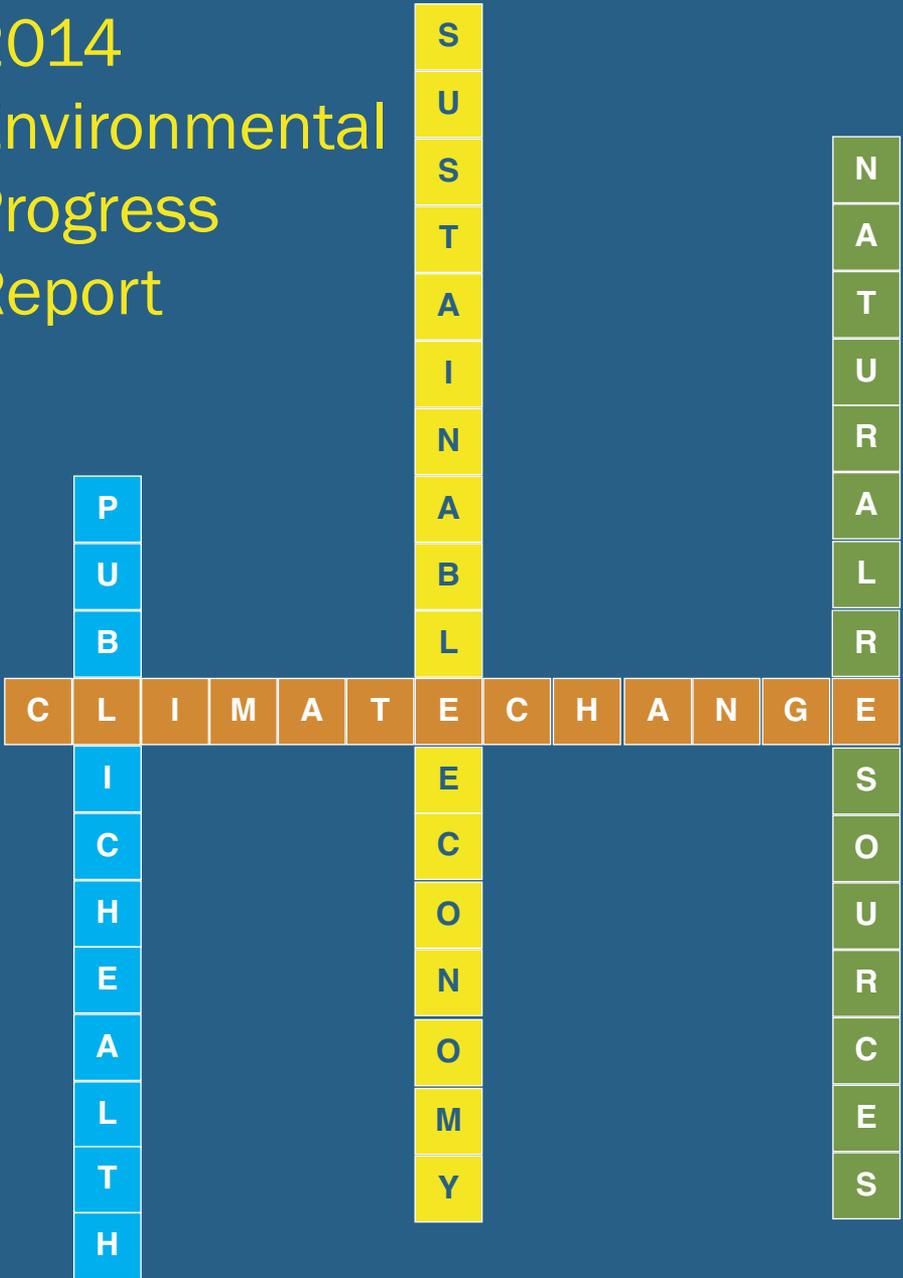


2014 Environmental Progress Report



EXECUTIVE SUMMARY

Members of the Assembly and Senate returned to Albany in January for the start of the legislative session with NYLCV's 2014 State Policy Agenda to guide them through the state's most pressing sustainability priorities.

The agenda — put together in close consultation with leading environmental, conservation, energy and transportation organizations throughout the state — focused on four sectors: climate change and resiliency, natural resource protection, public health and sustainable economic growth.

