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Testimony of the Green Legal and Education Fund Inc.
To the New York State Legislature Joint Budget Hearing on the
2016-17 Executive Budget Proposal on Environmental Conservation
Feb. 13, 2017

The Green Education and Legal Fund (GELF) urges the state legislature to increase the investment in a transition to 100% clean energy. This starts with passage of legislation to amend the state Energy Master Plan to go to 100% clean renewable energy by 2030 (A5105 / Hoylman S5527 in 2016). This includes enacting a carbon tax (A107 / S2846), starting with a feasibility study on such tax (A1919). Additional investments are needed in renewable energy, starting with Offshore Wind.

The state should adopt goals- including legally binding mandates - to energy retrofit every building in the state within the next decade. It should establish a program similar to Solar City where it upfronts the costs of installing solar and other renewable energy systems on every building, recouping the investment through the savings in energy costs. This program could be done through NYPA or NYSERDA.

NY needs to halt all investments in fossil fuel infrastructure.

We urge the State legislature to hold hearings on the Governor's climate agenda, which should include his recently announced study on transitioning to 100% renewable energy.

We support the proposals by NY Renews to increase the investments in a Just Transition to clean energy, including dedicating 40% of new climate funds to helping disadvantaged communities that are feeling the brunt of climate change. We need to avoid the gentrification of our energy system, ensuring that low-income individuals and communities can fully participate in our clean energy future. We need to support energy democracy, including the development of community shared renewables, Community Choice Aggregation, and public ownership / worker / community cooperatives.

We support the proposal by Assemblymember Barrett (A3281) to provide a tax credit to farmers who practice regenerative agriculture to reduce their carbon footprint and return carbon to the soil.

We support the proposal to divest the state pension funds from all fossil fuels (A3712 / Krueger).

We urge the legislature to use the budget to reject the Governor's $7.6 billion subsidy to Exelon to keep open a handful of old, failing upstate nuclear plants. GELF is a plaintiff in the lawsuit filed by Clearwater challenging his ill-advised nuclear energy bailout. The state failed to adequately evaluate alternative approaches to how to spend $7.6 billion to create jobs and promote clean energy. The legislature should hold hearings on the Cuomo nuclear tax.

We must avoid wasteful investments in resiliency efforts that will just be washed away by rising tides and increasingly powerful storms. We need to stop allowing people to build and rebuild in flood plains. The best investment is in curbing climate change. Yet we need to protect communities,

especially the most disadvantaged who are often forced to live in flood zones. And we need to protect investments in water, sewage and mass transit infrastructure.

We support increased funding for DEC's Office of Climate Change and their assistance to local communities in the state. More resources are needed for resilience and for going beyond coastline communities to address other concerns like flooding associated with rivers and gorges in the middle of the state.

We support the New York City legislation to reduce plastic bag use. We urge you not to override a potential Governor's veto of your legislation to stop the plastic bag law.

Climate Change is the Greatest Threat to Humanity

The NYS State Budget should have a section dedicated just to detailing investments and expenditures related to climate change.

New York is relying far too much on the "market" that helped create the climate crisis to now solve it. NY needs a far more aggressive intervention that requires the investment of public funds. A major purpose of government should be to set the goals, pathways and benchmarks for the economy to meet the public good.

The "Jacobson" study a few years ago showed that NY could move to 100% clean energy by 2030 based on existing technology and estimated the transition cost at around $480 billion. While much of this involves redirecting existing funds from the fossil fuel industry to renewable energy, and routine expenditures already budgeted for system and distribution upgrades, it still requires new additional spending of billions of dollars a year.

We were pleased that in his State of the State the Governor announced that he had agreed to our recommendation for a study on how fast the state could technologically transition to 100% clean energy. The study will be conducted by NYSERDA and DEC. It is important that this process be transparent and that science not politics or economic concerns drive the findings. Will the Governor's state goals on transitioning to renewable energy be sufficient to avoid catastrophic climate change?

