

## Statement of the Sierra Club Atlantic Chapter

### New York State Division of the Budget Public Hearings in Preparation for the 2008-2009 Budget

November 29, 2007

The Sierra Club Atlantic Chapter, with 44,000 members in New York State (NYS), strongly supports the following for the Governor's FY 2008-2009 Executive Budget:

- 1) Increased funding for Department of Environmental Conservation in critical areas that continue to be chronically under funded and staffed, including funding for wetlands mapping, administration, and permitting; lands and forests stewardship; water pollution; and air resources. The funding provided for 109 additional DEC staff in the FY 2007-2008 budget only began to make up for the more than 700 staff positions lost to budget cuts since 1995.
- 2) Instituting fees for and increasing fees for pollution permits with the fees dedicated to supporting funding for DEC programs for these areas.
- 3) Continued expansion of the Environmental Protection Fund consistent with the recommendations of the "Friends of New York's Environment".
- 4) Inclusion of the Bigger Better Bottle Bill and the revenues generated.
- 5) Revamping the Brownfield Cleanup and Brownfield Opportunity Areas programs, including revising the Brownfield tax credits to focus the credits on critically needed cleanups consistent with Brownfield Opportunity Plans and not squandering millions and even billions in State tax credits that are inconsistent with the high priorities of the Brownfield programs.

#### **Permit Fees/Dedicated Revenues**

We recommend that the Executive Budget reinstitute regulatory permit fees for DEC's freshwater and tidal wetland programs; protection of water program; and water supply program, wild, scenic and recreational program; and solid waste management facilities program. In New York State and surrounding states, regulatory fees are commonly charged for environmental programs. In a 2005 report, **Subsidizing Environmental Destruction**, the Sierra Club Atlantic Chapter found that New York State was the only northeastern state that did not charge regulatory fees for the wetland permits and the other permits noted above. Reinstating these fees for all of the water programs identified above could provide an estimated \$10 million a fiscal year in dedicated revenue fees to help fund these programs.

Our recommendation is based on the fundamental principle that instituting these fees would recoup some of the environmental and other costs associated with pollution and would be a disincentive to polluters to pollute. We also recommend increasing the permit

fees for State Pollutant Discharge Elimination Systems (SPDES) water pollution permits and for Title V air permits and removing the 6,000 ton cap which could result in \$8 to \$12 million in additional State revenues.

**Inclusion of Wetlands Reform Legislation in the Executive Budget**

We strongly urge that the proposed 2008-2009 Executive Budget include provision for instituting and funding critically needed reforms in the areas of wetlands protection. . New York State needs to enact key legislation with the State Budget to protect isolated wetlands under 12.4 acres. We are the only northeastern State that does not do so. Thousands of acres of wetlands have been destroyed by sprawl and other causes and many thousands of acres of smaller wetlands are threatened. A 2005 Sierra Club study, **Wetlands at Risk**, found that only about 6 % of the states wetlands are covered by existing State law. Wetlands are essential to provide safe drinking water and prevent flooding, and most importantly are critical ecosystems for much of our flora and fauna in the State. The public and private costs of wetlands destruction need to be fully taken into account in State regulation of these invaluable resources.

Susan Lawrence, Conservation Chair