

Testimony of Paul C. Webster

Co-Leader, JustGreen Partnership

**Before the New York State Legislative
Environmental Conservation Budget Hearing:**

To Discuss The New York State 2022-23 Proposed Executive Budget

**New York State Senate Standing Committee on Environmental Conservation
Senator Todd Kaminsky, Chair**

**New York State Assembly Standing Committee on Environmental Conservation
Assemblyman Steven Englebright, Chair**

**Legislative Office Building
Albany, New York**

Tuesday, February 1, 2022

Good afternoon to the Chairpersons, Committee members, members of the New York State Legislature, legislative leaders, staff and to those gathered here today to participate in this Housing Budget Hearing.

I am Paul Webster, **Co-Leader of the JustGreen Partnership** and **Policy Director of Clean and Healthy New York**. **CHNY is one of the core organizations in the JustGreen Partnership** with dozens of community, housing, environmental, health, and environmental justice organizations from across the state, together focused on environmental health and environmental justice issues in New York State. We thank you for the opportunity to discuss our urgent request that the NYS Environmental Conservation budget invest in some critical areas.

NY Governor Kathy Hochul and legislative leaders should make every opportunity to implement bold and sweeping initiatives to promote environmental health, environmental justice and develop the green economy that will propel our state forward in the coming years. The **JustGreen Partnership** applauds and supports the many environmental advances promoted in the state's 2022-2023 Executive Budget and urges our legislators to use the projected \$5.0 billion state surplus in part to ensure that overlooked areas are given consideration and support.

As you all know: Governor. Kathy Hoch has made a record investment in the Environmental Conservation in adding \$8.4 billion to the EnCon budget from the \$216.3 Billion proposed state budget for 2022-23. Our statewide coalition of 50 environmental groups urges using this opportunity of increased state revenues and federal funding to do more to increase protections, staffing and initiatives to promote a clean and healthy New York. We ask and propose the following and the following:

- Restore staffing levels at the Department of Environmental Conservation to prior year levels that enable full implementation and enforcement of our state's environmental laws and regulations. The Executive recommends support of 3,108 full time equivalent (FTE) positions, an increase of 94 FTEs from SFY 2021-22 levels. We support that attention be given to staffing the Pollution Prevention Unit of the DEC.
- Support the expansion of the Bond Act to \$4 billion, with recommendations about ways to spend the additional funds equitably with priority given to disadvantaged communities, especially areas with toxic air, contaminated water and elevated childhood lead poisoning.
- Support the growth of the Environmental Protection Fund (EPF) with recommendations about increases to specific lines, including the P2I and IC2.
- Support for enacting the strongest Extended Producer Responsibility policy for our state that holds industry responsible and creates local recycling opportunities,
- Support for the expansion of the Toxics in Packaging law, which is long overdue.

SUPPORT FOR INCREASES IN ENVIRONMENTAL HEALTH AND JUSTICE WITHIN THE ENVIRONMENTAL PROTECTION FUND

The JustGreen Partnership supports the growth of the Environmental Protection Fund to \$400M total this year, on a path to reaching \$500M. Within the additional \$100M this year, we urge the following changes within the Solid Waste Management section:

- Support for the Governor's proposed addition of \$5M to the Environmental Justice line. This increase is an important part of the overall efforts to rectify disproportionate harm to Black, Indigenous, and other people of color communities and low-income neighborhoods.
- Increasing funding for the Pollution Prevention Institute (P2I) and Interstate Chemicals Clearinghouse (IC2) to \$7.5M overall and \$500K for the IC2, above the Governor's proposed static \$4M overall and \$100K to the IC2. New York State counts on both of these organizations to address environmental health issues, particularly toxic chemicals. The NYSP2I has not seen an increase in its line item in over a decade, even as has taken on increasing research responsibilities for safer solutions to fluorinated fire fighting foam, scoping the problem of food waste, as well as their overarching mission of working with New York businesses to prevent pollution well beyond legal requirements.

The Interstate Chemicals Clearinghouse has developed the technical infrastructure to collect chemical content information for products, which streamlines reporting for companies when multiple states request it, and makes it easier for states to implement disclosure requirements because they don't have to develop independent databases. In recent years, New York has enacted nation-leading laws that benefit from the IC2's capacity, and the organization needs an increase in resources from our state to robustly support the implementation of our laws.