In April, NYLCV identified three top priority bills: the Community Risk and Resiliency Act, the Brownfield Cleanup Program and the Child Safe Products

Act. These three priorities promised to make significant environmental progress, they were important to our partner organizations and they enjoyed strong support in both houses.

Measured against the goals set by NYLCV's State Policy Agenda, the Assembly and Senate made important sustainability progress in the 2014 session. But lawmakers left far too many critical issues unresolved. This is particularly true for the Child Safe Products Act, which the Senate Republican leadership ultimately declined to bring up for a vote, despite having 40 sponsors. And while the Brownfield Cleanup Program was renewed through March 31, 2017, lawmakers didn't take up the reforms that are vital to make the program effective.

Going forward, lawmakers, legislative leaders and the environmental community must work closely in the future to develop and implement a more comprehensive approach to New York's public health and sustainable economic challenges. This will be a key focus of NYLCV's work in the 2015 legislative session.



Marcia Bystryn, President
NYLCV & NYLCV Education Fund

How the Legislature Performed

Climate Change	B
Natural Resources	B
Public Health	C+
Sustainable Economy	B
<i>OVERALL</i>	<i>B-</i>

Ratings Key

- A. Bill was passed by both houses.
- B. Bill was passed by at least one house but both houses did not agree on a final, same-as version. Applies to legislation introduced within the last three sessions only.
- C. Bill made progress but was not passed by either house, or bill was passed by one house only and has not progressed beyond this point for four or more sessions. For bills we opposed, this grade denotes legislation that was approved in one house only.
- D. Bill made no progress and was given no serious discussion.
- F. Actions were harmful to the environment.



Prepare New York for a Changing Climate

OVERALL GRADE: B

COMMUNITY RISK AND RESILIENCY ACT

Ensures that state monies and permits include consideration of the effects of climate risk and extreme weather events.

(A.6558-B Sweeney/S.6617-B Savino)

GRADE: A

Passed Assembly, June 19, 2014; Passed Senate, June 19, 2014.



**NYLCV
Priority
Bill**

The legislation considers future climate risks — including sea-level-rise projections and other flood-related data — for many state monies and permits. It will prepare New York to be more climate resilient by keeping the effects of climate change in mind, which will help ensure public infrastructure dollars are invested more carefully.

NYS BIODIESEL

Requires all heating oil sold in New York State to contain at least two percent biodiesel and revises the existing tax structure to incentivize the use of at least five percent biodiesel. (A.8435 Sweeney, no same as)

GRADE: B

Passed Assembly, June 10, 2014; Stalled in Senate Environmental Conservation Committee.

By updating bioheating standards, we would be using a more efficient fuel that would result in less air and water pollution, a reduced dependence on foreign energy sources and new markets opening up for New York businesses and farmers.

SHARED SOLAR AND WIND FACILITIES

Encourages interconnection and operation of shared solar and wind facilities.
(A.9931 Paulin/S.7727 Maziarz)

GRADE: C

Stalled in Assembly Rules Committee; Stalled in Senate Finance Committee.

This bill would provide the opportunity for electric customers, especially those in multi-family buildings, to invest in shared renewable-energy facilities and see economic benefits in their utility bill. Specifically, customers of an electric corporation would be able to receive credit against their usage for electricity produced by shared renewable energy facilities to which they subscribe.



Safeguard New York's Natural Resources

OVERALL GRADE: B

MICROBEAD-FREE WATERS ACT

Prohibits the sale of personal cosmetic products containing microbeads by 2016.
(A.8744-A Sweeney/S.7018 Grisanti, not same as)

GRADE: B

Passed Assembly, May 5, 2014; Stalled in Senate Rules Committee.

This legislation would require manufacturers of personal cosmetic products to discontinue manufacturing and selling products containing microbeads. Microbeads are too small to be filtered so they end up in our waterways, lakes and oceans. Persistent organic pollutants and other harmful substances (like PCBs, motor oil and pesticides) collect on the surface of the microbeads, which are then ingested by fish and other aquatic organisms. These plastic balls make their way up the food chain into larger animals like birds, and eventually into us.

TAPPAN ZEE

Allows clean-water loans to be used for transportation purposes.
(A.9789-A Sweeney/S.6985 Grisanti)

GRADE: C

Stalled in Assembly Rules Committee; Passed Senate, June 19, 2014

This bill would allow the Clean Water State Revolving Fund (CWSRF) to invest in lower-quality investments than allowed under current law and was introduced so that the New York State Thruway Authority could access \$511 million in clean-water loans to pay for the new Tappan Zee bridge. Using money intended to clean our water to pay for the new bridge is not an appropriate use of the CWSRF and NYLCV strongly opposed this bill.

