



The New York League of Conservation Voters

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2006 Environmental Questionnaire for New York State Gubernatorial Candidates

Candidate Name: Eliot Spitzer

Candidate for: Governor

PERSONAL INITIATIVES

1. What have been your most significant achievements to date on environmental issues?

As Attorney General I revitalized the Environmental Protection Bureau of the Attorney General's Office, with the central focus being stronger enforcement of our state's environmental laws; suing the Bush Administration 15 times to block the federal assault on major federal environmental statutes; winning major lawsuits to require improvements in some appliance efficiency standards and saving key provisions of the federal Clean Air Act; litigating to reduce air pollution from coal-fired power plants and diesel buses and trucks; protecting hundreds of community gardens in NYC from being destroyed; passing legislation to require that Environmental Impact Statements be posted on the Internet; successfully suing companies that violated state pesticide laws; enforcing local recycling laws and helping to ensure that funds in the state's Renewable Portfolio Standard and Systems Benefit Charge are wisely spent.

2. Please outline your environmental priorities for the next term, should you be elected.

Environmental stewardship, expanding energy conservation and renewable energy sources and reducing greenhouse gases will be my top priorities. I will build on Governor Pataki's open space legacy, preserve urban parks and open space in cities, protect the Adirondack and Catskill Forest Preserve, improve the enforcement effectiveness of state agencies such as the Department of Environmental Conservation, write comprehensive environmental justice regulations, engage businesses in pollution prevention programs, work to protect the New York City watershed, improve and expand mass transit across the state, protect wetlands, support smart growth policies, revitalize our cities, reduce the use of pesticides, expand organic agriculture, preserve farmland, clean up brownfields and state superfund sites, boost recycling, cut air pollution from power plants, hold General Electric accountable for removing its PCBs from the Hudson River, create an oceans policy, close the Indian Point nuclear power plant, sign the Bigger, Better Bottle Bill into law, support green buildings, and require every state agency to develop and adopt a sustainability plan to ensure that environmental protection is fully integrated into the operation of every state agency.

CLIMATE CHANGE

Gases such as carbon dioxide (CO₂) trap heat in the atmosphere producing a greenhouse effect. In the past few decades, greenhouse gases have been implicated in global warming. The lack of federal efforts to curb CO₂ emissions make state-level action more important than ever. New York has joined with eight other Northeast and Mid-Atlantic states on a regional strategy to reduce carbon dioxide emissions from power plants known as the Regional Greenhouse Gas Initiative. Once a model rule has been promulgated, New York State will need to implement the rule. The state also should undertake initiatives to reduce greenhouse gas emissions from other sources. The consequences for New York State of global warming – in particular, rising sea levels – are particularly acute.

3. The League believes the next governor should develop a comprehensive state agenda to reduce CO₂ emissions and address climate change. Please share with us your plans for reducing CO₂ emissions and addressing climate change.

Climate change is the most urgent environmental issue of our generation. I support the Regional Greenhouse Gas Initiative as a first step to reduce carbon dioxide from power plants, but we must do much more. First and foremost, we must conserve energy and use it more efficiently. We should also expand renewable energy sources such as wind, solar, small-scale hydro and fuel cells. I have sued coal-fired power plants that were violating the Clean Air Act, achieving significant reductions of sulfur dioxide, nitrogen oxide, mercury and carbon dioxide air emissions. When some of these cases were settled, I earmarked some of the settlement funds to be used to boost energy conservation and fund the installation of solar photovoltaic units on high-visibility municipal buildings. Energy conservation and renewables will be greatly expanded during a Spitzer administration.

As you know, in addition to power plants, emissions from motor vehicles is another major source of greenhouse gases. Currently, my office is effectively defending New York's new regulations that require car companies to reduce carbon dioxide emissions, from legal attack by the auto industry. I will work to push the federal government to improve mileage efficiency standards, since the state is pre-empted under the Clean Air Act from doing this on its own. I will encourage carpooling, walking, bicycling and the use of plug-in electric and hybrid electric cars. I will also improve mass transit and support smart growth policies.

