



NEW YORK STATE SENATOR

William Larkin

Bonacic and Larkin: Dec Killing Jobs in New York

WILLIAM J. LARKIN JR. June 1, 2012

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Senators Call Summit in Albany on DEC Wetlands Expansion Plan

State Senators John J. Bonacic and William J. Larkin, Jr. have requested that State DEC Commissioner Joseph Martens meet with them, local officials, and small business in Albany before the DEC continues any efforts to adopt and implement job-killing wetlands maps and regulations.

The DEC is poised to lay regulatory claim to upwards of 15% of the land in Orange County if it adopts the maps. The plan would increase the amount of property designated as “wetlands” in Orange County by more than 50%. In particular, the DEC is proposing to reclassify 16,000 acres of land as wetlands, and also impose a further buffer around those lands –in excess of even Federal Regulations.

To come up with their theory of new wetlands, the DEC, among other steps:

- Used interns to determine whether the land was in fact wetlands;
- Made “roadside observations”;
- Used aerial photography to “verify” other wetlands;

- Then added a 100 foot “buffer” around the new-found wetlands.

The DEC will soon start spending tens of thousands of dollars on mailings to potentially affected property owners. Instead of wasting taxpayer money though, the DEC could simply do what other Northeast States, including New Jersey and Massachusetts have done. New York could take over the Federal Wetlands program, without wasting taxpayer money.

Governor Andrew Cuomo has been recognized for making New York State’s government functional again a key part of his success story. However, overwhelming opposition to the DEC’s plan already exists in Orange County. Resolutions and letters in opposition to the DEC’s job-killing plan come from municipalities and elected representatives in the Towns of Chester, Cornwall, Crawford, Deerpark, Greenville, Hamptonburgh, Montgomery, Warwick, Wallkill Wawayanda, along with the Villages of Goshen, Harriman, Walden and the City of Middletown.

In addition, organizations such as the Orange County Association of Towns, Villages, and Cities; Orange County Citizens Foundation; Orange County IDA; Orange County Chamber of Commerce; Orange County Partnership, and others have spoken out in opposition to the DEC plan.

State Senator John Bonacic said, “This flies in the face of everything Governor Cuomo has led the way on. Bureaucracy and disregard for property rights are job killers. Bureaucracy, which wastes taxpayer money and utilizes inaccurate information, is an even worse form of job killer. We need the Governor’s leadership here so the bureaucrats don’t win.”

Senator Larkin said, “New York’s primary concern at this point in time should be improving our dreadful business climate and creating jobs,” said Senator Larkin. “Closing off thousands

of acres of developable land and preventing shovel-ready projects from moving forward not only hurts area businesses, it sends the wrong message to businesses thinking about relocating to New York.”

“I urge the Governor to use this opportunity to show the business community that New York is serious about its ‘Open for Business’ pledge,” Larkin added.

The Alliance for Balanced Growth helped spearhead opposition to the DEC’s plan. John LaVelle is Co-Chair of the Alliance. “These new wetlands will shift the assessment ratios within the towns, decreasing property values for some and forcing other residents to make up the difference. ” Said John Lavelle, who co-chair's the Alliance for Balanced Growth with Dominic Cordisco. "One of the worst aspects of the proposed plan is the fact that existing shovel ready sites are not grandfathered. Project sites that we are currently using to try and attract companies may have to go back to the drawing board. That's bad for business and residents," LaVelle said.

Maureen Halahan, President and CEO of the Orange County Partnership said, "When the Alliance for Balanced Growth informed the Orange County business community about the DEC wetlands remapping and the monumental consequences to property values, there was an outpouring of support to mobilize and fight back! The loss of future jobs, capital investment and development is significant and will hinder New York's ability to compete if the DEC is allowed to proceed. As a member of the Governors Regional Council, I know that the governor's focus is on improving the business climate in New York State. The land-taking by the DEC is in direct conflict with the very mission of the governors NY OPEN FOR BUSINESS platform. I'm confident that this will be addressed immediately."

Senator Bonacic concluded, “It appears to us that there is a disconnect between the DEC

Region 3 office – a job killing agency – and the Governor who the DEC reports to. We want to correct that disconnect and ensure common sense government and elected representatives, not overzealous bureaucrats govern how New York does business.”