ALL-TERRAIN VEHICLES

Amends the definition of all-terrain vehicles.
(A.4971-A Russell/S.1946-A Ritchie)

GRADE: C

**Stalled in Assembly Ways and Means Committee;
Passed Senate, June 16, 2014.**

NYLCV opposed this bill, which would alter the definition of all-terrain vehicles to include certain vehicles of up to 70 inches long and 1,500 pounds, — larger vehicles than previously defined. The legislation is destructive for the environment because it would encourage the operation of all-terrain vehicles in the state forest preserve, Long Island Central Pine Barrens area and Albany Pine Bush Preserve.

LIGHT POLLUTION

Restricts the luminous power of lighting fixtures installed or maintained by the state. (A.7489-B Rosenthal/S.5275-B Marcellino)

GRADE: A

Passed Assembly, June 19, 2014; Passed Senate, June 18, 2014.

This legislation creates new standards for the use of luminous outdoor lighting in fixtures installed or maintained by New York State in order to protect wildlife and retain the natural quality of nighttime skies.

LONG ISLAND WATER QUALITY

Establishes the Long Island Water Quality Control Act and the Long Island Commission on Aquifer Protection. (A.9788-A Sweeney/S.7804 LaValle)

GRADE: B

Passed Assembly, June 18, 2014; Stalled in Senate Environmental Conservation Committee.

This bill would improve water quality on Long Island. The region's water resources have continued to be impacted by increasing quantities of nutrients, pathogens, pesticides, volatile organic contaminants and saltwater intrusion, as well as a number of emerging threats such as prescription drugs and sea-level rise.

AQUATIC INVASIVE SPECIES UNIVERSAL SIGN

Requires the Department of Environmental Conservation (DEC) to design a universal sign warning of the threat of aquatic invasive species. (A.9927-A Sweeney/S.7643-A Little)

GRADE: A

Passed Assembly, June 17, 2014; Passed Senate, June 19, 2014.

Calls for signs to be posted at access points to the navigable waters of the state relating to the threat and mitigation of aquatic invasive species. Invasive species pose a serious threat to the ecosystems and economies of the communities around our lakes, rivers and other bodies of waters.

AQUATIC INVASIVE SPECIES MITIGATION

Ensures reasonable precautions are taken to prevent the spread of aquatic invasive species. (A.9619-B Lifton/S.7851-B O'Mara)

GRADE: A

Passed Assembly, June 19, 2014; Passed Senate, June 20, 2014.

The legislation requires, upon launch of a watercraft or floating dock into a public waterbody or any inlet or outlet to such waterbody, the demonstration of reasonable precautions such as removal of any visible plant or animal matter, washing, draining or drying as defined by DEC pursuant to rules and regulations. Additionally, the legislation would impose a civil penalty on individuals found guilty of violating the provisions. This legislation does not address the need for funding.



Protect the Health of New Yorkers and their Communities

OVERALL GRADE: C+

CHILD SAFE PRODUCTS ACT

Regulates toxic chemicals in children's products.
(A.6328 Sweeney/S.4614-A Boyle, not same as)

GRADE: C

Passed Assembly, March 18, 2014; Stalled in Senate Finance Committee.



**NYLCV
Priority
Bill**

Current federal and state laws and regulations do not adequately address chemicals of high concern in children's products, though several health studies conclude that developing infants and children, in particular, are vulnerable to toxic chemicals. This legislation would set up an infrastructure within state government to categorize chemicals of high concern, prioritize the chemicals on the likelihood for children to be exposed to them, require disclosure by children's product manufacturers as to whether their product contains priority chemicals and, finally, phase out priority chemicals in children's products beginning in 2018.

TRIS

Expands the TRIS-Free Children and Babies Act.
(A.4741 Sweeney/S.3703-B Grisanti)

GRADE: A

Passed Assembly, January 27, 2014; Passed Senate, June 10, 2014.

This bill limits children's exposure to certain chemicals by prohibiting the use of TRIS in child care products for children aged three and under. TRIS is the common name for a family of chlorinated flame retardants. This bill seeks to phase-out the use of a specific type of TRIS called TDCPP commonly used in child care products.

