



NEW YORK STATE SENATE DEMOCRATIC MAJORITY

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Senate Majority to Pass Earth Week Legislation that Combats Climate Change and Protects the Environment

(Albany, NY) Today, the Senate Democratic Majority will pass legislation to mark Earth Week and further advance the Senate Democratic Conference’s commitment to protecting New York’s natural resources and waterways. The legislation put forth in this package builds on the work accomplished in last year’s legislative session to solidify New York’s position as a national leader in environmental protection. The bills being advanced today include setting standards and limits for the emissions of toxic air contaminants, efforts to shift state buildings to cleaner more renewable energy, putting charging stations into state owned parking garages, and prohibiting drilling fluids and flowback water for de-icing. This package also includes the climate change adaptation cost recovery program, legislation to establish plans to have cellphone towers powered by renewable energy, and to prohibit the lease of state land or wildlife areas for the purposes of gas production.

Senate Majority Leader Andrea Stewart-Cousins said, “This package demonstrates our commitment to protecting New York’s environment for both the present and the future. As climate change and human impacts on the environment have intensified in recent years, it is imperative that we stay united in our efforts to protect and preserve our state’s natural resources. I am proud of my colleagues for sponsoring these vital bills that will ensure our state’s environment is safeguarded on multiple fronts.”

Chair of the Senate Environmental Conservation Committee, Senator Peter Harkham, said, “Heavy fuel oils create harmful health impacts and add carcinogens and greenhouse gasses to the atmosphere. My legislation prohibiting the use of grade 4 fuel oil in New York will result in much cleaner air and health benefits, especially in our cities and communities requiring environmental justice. Thank you to Majority Leader Stewart-Cousins and my colleagues for advancing this package of important bills that will protect our residents and fight climate change.”

The legislation being passed Tuesday, May 7th, 2024, by the Senate Democratic Majority includes:

- **Emission Limits of Toxic Air Contaminants:** This bill, [S3328-A](#), sponsored by Senator Fernandez, directs the Department of Environmental Conservation to establish ambient air quality standards and fence-line monitoring for certain toxic air contaminants.
- **Clean Fuel Oil Powered State Buildings:** This bill, [S2994-B](#), sponsored by Senator Harckham, prohibits the use of fuel oil, grade number four in any state building or facility.
- **Parking Garage Electric Vehicles Charging Stations:** This bill, [S1535](#), sponsored by Senator Hoylman-Sigal, requires certain state-owned and operated parking garages, open parking lots and other parking facilities to install and maintain charging stations for plug-in electric vehicles.
- **Prohibits Drilling Fluids and Flowback Water for De-icing:** This bill, [S1538-A](#), sponsored by Senator Hoylman-Sigal, prohibits the use of waste water from hydrofracking, which contains chemicals and radioactive contaminants, from being used on any highway for any purpose including de-icing or dust suppression.
- **Climate Change Superfund:** This bill, [S2129-B](#), sponsored by Senator Krueger, would require companies that have contributed significantly to the buildup of greenhouse gasses, the primary cause of climate change, to bear a share of the costs of infrastructure investments required to adapt to the impacts of climate change in New York State.
- **Renewable Energy Cell Towers:** This bill, [S4305](#), sponsored by Senator Parker, would require cellular telephone companies and third party providers to present plans in preparation to convert cell tower energy usage to renewable energy resources.
- **Prohibit Oil and Gas production on Protected State Land:** This bill, [S724-A](#), sponsored by Senator Serrano, would prohibit the lease of state forests, reforestation areas, wildlife management areas and unique areas for the purpose of oil and gas production.

The legislation being passed Wednesday, May 8th, 2024, by the Senate Democratic Majority includes:

- **Memorial Lands Facility Permits:** This bill, [S3024-B](#), sponsored by Senator Comrie, establishes a new memorial lands program to provide dual benefits of conservation and respectful disposal of cremated and organically reduced remains.
- **Wildlife Crossings:** This bill, [S4198-B](#), sponsored by Senator Comrie, directs the Department of Transportation and the New York State Thruway Authority to identify sites along all highways, thruways and parkways in the state for wildlife crossings.
- **Adopt-A-Lake:** This bill, [S4636](#), sponsored by Senator May, would add lakes to the areas that are eligible for the Municipal Adoption Program.
- **Expanding Food Donation Program:** This bill, [S5331-A](#), sponsored by Senator Harckham, expands the food donation and food scraps recycling program by scaling down the annual tonnage requirement every two years until 2028 and removes exceptions regarding recycler capacity.

- **Improving Municipal Water Quality:** This bill, [S5728-A](#), sponsored by Senator Harckham, creates a program to assist municipalities with water quality improvement of water bodies within the municipality managed by lake associations.
- **Fees Paid to Conservation Enforcement:** This bill, [S7086-A](#), sponsored by Senator Harckham, provides that fees paid for certain environmental violations are deposited into a new Conservation Enforcement Account, which will provide funding for scientists, environmental law enforcement officers, attorneys, administrative support and to support environmental law enforcement generally.
- **Ban of PFAS in Anti-Fogging Sprays and Wipes:** This bill, [S992-B](#), sponsored by Senator Hoylman-Sigal, prohibits the sale and distribution of anti-fogging sprays and wipes containing PFAS chemicals.
- **Prohibition of Polystyrene Containers:** This bill, [S4414-A](#), sponsored by Senator Krueger, prohibits the sale or distribution of expanded polystyrene containers that are designed or intended to be used for cold storage.
- **Harmful Algal Bloom Monitoring and Prevention Act:** This bill, [S8356](#), sponsored by Senator May, requires the DEC to establish a coordinated system of HABs monitoring, evaluation, prevention, and mitigation, finally putting the state on a path to be able to predict and prevent the occurrence of Harmful Algal Blooms in our water bodies.