Once the science of how fast can NY to transition to 100% clean energy provides answers, then the state can debate the political and economic barriers that will have to be addressed in implementing such efforts.

The window to avoid catastrophic climate change in rapidly closing. Several years ago it was estimated that we need to ensure that 80% of known fossil fuel resources remain in the ground, yet the fossil fuel industry continues to spend billions of dollars a year searching for new reserves. A new study estimates that we have one to four years left before we deplete our remaining carbon budget.

NYS, as part of its Community Risk and Resiliency Act, officially just dramatically revised its estimate of sea level rise to 15 inches to 6 feet by the end of this century, which would cause major flooding damage in NYC and other coastal area. Recent studies by Dr. James Hansen and other

scientists, along with NOAA, found that the ice shelfs are melting so rapidly that it is possible that sea levels may rise up to 9 feet by 2050. NYC is one of the three most vulnerable cities on the planet to rising sea levels.

The NYS' study also revised its estimate for temperature rise in NYC to between 4,2 degrees and 12.1 degrees Fahrenheit by 2100. This would mean catastrophic climate change. Prior to COP 21, the agreement was we needed to keep global warming to 2 degrees Celsius (3.6 degrees Fahrenheit) above pre-Industrial Revolution levels to avoid catastrophic climate change. (The new goal is to keep warming under 1.5 degrees C or 2.7 F.)

Most predictions by scientists as to how fast climate change is occurring have been found to understate the problem.

The COP21 Climate Agreement set 1.5°C as the new global warming limit, as the developing countries were able to prevail upon the industrial carbon polluters that 2 degrees warming would be too catastrophic for much of the planet. The goals that New York previously adopted under Governor Paterson in 2009 and more recently by Governor Cuomo were based on the old 2 degrees target. This was a radical change by international leaders but its implications have not yet been grasped here in the US.

The 1.5°C marker pathway is defined as the most challenging mitigation pathway that can still be defended as being techno-economically achievable. Climate researcher Glenn Peters has projected that meeting the 1.5°C target would require a global fossil fuel phase-out between 2025 and 2030, plus a large-scale effort to remove excess carbon dioxide from the atmosphere. Bill McKibben of 350.org says it means: 85-90% of remaining carbon must stay in the ground. Emissions must be reduced by 9-10% per year to reach a de-carbonized world by 2030-2040; and the developed world (us) must reach net zero emissions in 5-10 years.

The Cuomo administration recognizes the realities of climate change and has taken some first commendable steps towards dealing with the problem, setting a goal of a 40% reduction in carbon emissions by 2030 along with getting 50% of its electricity from renewables. Unfortunately, this falls significantly short of keeping global warming below 1.5 degrees. And electricity only accounts for about a quarter of the state's carbon footprint.

The state's overarching climate goal established by Executive Order of Governor Paterson in 2009 to reduce greenhouse emissions by 80% by 2050 has not been updated to reflect the new targets agreed to in Paris. In addition, much of the reductions in emissions will come in the first years since they are the easiest; the first 85% if reductions will be the cheapest and should occur within a decade. Governor Cuomo instead appears to be following a path of the same percentage each year.

Invest in Offshore Wind (OSW)

NYS Should Commit to a Power Purchase Agreement of 5,000 MW of Offshore Wind by 2025, 10,000 MW by 2030. This will require an upfront subsidy by the State, probably through the Clean Energy Standard program.

One of the state's major weaknesses on climate change has been its tepid support for off-shore wind.

It was a positive development last month when LIPA finally agreed to support a small off-shore wind farm (90 MW) off the East End of Long Island. StatOil also won a major bid to BOEM to develop one of the sites off Long Island.

The Governor also announced a "goal" of 2,400 MW by 2030, much weaker than the 5,000 MW by 2025 that advocates had sought. A goal is much weaker than a firm commitment such as a Purchase Power Agreement for that amount of wind.

Climate scientists agree that we cannot avoid catastrophic climate change without a major OSW program on the east coast.