- Increasing funding for the Children's Environmental Health Centers to \$4M from the Governor's static proposal of \$2M. These centers, located from Buffalo to Long Island, provide critical support to pediatric practices to identify, treat, and prevent diseases with environmental origins. They have proven themselves over the past five years, and increased funding would enable them to widen their circles of influence to support more pediatric health care professionals having the knowledge and tools to address children's environmental health concerns.
- Support for increasing the Recycling line from \$15M to \$16M, which supports solution-seeking the new Center for Sustainable Materials Management based at SUNY ESF, as well as Alfred University, SUNY Stonybrook, and University at Buffalo.

In addition to these increases in the EPF, we also support increased staff at the DEC, including in the Pollution Prevention Unit of the Division of Materials Management, which now has significantly fewer staff than in the past, even as it has been tasked by the Legislature with implementing important child- and public-health measures such as the Toxic Chemicals in Children's Products law (also known as the Child Safe Products Act), cleaning product

ingredient disclosure and more. At its current funding level, P2I will not be able to fulfill its duties under these important laws, leaving children and consumers in harm's way. This part of DEC has become an ever-more-frequent go-to source for research on toxics, food waste, and other critical pollution issues facing the state, but it has not been adequately resourced to do this work.

NYS Department of Environmental Conservation:

We appreciate that the Governor's budget proposes an increase in staff at the NYS Department of Environmental Conservation of 94 staff, apparently including some for the Pollution Prevention Unit. We note that the New York State Black Puerto Rican, Hispanic, and Asian Legislative Caucus includes a return to 3,300 staff at DEC in their People's Budget budget booklet released earlier this month. The JustGreen Partnership believes that this is a necessary and significant step to return to adequate staffing closer to 4,000. At its peak before cuts began in the 1990s, Governor George E. Pataki, DEC had roughly 4,000 employees. It was cut back to roughly 2,900 staff in the early 2010s, and has not been restored at the same rate as other agencies as the economy has recovered. We recommend increasing the staffing to prior year levels to meet the needs of federal and state mandates. Additionally, we propose Financial Aid for Workforce Programs at SUNY / Community Colleges for critical High-Demand DEC titles.

JUST GREEN PARTNERSHIP SUPPORTED NEW YORK STATE ENVIRONMENTAL FUNDING:

- **\$4.0B - Clean Water, Clean Air, and Green Jobs Bond Act.** - With a \$1.0 Billion increase in SFY 2022-23, the \$4B bond act supports capital improvements, going before voters in November, 2022.

- **\$4.5B - Clean Water Infrastructure.** – We support the addition of:

\$500M for clean water infrastructure, raising State's investment to \$4.5B. Projects to improve municipal drinking water, filtration systems, and wastewater treatment.

- o \$208.5M increase over prior year funding;
- o Uses federal Infrastructure Investment and Jobs Act (IIJA) funding;
- o \$10.4 million, for clean water projects that address emerging contaminants;
- o Drinking Water State Revolving Fund, including new allocations for lead service line replacements

\$400 million Environmental Protection Fund (EPF) -

Record funding for the EPF to support critical projects that mitigate climate change, improve agricultural resources, and protect our water sources will help all communities, especially vulnerable disadvantaged communities. With the proposed \$100M funding increase over SFY 2021-22, more should be done to add resources to our Solid Waste and toxics reduction and removal needs; access to Parks; more support for the acquisition of open spaces and funding for climate change initiatives.

We also would like to see increases to the proposed \$2 million for Climate Coordinators for Climate Smart Communities Program; a doubling of the proposed \$5 million for environmental justice initiatives across New York and Fully Funding Children's Environmental Health Centers (NYSCEHC), so the organization can truly meet its mandate of protecting our children.

Thank you once again for the opportunity to discuss our urgent request that the NYS Environmental Conservation budget in 2022-23 make every opportunity to implement bold and sweeping initiatives to promote environmental health, environmental justice and develop the green economy that will propel our state forward in the coming years.

Thank you.