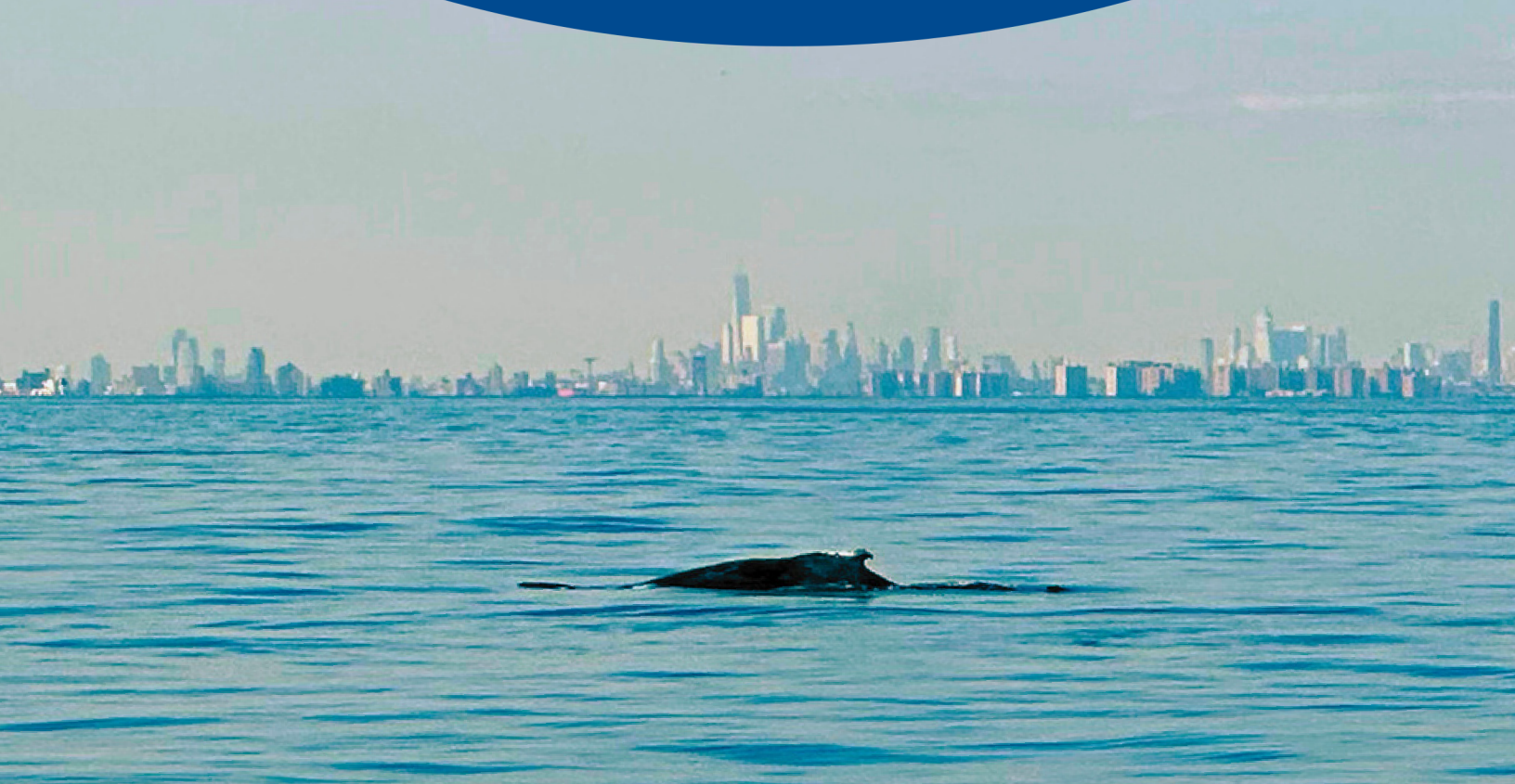




**RIVERKEEPER.**  
NY's clean water advocate

# LEGISLATIVE AGENDA 2024



# PROTECTING THE HUDSON TOGETHER

## President's Letter

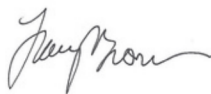
New York has long been a proud environmental leader. Our actions in the past have spurred federal and international policies. Yet, we find ourselves at a crossroads. As the state endeavors to maintain that mantle of leadership, our toxic industrial legacy and the pervasive impacts of the climate and biodiversity crises continue to challenge our water, land, air, and wildlife – the foundation of our health and economy. The Hudson River remains the nation's largest superfund site, with fish still too toxic to eat, drinking water threatened by chemicals, and sewage overflows continue to make our waters unsafe for swimming and aquatic life.

With new threats from the climate crisis, PFAS forever chemicals, plastic pollution, and a Supreme Court decision dismantling core aspects of the Clean Water Act, the protection of the Hudson River has become an important symbol of the state's commitment to the environment as a whole.