The University of Delaware, which authored NYSERDA's report on OSW, pointed out that the United States has moved backwards in the last decade with respect to wind due to overreliance on market forces. We agree with their assessment.

The NYSERDA report found that the best way to lower costs for offshore wind was to commit to OSW development at scale, rather than on a project by project basis. It concluded that costs could be lowered as much as 30%. Taking advantage of wind turbine innovations and other technology and industry advances could lower costs by about an additional 20 percent. The NYSERDA report's author added "well-designed policies and actions taken by New York, as well as by other states, can play an essential role in helping New York City and other U.S. East Coast population centers benefit from gigawatts of clean energy that could be generated by deploying wind turbines off the Atlantic coast."

Whatever state builds the first major offshore wind project is likely to attract the infrastructure investment in manufacturing, shipping, ports, and supply chain that will position it to be the center of the offshore wind build out along the east coast. NYPA funded studies show that a single OSW project could generate total economic activity of $1 billion in sales, 8,700 job-years and $610 million in wages for New York State. A 2014 study by Stony Brook University found that if 2,500 MWs of projects were developed, Long Island would get 58,457 construction and operations phase jobs, as well as approximately $12.9 billion in local economic output.

Enact a State Carbon Tax; Include Funding in State Budget for a Study

Make Polluters Pay

New York needs to adequately price carbon to reflect the true economic, health and environmental costs associated with its use. New York should enact a carbon (greenhouse gas) tax or fee to accomplish this purpose (this needs to include methane).

Many publications have editorialized in favor of carbon pricing, including the NY Times. Last week senior Republican leaders met with President Trump to urge him to support a carbon tax of at least $40 a ton. Many of the world's leading fossil fuel companies and financiers now support a carbon tax internationally.

The biggest obstacle to clean energy is that the market prices of coal, oil and gas don't include the true costs of carbon pollution. A robust and briskly rising U.S. carbon tax will transform energy investment, re-shape consumption, and sharply reduce the carbon emissions that are driving global warming.

A carbon tax is an "upstream" tax on the carbon content of fossil fuels (coal, oil and natural gas) and biofuels. A carbon tax is the most efficient means to instill crucial price signals that spur carbon-reducing investment. A carbon tax can also be used to recapture some of the costs pushed on to taxpayers and consumers from burning fossil fuels,

The International Monetary Fund estimates that worldwide we provide $5.3 trillion in annual subsidies to the fossil fuel industry. We need to stop paying to make the world uninhabitable for humans. In New York, it is estimated that allowing the burning of fossil fuels increases health care costs by $30 billion or more while leading to at least 3,000 annual deaths from air pollution.

It would be better to enact a robust national carbon tax. However, since the present Congressional gridlock on climate change makes this unlikely, New York should take the lead and enact a state carbon tax. In Canada, British Columbia has successfully implemented a provincial carbon tax. The tax has helped BC reduce its carbon emissions 3.5 times more than the rest of Canada while their economy performed slightly better than the rest of the country.

GELF helped draft carbon tax legislation which has been introduced. We actively support A8372 (Cahill) / S6076 (Parker). We selected the various options included in the bill after surveying several hundred climate change activists – we adopted the positions with the most support.

The proposed carbon tax would start at $35 a ton and then increase in annual increments of $15 a ton. 60% of the revenues would be rebated to low and moderate income consumers. The remaining forty percent will support the transition to one hundred percent clean energy in the state, to support mass transit to reduce carbon emissions, and to improve climate change adaptation. Such funds shall include payments and subsidies for renewable energy, energy conservation and efficiency measures, improvements in infrastructure, improvements in mass transit capacity, agricultural adaptation measures, protection of low-lying areas including coastlines, and emergency responses to extreme weather events.