Bill Sponsor Senator Leroy Comrie said, “This package demonstrates our commitment to protecting New York’s environment for both the present and the future. As climate change and human impacts on the environment have intensified in recent years, it is imperative that we stay united in our efforts to protect and preserve our state’s natural resources. I am proud of my colleagues for sponsoring these vital bills that will ensure our state's environment is safeguarded on multiple fronts.”

Bill Sponsor Senator Nathalia Fernandez said, “This comprehensive package of legislation demonstrates our commitment to tackling New York’s environmental challenges head-on. From limiting air contaminants and promoting clean energy alternatives, to banning gas production on our state lands and holding greenhouse gas contributors accountable for infrastructure investments, we are working together toward a fairer, greener, more sustainable New York.”

Bill Sponsor Senator Brad Hoylman-Sigal said “The package of bills passed today proves that we in the Senate Majority are taking Earth Week seriously, not just as a time to celebrate our planet, but as an opportunity to pass meaningful legislation to protect it. I’m excited that two of my bills have been included in this package. The first, would ban wastewater obtained from hydrofracking from being used to de-ice or suppress dust on our highways (S.1538A). Hydrofracking wastewater contains dangerous chemicals and even radioactive contaminants which can seep into our groundwater and watersheds, creating significant environmental and public health problems. This legislation, along with our full Earth Week package including the bill I carry along with Assembly Member Kelles, to require state owned parking facilities to install electric vehicle charging stations (S.1535B) demonstrates our commitment to making New York State a leader in the fight to protect our planet.”

Bill Sponsor Senator Liz Krueger said, “I am proud to be part of a Majority Conference that is not afraid to take bold leadership on critical environmental issues. I'm also proud that the Democratic Conference is demonstrating yet again that we have taxpayers' backs. By passing the Climate Change Superfund Act we are making it clear that when it comes to the hundreds of billions of dollars our state will have to spend to repair from and prepare for climate change-driven extreme weather, we don't believe New Yorkers should be left holding the bag and paying those costs alone. The companies that made the mess - Big Oil and Gas - should help clean it up. Now it's up to the Assembly and the Governor to decide if they want to continue to burden New Yorkers with these costs.”

Bill Sponsor Senator Rachel May said, “Our state's freshwater resources are the envy of the world, but they are increasingly vulnerable to pollution and the effects of a warming climate. Every season, toxic algal blooms plague many New York lakes, causing a potentially dangerous situation for residents who depend on lakes for drinking water or use them for recreation. The HABMAP Act will help state and local governments understand, identify, and manage threats to our water while maintaining the high quality of life that residents, employers, recreational boaters, fishing enthusiasts, and tourists from around the world have come to expect. I am grateful to Majority Leader Stewart-Cousins for bringing this bill forward, and to Assemblymember Anna Kelles for her partnership in writing this important legislation.”

Bill Sponsor Senator Kevin Parker said, “New York has stepped up to answer the call and lead the country in progressive climate change legislation. I am proud to sponsor a bill in this package which would require cellular providers and third party tower owners to provide plans for converting energy usage in cell towers to renewable energy resources. This would be taking the first step to cleaning up all power within the state. It would also push the cellular service industry to develop innovative ways to convert its infrastructure to renewable energy. I want to thank the Majority Leader for including my bill in this package and always working to protect New York's environment and New Yorkers' health.”

Bill Sponsor Senator Serrano said, "This Earth Week package, and my bill S.724A, will help New York State transition to a clean energy future while protecting our ecological resources. Clean air, clean water, and healthy lands are cornerstones of our tourism, agricultural and broader economies as well as the quality of living that New Yorkers value and expect."

Stephan Edel, Executive Director of NY Renews said, “The 380+ member organizations of NY Renews applaud the State Senate for their leadership in passing the Climate Change Superfund Act, a landmark bill that would help balance the scales of justice when it comes to who pays for climate damages. There's no reason that in 2024, fossil fuel profiteers should be making billions to decimate our climate while working New Yorkers bear the brunt of the clean-up costs. By making polluters pay for the harm they've caused to the tune of a collective \$3 billion a year, New York can start to build the climate resiliency and adaptation measures we'll need to secure a safe, habitable state for generations to come.”

Adrienne Esposito, Executive Director for Citizens Campaign for the Environment (CCE) said, “CCE commends the Senate for passing a slate of bills that will hold fossil fuel companies accountable for climate pollution, protect clean air and water, reduce pollution from dirty fossil

fuels, and more. The public strongly supports legislation that fights climate change, protects our air and water resources and holds polluters accountable for their actions. We thank Senator Harckham, Majority Leader Stewart-Cousins, and all the environmental champions in the NYS Senate for their leadership in getting these important bills passed.”

Conor Bambrick, Director of Policy for Environmental Advocates NY said, “Thanks to the leadership of Senator Krueger and the Senate Majority, the Climate Change Superfund Act is a bold move toward justice. By making major polluters pay for the damage they've caused, this Act ensures essential infrastructure improvements and prioritizes equity for our most vulnerable communities. It’s a big step for both accountability and environmental protection in New York.”

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