justice and fair labor practices. Not yet introduced.

**Clean Water Protection/Flood Prevention Act (S.5116 Harckham):** In the wake of the Trump administration’s regulatory roll backs of the Clean Water Act, NYS desperately needs to reform how the state protects wetlands in a way that prioritizes the ones that are most important to clean water and flood control, without relying upon significant new staffing resources.

**The Extended Producer Responsibility Act (S.1185-A Kaminsky):** New York is drowning in packaging waste. This legislation would mandate an EPR program for all packaging in NY. Under our current model, manufacturers are not responsible for recovering or recycling their products. Instead, municipalities bear the burden for collection, transportation, sorting, and processing of waste. Under an EPR program, producers will finance the recycling of their products. Producers will also be rewarded for creating easily recyclable products that contain higher percentages of post-consumer recycled material.

**Fossil Fuel Subsidies Expiration (A.225 Cahill/S.2721 Krueger):** In a time of deep budget gaps, NYS should be eliminating wasteful state tax exemptions and subsidies to fossil fuel companies. These long held entitlements represent hundreds of millions of dollars the state is bleeding away every year to the benefit of corporations that endanger public health and thwart our climate goals.

**Fixing SEQRA Standing (A.3510 O'Donnell/S.2798 Kavanagh):** The Atlantic Chapter's legal challenges related to new fracked gas pipelines and new power plants, egregious water withdrawals, landfill expansions to accommodate fracking waste, development of “forever wild” lands, and violations to the Clean Water Act have yielded significant decisions that have shaped environmental policy across New York. But we still face enormous hurdles in challenging violations to the State Environmental Quality Review Act purely on the court’s unreasonable tests for who has the right to sue. This bill would grant standing to any litigant who can demonstrate they have or will be affected by an environmental injury.
2021 Legislative Priorities, continued

Including Environmental Justice in SEQRA Reviews (S.1031-B Stewart-Cousins/A.2103-A Pretlow): There has always been an inequitable pattern in the siting of polluting facilities in minority and economically distressed communities, which have borne a disproportionate and inequitable share of public health ailments and other negative environmental consequences. This bill would require NYS to factor in disproportionate or inequitable burdens on minority communities or economically distressed areas under the State Environmental Quality Review Act.

Green Transit Bill (A.3090 Dinowitz) and the Green Jobs Bill (A.2083 Dinowitz/S.3405 Kennedy): These two bills as a package, set the goal of 100% electric bus procurement by 2029 and provide mandates for fair labor practices for mechanics and drivers transitioning into the all-electric era.

Personal Care Products (A.143 Gottfried/S.3331 Rivera): There are far too many undisclosed toxic chemicals in the everyday products we use in NY. This bill would better regulate the disclosure of harmful chemicals found in personal care products.

Birds and Bees Protection Act (S.699 Hoylman): New York State’s pollinators are in trouble. Field surveys and exhaustive accounts from professional beekeepers reveal that in only the past few years, populations of honeybees in hives have reduced by at least 40% due to what has been termed “colony collapse syndrome.” Scientific consensus is now laser focused on the impact of a powerful class insecticides, known as neonicotinoids. “Neonics,” used to kill leaf, fruit and root chewing agricultural pests, are extremely toxic to bees and other pollinators. This bill would place a five-year moratorium on the application of most neonicotinoids and a companion bill (S.372 Hoylman) would ban the treating of corn and soy seeds with the pesticide.

Enacting a Moratorium on the Permitting of Gas fired Power plants: Thanks to the vision of the Legislature and Governor Cuomo, the Climate Leadership and Community Protection Act (CLCPA) has provided the enforceable structure by which the state must achieve a 70% renewable energy grid by 2030, a zero carbon grid by 2040, and complete sector wide carbon neutrality by 2050. But as the Climate Action Council (CAC) and its supporting committees deliberate over the scoping plan for the eventual climate regulations, the state of New York is wasting many staff hours and resources reviewing the permits for new fossil fueled generators in Queens, Brooklyn and Newburgh that can never legitimately comply with our climate laws. The Legislature needs to give DEC the authority to deny them now, and focus on building the renewable energy grid of tomorrow. Not yet introduced.

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