At the base rate of $35, according to Prof. Sara Hsu of SUNY New Paltz, the revenues would amount to over $3.5 billion. In Year Two of implementation, with an increase of $15 per ton, the revenue would be $6.2 billion, in Year Three, $7.9 billion, in Year Four, $9.5 billion, and in Year Five, $11 billion. At the last point, revenue would amount to $14.3 billion. It is estimated that the initial carbon price of $35 a ton would increase the cost of gasoline by 35 cents a gallon. At $180 a ton, the cost would rise by $1.58 per gallon.

We recognize there are differences of opinion as to how to best invest the revenues: offset the regressive nature of any energy tax; do a 100% rebate of the tax to consumers (e.g., 100% fee and dividend); invest in the transition to renewable energy; and to meet other social needs such as job creation. The issue of what revenue options the legislature agrees to is less important than adopting a carbon price high enough to effectively reduce the amount of greenhouse gases emitted.

As an interim step, we urge the legislature to include funding in the state budget for a study of the impact and potential of the various levels and variables for a state carbon tax. Oregon and Massachusetts have conducted such studies. Assemblymember Lifton has a bill to do this.

Oregon's 2013 Carbon Tax and Shift: How to Make It Work for Oregon's Economy by economists at Portland State University's Northwest Economic Research Center examines a carbon tax based on British Columbia's model. Like BC's, the carbon tax examined for Oregon would be (largely) revenue-neutral: one scenario applies 70% of the tax revenues to cut corporate taxes, 20% to cut personal income taxes, and 10% for reinvestment in industrial energy efficiency programs; the other apportions 50% of the revenues to cut corporate taxes, 25% to cut personal income taxes, and 25% for industrial and residential energy efficiency and transportation infrastructure.

The study concluded that a tax of $10 per ton would not help Oregon reduce greenhouse gas emissions below 1990 levels. At $60 per ton, a carbon tax would begin reducing emissions below 1990 levels almost immediately by cutting emissions by 26 percent and would raise $2.35 billion in new taxes. The study's authors dismiss the drag factor at even the highest level — $150 per ton — as "small." A $60 per ton carbon tax would raise the price of gas by about 6 cents. Natural gas prices would rise 18 percent and electric prices would rise 9 percent to 30 percent, depending on regional variability.

> New York already has a limited carbon pricing scheme through the Regional Greenhouse Gas Initiative for electrical production. However, the Congressional Research Service concluded that the pricing was set too low to have any significant impact on reducing carbon emissions. It is presently around $6 a ton. The emission reductions achieved from RGGI was due to using the auction proceeds from the carbon permits to invest in renewable energy. The recent effort to reform RGGI regionally to set higher goals fell far short of what advocates were calling for.

End the $7.6 Billion Tax for Nuclear Subsidies

We urge you to direct the Public Service Commission and other relevant state entities to halt the plan to mandate $7.6 billion in ratepayer subsidies to keep old, unsafe, uncompetitive nuclear power plants open in upstate New York. Energy efficiency measures and newer, cleaner, renewable sources of power are more cost-effective, better for human and environmental health and create more jobs than this huge and unjust ratepayer tax.

At a minimum, the Legislature should hold hearings to examine how this subsidy was put in place, with the cost soaring in a matter of weeks from $59 million to $7.6 billion. Alternatives to the nuclear subsidy – such as investments in renewable energy such as off shore wind – need to be examined.

The Nine Mile Point, FitzPatrick and Ginna nuclear plants -- like the Indian Point power plant you negotiated to shut down by 2021 -- are inefficient and dangerous power sources and should be decommissioned. Most of these plants were built during the ear of Vietnam War. New York's overburdened ratepayers simply should not have to fork over billions of dollars in higher utility bills to subsidize such aging, economically uncompetitive nuclear plants.

Utility reports filed with the state show that more than 800,000 consumers in New York State are already in arrears on their utility bills. Many more New Yorkers currently struggle to pay electric rates that are among the highest in the nation. Increasing the monthly charges for these vulnerable New Yorkers will only make a bad situation worse.

