



## **Testimony for budget hearings for proposed executive state budget for Fiscal Year 2008-2009**

Citizens Campaign for the Environment (CCE) is New York's largest public health and environmental advocacy organization supported by 80,000 members. CCE works on critical issues impacting water quality, public health and toxic chemical contamination, open space and wildlife habitat, and climate change and sustainable energy policies from Buffalo to Long Island. Specific CCE campaigns cover a broad range of issues including protecting NY's drinking water and coastal waters, preserving old growth forests and advancing sound renewable energy policies. CCE was one of the groups that successfully advocated for the creation of the Environmental Protection Fund in 1993. CCE continues to advocate for state and federal funding for essential environmental programs and projects.

New York State faces great challenges with addressing aging infrastructure that is critical to providing clean drinking water and safe recreational opportunities for residents and tourists. For decades failing sewage systems have contributed to degraded water quality forcing regular beach closures, increasing public health risk, and jeopardizing the local economy. For many years, CCE advocated for increased funding for sewage treatment infrastructure upgrades and rehabilitation. In its 2003 report to Congress, the U.S. Environmental Protection Agency has identified a \$20 billion dollar funding gap for clean water infrastructure in New York State alone. This need has yet to be addressed and aging and failing sewage infrastructure does not fix itself. As problems are ignored, they become worse and the solutions become more costly. There is also a growing recognition that the federal government alone will not solve this problem. New York State needs to create and fund a long-term dedicated program to address sewage infrastructure.

New York State has made tremendous environmental progress since 1993 in program areas funded by the dedicated Environment Protection Fund (EPF). The EPF provides critical resources for a number of areas including, but not limited to: farmland protection, open space acquisition, protection and restoration of our estuaries, bays, and Great Lakes, aquaria municipal recycling, and pollution prevention programs to reduce urban and agriculture non point source pollution.

Created with the intent to provide long term dedicated environmental funding, the EPF was designed to fund essential environmental programs regardless of the political winds or budget problems of the day. The dedicated funding stream for the EPF is generated by the Real Estate Transfer Fee (RETT), which continues to generate nearly \$1 billion a year despite a number of economic ups and downs over the past 15 years. Although New York faces a large projected budget deficit, the wisdom of state leaders provided stable environmental funding during tight economic times as these and the projected deficit should not affect EPF funding for FY 8-09. . In fact there are adequate resources available to expand the EPF in the upcoming fiscal year. ***CCE supports fully funding and expanding the Environmental Protection Fund in FY08.***

The Oceans, estuaries, and Great Lakes category, which funds implementation of the 2006 Ocean and Great Lakes Ecosystem Conservation Act, is among many of the critical EPF programs and deserve a sizeable increase this year. **CCE requests \$25 million in funding for the Ecosystem Based Management Program.** Additionally, CCE strongly supports robust funding to aid municipalities in implementation of Phase II storm water programs for this program to be successful.

The EPF is vital in providing the sole-source funding to implement the Long Island South Shore Estuary Reserve (SSER) Comprehensive Management Plan. This successful initiative works to protect and restore the intricate system of tributaries and bays throughout the Reserve. Progress has been made, but much needs to be done. **CCE requests that this program is fully funded at \$900,000 in the 2008-2009 budget.**

The Western Bays, a sub-region of the SSER, has been experiencing severe water quality problems. Excessive algae blooms and low-dissolved oxygen has led to a decline in the finfish and shellfish populations. There are 4 sewage treatment plants and 1 power plant that discharge a combined 64.5 million gallons of effluent into these shallow bays every day. This region is listed on the DEC 303(d) of impaired water bodies for both pathogens (since 1998) and nutrients (since 2006). **CCE is requesting \$1 million to be allocated to the NYS Department of Environmental Protection to conduct the necessary and much needed Total Maximum Daily Load Assessment.**

CCE is also requesting enhanced funding for Soil and Water Conservation Districts to allow them to play a critical role in implementing phase II stormwater regulations.

The EPF provides critical funding for agricultural and non-agricultural non point source abatement and prevention programs. These funded programs help prevent and address non point source pollution issues to protect New York's water quality. There is a well-documented need to increase the monies available for this category. As New York State continues to develop a plan to address confined animal feeding operations non point source funding is more necessary now than ever before. **CCE requests that NYS provide funding to address non-point source pollution from Confined Animal Feeding Operations.**

The EPF provides critical dollars to protect New York's valuable remaining open spaces. There are currently a number of projects involving tens of thousands of acres of land that must be permanently protected for New York State's future. The EPF must continue to provide the adequate funding to protect open space and farmland in New York.

Thank you for your consideration of our comments for the upcoming fiscal year.