In the last legislative session, we achieved substantial victories by protecting the Hudson from radioactive wastewater discharges at Indian Point, and passing the Living Shorelines Act that will supercharge the use of nature-based designs as we adapt our coastlines and communities to the impacts of climate change.

Our 2024 Legislative Agenda for New York State highlights important programs for the state to continue funding as well as new legislation to address major issues facing the Hudson River and the communities that live alongside it. We hope you will support our mission for clean water.

Onward,



**Tracy Brown, President  
& Hudson Riverkeeper**



## Meet our Government Affairs Team



Jeremy Cherson, Senior Manager of Government Affairs, has been with Riverkeeper since 2013 and holds an MS in Environmental Policy from Bard College. Jeremy comes to Albany with experience working in D.C. with national environmental groups and experience working with land trusts in California and Georgia.



Gail Cabahug, Government Affairs Fellow, joined Riverkeeper in the fall of 2023 with a BA in International Relations from SUNY Geneseo. Gail has experience working in Albany as a volunteer for Assemblywoman Patricia Fahy and as a Senate intern with former Senator Phil Boyle.

**OUR MISSION:** Riverkeeper protects and restores the Hudson River from source to sea and safeguards drinking water supplies, through advocacy rooted in community partnerships, science, and law.

**IN 2023 OUR ACHIEVEMENTS INCLUDED:**



**300  
MILES  
OF RIVER**

regularly monitored by  
Riverkeeper boat patrols

**7,502  
WATER QUALITY  
MEASUREMENTS**

taken by Riverkeeper  
and our partners



**959  
NATIVE  
TREES**

and shrubs  
maintained

**7,700  
VOLUNTEER  
HOURS**

dedicated to the river

**1.5  
MILLION  
GALLONS**

of radioactive wastewater  
kept out of the Hudson



**19  
HUDSON  
VALLEY  
DRINKING  
WATER  
SUPPLIES**

helped by new  
protection program

**\$500  
MILLION**

in the NYS budget for grants  
to improve water quality

**1**

**MILE**

of publicly accessible  
Flushing Bay shoreline spared  
in defeat of AirTrain project



**31  
TONS OF  
DEBRIS**

removed from the river  
by more than 2,500  
volunteers in 1 day

**9  
LEGAL CASES**

in progress

**28,148  
LETTERS**

to lawmakers  
and decision-makers

**7  
ACRES**

forever protected  
around Kensico Reservoir,  
which supplies  
drinking water to NYC



# 2024-25 BUDGET

## **\$600 Million for Clean Water Infrastructure Act**

New York needs \$80 billion in wastewater and drinking water infrastructure investments over the next 20 years. Riverkeeper is urging a \$600 million investment in the next fiscal year, \$100 million higher than before. The increase is due to rising infrastructure project costs caused by inflation and other economic factors. Historically, the state has allocated \$1 billion annually since 2019. Riverkeeper is also calling for a new target of \$4 billion in appropriations over the next five years to secure New York State's commitment to clean water.

## **Protect Streams & Fund Implementation**

Streams are vital in strengthening our community and ecological resilience in the face of climate change. The majority opinion in *Sackett v. EPA* has significantly reduced the oversight of the EPA and Army Corps of Engineers by narrowing the definition of Waters of the United States (WOTUS) under the Clean Water Act. The role of the federal government in safeguarding headwater streams in New York is in doubt, leaving a void in oversight that extended stream protections are well-poised to fill. They provide clean drinking water, mitigate flooding risks, and offer critical habitats for wildlife. Riverkeeper calls on the Governor and Legislature to include new oversight for class C streams with resources for NYSDEC to implement new protections.

## **Drinking Water Infrastructure Engineering Planning Grants \$2 million**

There is an urgent need to expand grant limitations to support engineering planning studies for drinking water infrastructure projects. This is already in place for wastewater projects, and is a resounding success, particularly for smaller, cash-strapped municipalities that lack the staff and capacity to conduct planning themselves. We urge New York State to provide at least \$2 million for drinking water infrastructure engineering planning grants in the SFY 2024-25 budget.

## **Interstate Environmental Commission (Aid to Localities) \$96,323**

As set forth in the funding structure of the Tri-State Compact of 1936, New York State's portion of support to the Interstate Environmental Commission (IEC) is 45 percent. Full funding would ensure that IEC is eligible to apply for and receive up to \$1,000,000 in federal funds. In previous years, New York has failed to fund IEC at the appropriate level to unlock federal funding. SFY 2023-24 only appropriated \$42,000, less than half of the required match. Riverkeeper urges New York State to appropriate 45 percent of the required matching funds.