Higher utility bills will also place a strain on businesses, schools, charitable organizations and local governments. New York communities are already straining against the limits of the local property tax cap. We cannot afford to see our municipal energy costs go up even further to bail out an industry that brings no economic development to our communities. We want to keep this money in our own communities to support our own local needs, including our own municipal energy efficiency and clean energy projects.

New York State's proposed multi-billion-dollar subsidy, which is essentially a "ratepayer tax," is also a misallocation of resources that New York should be investing in energy efficiency and cleaner, safer alternative energy sources.

A recent analysis co-authored by Stanford professor Mark Jacobson, a noted expert in the field, evaluated a variety of nuclear and renewable energy scenarios for New York. In every scenario, investments in energy efficiency and renewables instead of nuclear plants would cost consumers less, reduce more CO_2 emissions and generate more jobs.

The $7.6 billion ratepayer-funded subsidy to keep nuclear plants open will save only about 2,000 jobs in one region of the state, and only until the subsidy expires in 2029. A job creation or retention initiative financed statewide by consumers should have a positive impact throughout the state, not only one community.

Unfortunately, the Public Service Commission, which approved the $7.6 billion ratepayer-funded bailout without any legislative involvement or approval, failed to evaluate alternative proposals for how most effectively to create jobs, help local taxpayers and promote clean energy. Further, in a matter of weeks, the price tag for this bailout soared from $59 million to $7.6 billion – a staggering sum, and far more than the state is investing in renewable energy.

A thorough, public and transparent evaluation of alternatives should be done.

There is still time for New York to turn away from this $7.6 billion nuclear bailout plan because the charges don't kick in until April 1.

Invest in a Just Climate Transition

GELF supports several budget proposals made by NY Renews.

1. Direct NYSERDA to ensure that RGGI revenue and Clean Energy Fund proceeds prioritize frontline, environmental justice, and disadvantaged communities, with at least 40% of these resources dedicated to projects that directly benefit the identified communities;

2. Ensure that new and existing investments in climate programs effectively provide opportunities for low income individuals and disadvantaged communities to attain adequate funding for the implementation of energy efficiency, renewable energy, distributed energy, and resilient energy projects;

3. Access and maximize federal funding opportunities for the development of critical renewable energy infrastructure. For example, fund proposals to increase clean, renewable energy security and energy storage;

4. A commitment to invest in vehicle electrification and infrastructure and lead the country by committing to electrify the state fleet with vehicles produced in New York State by union labor within the next 10 years;

5. Ensure that all communities experiencing permanent power plant retirements have the resources they need to make just transitions, including budget and property tax relief for municipal school districts through the education funding formula;

6. Ensure full funding and implementation of the Green Jobs Green New York Act, and keep interest rates low and accessible to middle income New Yorkers;

7. Fund the Department of Environmental Conservation, and other relevant agencies, to begin working with stakeholders on:

a. Regulatory efforts to identify disadvantaged communities bearing the greatest burdens of climate change and fossil fuel pollution, based on metrics including public health problems, socioeconomic indicators, environmental pollution, and climate vulnerability, developed with input from stakeholders, especially those representing the communities likely to be identified;

b. An equity analysis of climate investments regarding the specific needs of disadvantaged communities, including improved transparency at all agencies implementing climate programs;

c. Recommending regulatory measures to maximize reductions of both greenhouse gases and co pollutants in Disadvantaged Communities.

8. Develop a statewide support plan for community driven Just Transition processes to identify the needs – and the resources necessary to address those needs – of whole communities impacted by the shift away from a fossil fuel based economy. A Just Transition plan should ensure that workers in, and communities home to, fossil fuel related industries have an opportunity for leadership in the regenerative energy economy, which includes pathways for good paying jobs with fair labor standards.

Divest Public Funds from Fossil Fuels (A8011 / S5873)

New York State's pension funds should cease any new investments in fossil fuel companies and completely divest from them within 5 years. As Bill McKibben of 350.org has noted, if it is wrong to wreck the climate, then it is wrong to profit from that wreckage. And yet, as of March 2013, almost $5 billion out of the total of $160.7 billion in New York State's pension funds are invested in coal, oil, and gas. The funds should immediately divest from coal and from Exxon, which is being investigated by the State Attorney General for allegedly deceiving the public and investors about the reality of climate change.

