



New York State Budget Memo

Citizens Campaign for the Environment has grave concerns with two key aspects of the proposed FY 2010-2011 New York State Budget: allocation and funding in regards to the Environmental Protection Fund (EPF) and choices for DEC staffing.

The EPF is intended to address a number of critical areas ranging from open space preservation to pollution control to local waterfront revitalization. The EPF is widely recognized as very successful and has positively affected every New Yorker's life. In recent years the EPF has been unfairly targeted to feed the general fund's ever-increasing appetite. More than \$500 million originally allocated to the EPF has been diverted to the general fund. In FY 10-11, the Governor proposes to once again reduce the funding, including zeroing out available funding for land preservation, while also offloading programs traditionally funded by the general fund to the EPF. This proposal by the Executive can only be interpreted as an attack on the successful and popular EPF. The proposed cuts by the Executive undermine the EPF programs, its integrity, and its very existence.

The Executive budget proposal proposes to dramatically reduce staffing at the Department of Environmental Conservation in core programs while shifting all available resources in an effort to rush the process of hydro-fracking in New York. The Governor's proposed budget acknowledges that limited revenue will be generated for the state- an estimated \$1 million in the next fiscal year. Citizens Campaign to the Environment believes New York State must protect water quality and the drinking water supplies for all New Yorkers. It is a false choice for New Yorkers to choose between clean water and energy, we need both. We recognize that if the natural gas extraction technology is so risky as to put our water quality at risk we must look for another way. Upon review of the Executive's budget proposal Citizens Campaign for the Environment finds itself in the regrettable but necessary position of opposing the new staff proposed for the Department of Environmental Conservation.

CCE urges the Legislature and Governor to support a final agreement on the FY 2010-2011 NYS budget that:

- 1) Funds the EPF with at least \$222 million in the FY 2010-2011 NYS budget.**
 - a) While \$222 million represents a significant reduction in the EPF schedule of \$300 million set forth in the 2007 Environmental Protection Fund Enhancement Act, it will go a long way to continue critical programs to protect and preserve New York's land, air and water.
- 2) Removes offloads from the general fund in to the EPF.**
 - a) As a member of the Friends of New York's Environment, CCE reminds the Legislature that new line items to the EPF budget require new funding, rather than cutting funding from the existing line items. Additionally, programs traditionally funded through general fund should not be offloaded into the EPF, at the expense of existing EPF line items.

Existing line items are proven and effective programs that employ New Yorkers and should not be weakened by the addition of new categories without new resources or offloads from the general fund.

- 3) Restores funding for critical line items, including, but not limited to:**
- a) **Waterfront Revitalization** - Ninety percent of the State's population and significant economic activities are concentrated in the communities along its waterfronts. This program helps to protect critical ecosystems along our waterfronts while assisting economic development.
 - b) **Water Quality Improvement** – Funds are used for projects that demonstrate direct environmental benefits that will help reduce polluted runoff, improve water quality, and restore habitat in NYS waters.
 - c) **Land Preservation** - One of the central purposes of the EPF, since its creation 17 years ago, has been to provide constant steady funding for land protection across the state. Land preservation bolsters tourism, stimulates local economies, and benefits our health and environment.
 - d) **Farmland Protection** - NYS farms are highly threatened, with 26,000 acres of farmland developed annually. This important program helps keep NYS farms in business, which generate billions of dollars in economic activity annually.
- 4) Restores existing DEC staffing** - The Governor's proposal would result in more staff losses in key divisions, including, but limited to: water, air, marine resources, land and forests. In particular these staff losses would result in additional hemorrhaging of critical institutional knowledge while threatening the ability for the state to protect the air, land, water, wildlife, and quality of life for New Yorkers.
- 5) Eliminate new DEC positions for Division of Mineral Resources** - At the same time the Governor proposes to slash DEC staffing levels, he also proposes to spend taxpayer dollars to add new staff to help facilitate controversial hydro-fracking proposals by energy interests. Draft rules released for public comment on hydro-fracking have been loudly criticized for being deficient by the US EPA, New York City, Member of Congress, local governments and tens of thousands of citizens. The comment period ended December 31, 2009 and now DEC has much work ahead to address the multitude of concerns prior to issuing ANY permits for this drilling method. Concerns include potential environmental and public health threats, including large quantities of toxic, caustic, and radioactive liquid waste. Spending scarce state resources on a potentially dangerous gas extraction method, prior to having clear science, critical questions answered and establishing an adequate regulatory regime is putting the cart before the horse. We believe the administration's rush to hydro-frack New York is neither wise nor prudent. The 29 staff positions proposed to be hired for hydro-fracking should be hired for other DEC purposes including the depleted marine bureau and to replace the anticipated loss of 83 staff through attrition.

CCE supports restoring the EPF to \$222 million for FY 10-11, eliminating offloads and allocating funding for open space acquisition. CCE opposes DEC staff cuts while also opposing new staffing positions specifically dedicated for unapproved hydro-fracking activities in the state.

Citizens Campaign for the Environment (CCE) is an 80,000 member, non-profit, non-partisan advocacy organization that works to empower communities and advocate solutions to protect public health and the natural environment in New York and Connecticut.

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