MERCURY ROTATIONAL BALANCING PRODUCTS

Prohibits the sale and use of wheel weights containing mercury.
(A.9143-A Rosenthal/S.6907-A Grisanti)

GRADE: B

Passed Assembly, June 17, 2014; Stalled in Senate Rules Committee.

While these rotational products are used to provide balance and longevity, they are not required for the operation of any products in which they are installed. Approximately two cups of mercury in each product is two cups too many of the neurotoxin capable of polluting the environment. There is a readily available alternative, which is produced in the U.S. and made of substances such as aluminum, steel and zinc.

HAZARDOUS SUBSTANCES

Criminalizes failure to report a release of hazardous substances.
(A.0269 Kavanagh/S.3596 Lanza)

GRADE: C

Stalled in Assembly Codes Committee; Stalled in Senate Rules Committee.

This bill would make it a crime to fail to notify the Department of Environmental Conservation of a release of a reportable quantity of a hazardous substance: a class A misdemeanor and any such subsequent violation shall be a class E felony.

SAFER SPEED LIMITS

Allows New York City to lower its speed limit to 25 mph on most roads.
(A.10144 O'Donnell, Silver/S.7892 Klein)

GRADE: A

Passed Assembly June 19, 2014; Passed Senate June 19, 2014.

By lowering the speed limit on most streets in New York City, this bill will make the streets safer for pedestrians, bicyclists, and motorists. It is expected to reduce traffic-related injuries by 6,500 people and prevent 70 deaths each year.



Build a Strong & Sustainable Economy

OVERALL GRADE: B

BROWNFIELD CLEANUP PROGRAM

Reauthorizes long-term financing for the State Superfund Program to modify the Brownfield Cleanup Program (BCP) and to extend the BCP tax credits. (A.10135 Sweeney/S.7878 Grisanti)

Grade: C

Passed Assembly, June 19, 2014; Passed Senate June 20, 2014



**NYLCV
Priority
Bill**

The Brownfield Cleanup Program tax credits were set to expire March 31, 2015 and a portion of the funding authorization for the State Superfund program expired March 31, 2013. This legislation authorizes Superfund refinancing and extends the Brownfield Cleanup Program tax credits through March 31, 2017. Unfortunately, this bill does not address reforms that are critical to make this program more effective.

ELECTRIC AUTOMOBILE SALES

Protects automobile dealers from arbitrary or unfair demands by manufacturers. (A.7844-B Gantt/S.6797-A Libous)

Grade: A

Passed Assembly, May 12, 2014; Passed Senate, June 2, 2014.

This bill updates the state's automobile dealer franchise law to protect automobile dealers. The legislation is important because it protects the sale of electric automobiles, which have a lower impact on the environment. They are cost-saving and can reduce greenhouse gas emissions when compared to gasoline-powered vehicles.

FILM PLASTIC RECYCLING

Supports the New York City-wide recycling program by requiring stores statewide to accept film plastic in their collection bins.
(A.0191-B Kavanagh/S.5817-A Grisanti)

Grade: A

Passed Assembly, February 11, 2014; Passed Senate May 13, 2014.

This bill amends provisions of the "Plastic Bag Reduction, Reuse and Recycling Act," which was enacted by the state in 2008. Specifically, the bill would require stores statewide to accept film plastic in their collection bins. These changes will lead to greater compliance with the recycling program by both retail stores and by consumers. In addition, these changes to the bill will help support the successful New York City recycling program that was in place before the state legislation took effect.

LOCAL WINE & BEER PRODUCTION

Incentivizes alcohol beverage production for small manufacturers.
(A. 10122 Schimminger/S. 7813-A Marcellino)

Grade: A

Passed Assembly, June 19, 2014; Passed Senate, June 19, 2014.

This bill provides local New York wine and beer producers with greater opportunities to market their products. It will benefit the environment since the bill incentivizes local production, meaning the products travel fewer miles to get from producer to consumers in New York.



*The New York League of Conservation Voters (NYLCV)
is the only statewide environmental organization
in New York that fights for clean water, clean air,
renewable energy and open space through political action.*

*New York League of Conservation Voters
30 Broad Street, 30th Floor
New York, NY 10004
(212) 361-6350 info@nylcv.org
www.nylcv.org*