Hurricane Sandy, which decimated New York City and Long Island and caused $65 billion in damage, was fueled in part by Atlantic waters that were 5 degrees warmer than average, a result of human-induced climate change. And yet, the pension funds for city and state public employees are

all still invested in fossil fuel companies that dump carbon into the atmosphere for free, and rig the political system so that they can continue to do so.

After Sandy, New York City should be a shining light in the fight against climate change — to do that, its pension funds must freeze and divest from fossil fuels. The City recently divested its pension plans from coal and, after years of pressure, is finally studying whether to divest from other fossil fuels. We applaud those steps. We must, and we will, do more.

The State Comptroller has resisted divestment, arguing for shareholder advocacy instead. Certainly, it is helpful to use the voting rights of pensions to move companies to adopt more environmentally responsible practices. The comptroller should continue to lead shareholder advocacy campaigns to set greenhouse gas emission goals, improve energy efficiency across operations and source more renewable energy. But a fossil fuel company's board is extremely unlikely to agree to stop the production of fossil fuels and thereby abandon their core business. Shareholder advocacy is not an effective tool for changing the overall orientation of industries whose business models depend on producing fossil fuels.

Fossil fuel prices dropped after the world leaders at the COP 21 meeting in Paris agreed that the era of fossil fuels had to end. The fall of coal and oil prices, along with renewables now becoming cheaper fossil fuels, highlights the financial case for rapid divestment. Investors are increasingly voicing their concerns about the fossil fuel industry's long term financial viability, and are beginning to oppose new capital expenditures to discover new coal, oil and gas reserves. Investors are also concerned about the increasing action by governments' worldwide to restrict and tax the use of fossil fuels.

Financial analysts and experts are increasingly worried about the risk of a carbon bubble. If governments are to meet their commitments to keep global warming below 1.5°C, they will need to pass regulations that force fossil fuel companies to keep 80% of their fossil fuel reserves underground. The accessibility of those reserves is a major factor in determining these companies' share prices. Once the reserves are marked as unburnable, the value of the fossil fuel industry will plummet, to the tune of trillions of dollars – and to the obvious detriment of those shareholders who are left holding the bag.

The State has a fiduciary responsibility to protect the retirement funds of public workers from such risky investments. Investing in fossil fuels poses increasing financial risk and loss to the CRF, and thus its beneficiaries. Since the divestment campaign started in earnest 4 years ago, more than $5 trillion has been divested worldwide. It is past time for our state to join this movement. Divestment is an act of long-term fiduciary responsibility, and divesting all fossil fuels from the New York State pension fund will protect the well-being of New York State's pensioners and citizens. We must also require SUNY and CUNY to divest from the top 200 fossil fuel companies in their portfolios.

Farmer Tax Credit for Regenerative Agriculture

We support the legislation by Assemblymember Barrett to create a new financial incentive to farmers for land management practices which help improve soil health and reduce greenhouse gas emissions, making New York a leader in promoting new agricultural strategies that combat climate change.

Climate-smart land management practices improve soil resilience and increase productivity for our state's farmers while simultaneously addressing the state's climate change goals. The aim of a

statewide carbon farming initiative is twofold: as a land stewardship program, it would improve soil health and productivity by holding nutrients in place; as a climate-smart initiative it would mitigate carbon's release into the atmosphere as carbon dioxide (CO_2). Carbon dioxide contributes to climate change as a greenhouse gas by trapping heat in the atmosphere.

A tax credit for farmers who practice land management strategies which store, or sequester, carbon in the soil is a new model for combatting climate change. Reductions in net CO_2 emissions can be quantified by existing methods for measuring air pollution, especially the USDA's COMET-Planner software which was developed following the enactment of the 2014 federal Farm Bill. New York would be the first state to offer this type of tax credit, specifically for carbon farming, to all taxpayers who make farm products and not only the largest agricultural businesses.