This spells out a comprehensive state agenda to reduce carbon emissions from our own power plants and vehicles. But since this is an international issue, we must become more involved in convincing the federal government to finally acknowledge this problem and adopt mandatory carbon dioxide emission reductions.

ENERGY

New York State needs to develop a comprehensive energy policy that is environmentally friendly and also reflects the need for reliable sources of energy. There are encouraging developments across the state with the adoption by the Public Service Commission of a Renewable Portfolio Standard and numerous wind projects in operation or on the horizon. However, much more could be done to promote energy efficiency. Given the difficulty of forecasting energy supply and demand, the State must also ensure the availability of traditional sources of energy either through transmission upgrades or new power plants.

4. The League believes New York's next governor should develop a Comprehensive Energy Plan for New York State. Please share with us your plans for addressing the energy concerns facing this state.

As Attorney General, I convened an energy advisory committee and published a comprehensive energy plan for the state over five years ago. I was an early supporter of the Renewable Portfolio Standard (RPS) and my office fully participated in the Public Service Commission proceeding on this case. I support renewing the Article X siting law, with consideration of environmental justice concerns. I also believe we need to improve transmission of electricity, especially if we are going to move upstate wind-generated electricity to the downstate area. A recent federal report found that New York has the dirtiest air in the nation. Clean energy translates into clean air. Clean and reliable energy will be a major element in my economic development agenda. We need to improve energy planning, including combining the Systems Benefit Charge and the RPS into one unified Clean Energy Fund that will be used to expand conservation and renewable energy projects. I worked to make sure that NYSEDA maintained control of the SBC and RPS budget process. My running mate, Senator David Paterson, played a championship role by not allowing the Governor's wise veto on this matter to be overridden in the State Senate. State government should lead by example and utilize green building design and more renewable energy, particularly at the State Dormitory Authority and other state agencies that construct and maintain buildings.

ENVIRONMENTAL CONSERVATION FUNDING

New York's clean water and clean air depend on protected open space, working farms and urban parks. Communities and families need effective recycling programs and public health initiatives like breast cancer research. Our quality of life and our children's futures depend on saving our water, our air, and our open space – before it's too late. Currently, fewer than 1.1 cents per dollar of state spending goes to the environment, down from more than 1.6 cents per dollar in 2001. Even 1.6 cents is well below the national average, and inadequate.

5. The League believes New York's next governor should commit the State to spending 2 cents per dollar of total spending, \$2 billion per year, on environmental conservation by 2010. Please share with us your plans for increasing environmental funding.

Funding for New York's environmental protection programs has not kept pace with overall spending growth. This means that opportunities to protect open space, restore water quality, or to reduce the generation of hazardous and solid waste are often missed. DEC has been particularly hard hit by staff cuts and I would like to restore as many of them as possible. I believe the Environmental Protection Fund should be increased and I was an early supporter of the Bigger Better Bottle Bill. If adopted into law, not only will it reduce litter and increase recycling, but it will also provide over \$150 million each year in new revenue to the Environmental Protection Fund. It is imperative that this legislation gets passed by both houses of the Legislature and a more concerted effort by the environmental community is needed to achieve this legislative goal.

I am committed to increasing funding to support environmental programs but cannot commit to a specific number since I must know more about other budget restraints which will undoubtedly be challenging the state budget process in the coming years. I am particularly interested in hearing from the environmental community about new funding sources which also result in less pollution. I also want to learn more about potentially wasteful state spending that aggravates environmental problems. At the federal level, Friends of the Earth has published the "Green Scissors" report, identifying wasteful

federal spending programs that impair the environment. A similar analysis for New York State would be helpful.

SMART GROWTH

Unplanned development is a significant issue across the State. Recognition that economic growth and environmental quality can both be achieved by revitalizing downtown centers, conserving open space and agricultural land, and enhancing transportation choices is gaining ground. However, in many communities the pressures for property development lack incentives for brownfield restoration, and/or constraints on the ability to plan regionally are limiting the achievement of these objectives. Furthermore, it is important that environmental justice principles guide development.

6. The League sees the development of economic incentives for communities/projects that adhere to smart growth principles as a way to encourage development that is consistent with land preservation/reclamation goals. Please share with us your plans for greater state involvement on the issue of smart growth.

