Sierra Club 2022 Legislative Priorities

Budget:

- $500 million Environmental Protection Fund (EPF) (increase from $300 million in 2020)
- $1 billion Clean Water Infrastructure funding (Increase of $500 million to both improve drinking water infrastructure and mitigate PFAS contamination)
- $1 billion to fund all-electric and electric-ready affordable housing in disadvantaged communities
- $4 billion revamped "Clean Water, Clean Air, and Green Jobs Environmental Bond Act," to fund climate change adaptation and resiliency programs to go before voters in 2022
- Increase NYS bottle deposit to $.10 and expand coverage to a broader category of beverage containers
- More DEC staffing to accommodate additional work from CLCPA and enforcement of new laws. New York should reinvest in our state environmental agencies by increasing staffing levels. The state budget should establish a path to restoration to their 2008 levels, including:
  - 3,300 FTEs at the Department of Environmental Conservation (now under 2000)
  - 2,300 FTEs at Office of Parks, Recreation and Historic Preservation
  - 10 additional FTEs at the Department of Agriculture and Markets
  - 36 FTEs for the recently-created Office of Renewable Energy Siting

(All part of a broader spending package to support the implementation of the Climate Leadership and Community Protection Act, per recommendations of the Climate Action Council and NYSERDA)

Policies we would like to see enacted in the budget:

Clean Water Protection/Flood Prevention Act: S.5116 (Harckham)/A.7850 (Englebright): To prevent catastrophic flooding, safeguard drinking water, and build ecological resiliency against the ravages of climate change - NYS desperately needs to reform how the state protects wetlands and in a way that prioritizes the ones that provide the greatest ecological services without relying upon significant new staffing resources.

The Repeal of Fossil Fuel Sales Tax Exemptions: A.6882 (Cahill)/S.4816 (Krueger): In a time of economic uncertainty, 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.

Green the Grid and Electrify Everything. 2022 will be the year that NY makes great strides in electrification of all that was once fossil fueled. The Sierra Club will be supporting the following bills:

- All Electric Building Act (S.6843-A) for buildings; banning new gas hookups by 2024
- Advanced Building Codes, Appliance and Equipment Efficiency Standards Act (S.7176/A.8143) for building codes and energy efficient electric appliances
- Clean Futures Act: (S.5939)/(A.6761-A) Prohibits the development of any new major electric generating facilities that would be powered in whole or in part by any fossil fuel
- Fossil-Free Heating Tax Credit (S.3864/A.7493) and a sales tax exemption (S.642-A/A.8147) to provide credits for geothermal heating units and also bill exemptions from sales taxes for the units.
Other (non-budget) Priorities

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 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.

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.

Cryptocurrency Mining Center Moratorium S.6486-B (Parker)/A.7389-A (Kelles): Proof of work cryptocurrency operations, like Bitcoin, have targeted shuttered gas generating facilities and other underutilized power supplies in New York to feed their energy consumptive computer processors, with the capacity to undermine our climate goals. This legislation creates a pause in POW cryptocurrency mining until an environmental review is conducted of this unregulated activity.

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Fair Labor Practices in Green Transportation Jobs: A.2083 (Dinowitz)/S.3405 (Kennedy) and Zero Emission Buses: A.3090 (Dinowitz): 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.

Other (non-budget) Priorities

Birds and Bees Protection Act S.699-B (Hoylman)/A.7429 (Englebright): This bill would place a five-year moratorium on the application of most neonicotinoids and would ban the treating of corn and soy seeds with the pesticide. 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 would ban the treating of corn and soy seeds with the pesticide.

Mandates certain watercraft, aircrafts, and trains to be zero emissions (S.6906), sets timeframes for full electrification and creates monetary incentives to transition to those clean energy vehicles.