By using no-till systems, planting cover crops, trees and perennial forages, and managing compost application, farmers can see improvements in water holding capacity, nutrient storage, and reduced erosion. An additional important practice is the elimination of the use of synthetic nitrogen, a fossil fuel derivative. All of these farming practices have the collateral benefit of sequestering carbon in the soil, thereby reducing its release into the atmosphere as CO_2. The carbon farming program outlined would incentivize farmers who are currently using these strategies to continue them and would encourage others to undertake the prescribed soil health methods now widely accepted as beneficial not only to productivity but for the reduction in greenhouse gases.

In general, more attention needs to be paid to greenhouse gas emissions from agriculture. According to the EPA, greenhouse gas emissions from agriculture coming from livestock such as cows, agricultural soils, and rice production account for about 9% of the country's carbon footprint. Changing weather patterns will also pose significant challenges in growing food crops, including changes in growing seasons, rainfall patterns, and spread of insects.

Farming practices that reduce greenhouse gas emissions, such as raising livestock on pasture and eliminating the feeding of grains to ruminents, eliminating the use of synthetic nitrogen fertilizers, eliminating the use of herbicides such as Round-up that increase gas emissions from soils, should be incentivized, as well as practices that sequester carbon by planting cover crops, reducing tillage, planting trees and other perennials, and recycling nutrients through composting and incorporating crop residues in the soil.

Support the NYC Plastic Bag Fee

The streets, parks and waterways of New York City are littered with the debris of the plastic bag industry. This is a financial and environmental disaster. New Yorkers dispose of 9.37 billion carryout bags per year, the vast majority of which are not recycled. The City wastes an estimated $12.5 million each year to transport around 91,000 tons of plastic and paper carryout bags to landfills in other states. Plastic bags jam expensive machinery at recycling plants and contaminate the recycling stream, increasing costs. They are a major source of litter everywhere as the wind carries them even into wilderness areas and they end up as a major pollution source in our oceans.

Plastic bags never biodegrade, but they do break down. As they do so, the toxic additives they contain—including flame retardants, antimicrobials and plasticizers—are released into the environment. Many of these chemicals disrupt animal and human endocrine systems. Plastic bags are especially harmful to marine animals, often choking them. Fish eat the colorful plastic bits and

in a few years one out of every three pounds of harvested fish, by weight, will be plastic. Sea turtles eat the bags, mistaking them for jellyfish, and the resultant blockage in their digestive tracts allows gas to build up, which renders them buoyant and unable to dive for food.

And of course, plastic bags are made from petroleum products – another important reason to ban their use.

Among the NYS communities already banning plastic bags are New Paltz; East Hampton and South Hampton, on Long Island; and Larchmont, Rye and Mamaroneck in Westchester County. Suffolk County and the City of Long Beach have enacted plastic bag fees.

I organized one of the first forums in the City four years ago, calling for a ban on plastic bags. We initially called for an outright ban. However, the legislation was repeatedly rewritten because of local concerns and, most importantly, because of legal restrictions on city legislative authority. Compromises included: imposing a fee per bag, rather than a ban; exempting low-income consumers (e.g., those using food stamps / SNAP and/or WIC); giving the fee to the store owners rather than the city; lowering the fee from 10 cents to 5 cents; and finally delaying implementation of the enacted law until Feb. 15, 2017. After all these compromises, the City Council finally passed and the Mayor signed the legislation. Now the Assembly has passed legislation delaying that local action for a year – with the clear intent to actually kill it permanently.

With the Trump regime sowing havoc at the federal level, it is imperative that our state and local governments step up to protect the environment. The last thing we need is to have the State legislature sell out to the plastic industry and overrule local environmental reforms. We are calling on the Governor to veto the Assembly's delaying action, and if he does we will call on you not to override that veto. New York City's elected officials should be able to work for their constituents without industry forces going shopping for upstate legislators to override home rule.