My administration will play an active role in promoting smart growth. A successful plan for smart growth incorporates a broad range of issues. I will use every avenue available to incentivize smart growth, and make it harder and less economically desirable for cities to sprawl. Administratively, I will establish a new cabinet level position for Urban Revitalization. The office will oversee an inter-departmental Smart Growth Advisory Board, which will help ensure that all state agencies are pursuing the same Smart Growth goals.

To prevent sprawl in our suburban and rural areas, we must enable growth to occur in our urban areas. To facilitate such growth, we must revive and expand the Downtown Development Initiative Grant Program to provide up to \$500,000 or 25 percent of the cost of projects that will have a significant impact on the revitalization and economic development of central business districts and downtowns throughout the state. This program will provide critical gap financing for downtown development projects.

We can also prevent sprawl by putting brownfields back to work. We must change the Brownfields Tax Credit formula so that we don't waste precious funds on sites where the remediation costs are low in relation to the cost of the project, and make more funds available for sites where the cost of environmental remediation is relatively high as a portion of total project costs. We can also accelerate the development of former industrial sites by working proactively to assemble land parcels with the critical mass for development.

Land preservation is not only important for ecological and recreational reasons, but it also sets natural growth boundaries to contain and reverse sprawl. I will pursue a multi-faceted approach to land preservation, incorporating the outright purchase of land and various alternative strategies.

Of equal importance is the need to improve our public education system. Failing public schools provide the most significant incentive to move out of cities. A strong public school system is one of our best tools to keeping people in urban areas and thereby reducing sprawl. This should be an area of common ground between those working to improve public schools and the environmental community.

Affordable housing will also be a major priority. The issues of revitalizing our cities, preventing sprawl, public education and affordable housing are all linked.

Finally, we must explore specific incentives for smart growth, such as incentives for people to live near their workplaces; historic preservation tax credits; grants and technical assistance to local communities; and a transfer of development rights initiative.

TRANSPORTATION FUNDING

The environmental impact of transportation policy is wide ranging, with implications for air quality, natural resource protection, and sprawl. New York State's transportation policy should encourage mass transit and freight rail, promote "transportation-led smart growth" (which locates development where transportation infrastructure already exists), and put the finances of both the Department of Transportation (DOT) and the Metropolitan Transportation Authority (MTA) on a solid footing. Addressing the funding of these transportation agencies is critical to promoting both their health and the health of the environment.

7. The League believes New York's next governor should ensure the financial solvency of the MTA and DOT. Please share with us your plans on the issue of transportation funding.

On May 5, 2006, I delivered a major speech on transportation issues to the Regional Plan Association. In that speech I said that we must invest in the transportation infrastructure the region needs to support continued growth of jobs and economic activity in the downstate region. We must cut through political gridlock and get things done as part of a coherent vision of smart transportation policy (which is essential in achieving the goals of smart growth). We must do six things: prioritize and move the mega projects; second, make dramatic system improvements within our current infrastructure; third, promote smart growth in our cities and suburbs; fourth, keep tolls and transit fares affordable; fifth, improve safety and security; and sixth — to make all this possible — implement significant institutional reform.

I support expanding the Second Avenue Subway, the Long Island Railroad East Side Access Project including the critical Third Track component and building a new Tappan Zee Bridge with a strong transit component. It will not be easy to fund these essential projects. Replacing the Tappan Zee Bridge will cost at least \$5 billion. We have to look at robust public sector financing models such as the Florida Turnpike Enterprise model and well as other alternative financing mechanisms such as public private partnerships that can expand financial resources for replacement of the bridge.

The first phase of the Second Avenue Subway and East Side Access projects are funded through 2009 as part of the MTA's most recent five-year capital plan. It is expected that the remaining funding for these projects will come from additional funds from Washington, the Port Authority or from the State in the next MTA capital plan for 2010-2014.

We should also aggressively advance the use of Bus Rapid Transit, support adequate federal funding for Amtrak and improve rail freight, especially if we want to reduce diesel emissions from trucks.

Overall, I believe that the economic and environmental impacts of increased congestion must be taken into account in our transportation planning. Promoting smart growth is integrally linked to a sound transportation policy in every corner of our state.