*Construction on Newburgh's sewer diversion project utilizing state and federal funds.*



# 2024-25 BUDGET

## **Environmental Protection Fund \$400 Million**

The Environmental Protection Fund (EPF) is the backbone of New York's environmental programs, providing key funding for clean water, habitat protection, public access, and environmental justice. Funded through a dedicated tax, the EPF provides reliable and consistent funding touching every corner of New York State. The Legislature has been a strong champion of the EPF and Riverkeeper urges a strengthened commitment to this important source of funding without any offloads. We also urge the Governor and Legislature to make progress in reaching a \$500 million EPF. The following items are accounts within the EPF.

## **Waterfront Revitalization Program \$16.5 Million (EPF)**

The Waterfront Revitalization Program is an important source of community-led watershed management funding for communities statewide. The program funds community grants to plan for and implement both waterfront revitalization and watershed management projects. Riverkeeper supports sustained funding at \$16.5 million.

## **Water Quality Improvement Program \$22 Million (EPF)**

The Water Quality Improvement Program (WQIP), along with the Water Infrastructure Improvement Act, is a key source of needed grants to support community investments in wastewater infrastructure. Within the WQIP, Riverkeeper strongly supports the innovative Source Water Assessments line at \$5 million into the next fiscal year.

## **Hudson River Estuary Program & Mohawk River Basin Program \$7.5 million (EPF)**

The Estuary Program invests in local watershed protection, supports regional source water protection, and creates new parks, boat launches, and fishing piers. They collaborate with partners, train local leaders, and educate thousands of people. In 2022, HREP funded \$1.42 million for 23 projects, with 87% of funds going to environmental justice communities, benefiting the Capital District to New York City and the region's \$5.3 billion tourism economy. Lt. Governor Delgado announced \$600K of grant awards for Mohawk Valley projects in August 2023. The program needs continued support at current appropriation levels.

# 2024 LEGISLATIVE PRIORITIES

## **Water Bill Fairness Act**

*S4169/A4019 (May/Gallagher)*

Riverkeeper strongly urges the passage of this important legislation, which would enable NY water authorities to employ cutting-edge technologies to establish equitable sewer rates, drawing inspiration from cities like Ithaca, Seattle, Philadelphia, and Washington, DC, in their efforts to combat heightened stormwater runoff.

## **PFAS Discharge Disclosure Act**

*S227B/A3296A (May/Kelles)*

Riverkeeper strongly supports the passage of this act to require PFAS testing by publicly owned treatment works and industrial permit holders. Establishing a program to track PFAS sources in waterways and groundwater will fill a critical gap in the state's efforts to protect water quality.

## **Safe Water Infrastructure Action Program**

*S4350A/A6155 (Hinchey/Gunther)*

Riverkeeper strongly endorses the passage of the Safe Water Infrastructure Action Program (SWAP), which provides formula-based funding to address urgent wastewater and drinking water infrastructure needs across the state.

## **Green Roof Tax Abatement**

*A6901A/S6409A (Rozic/Liu)*

Green roofs are a vital green infrastructure component for reducing stormwater runoff and heat-island effect while providing habitat for wildlife. We urge the Legislature to take immediate action to reauthorize this vital incentive for addressing climate impacts and managing stormwater.

## **Public Participation for Disadvantaged Communities**

*S2510A/A6584A (Ramos/Gallagher)*

Riverkeeper strongly backs this crucial legislation as a step towards rectifying the exclusion of diverse voices in decision-making processes for major projects.



*Senator Michelle Hinchey, Assemblyman Jonathan Jacobson, and staff from Senator Chuck Schumer's office on Riverkeeper's Patrol Boat addressing failing rail bridges on the CSX line.*

# 2024 LEGISLATIVE PRIORITIES

## **Petroleum Spill Insurance Coverage and Transparency**

*Bill Number Pending (Fahy)*

The risk of a petroleum spill looms large over the Hudson River. Legislation ensuring that petroleum carriers and bulk storage facilities have adequate liability coverage to cover the costs of a petroleum spill is of paramount importance.

## **NY's Coal Tar Pavement Sealer Prohibition**

*A1669/S1729 (Rosenthal, L./Sanders)*

Riverkeeper strongly urges the Legislature to pass this act to update NY's prohibition on most coal tar-based pavement sealers to reflect the current scientific consensus.

## **The Fashion Act**

*S4746/A4333A (Hoylman-Sigal/Kelles)*

Riverkeeper strongly supports mandating greenhouse gas reductions and public risk disclosures in the fashion industry to reduce plastic pollution from clothing. Clothes are a major source of plastic microfibers that enter waterways from washer machines as the grey water moves through sewage treatment plants or is discharged directly in a combined sewer overflow.



*Riverkeeper rallies with Senator Pete Harckham & Assemblywoman Dana Levenberg to stop radioactive wastewater discharges into the Hudson River.*

## **Bigger Better Bottle Bill**

*S237B/A6353 (May/Glick)*

Riverkeeper strongly favors the expansion of NY's bottle deposit program to include non-carbonated beverages, wine, and liquor glass bottles, with an increase to a ten-cent deposit. This is a critical step in reducing beverage container litter on our shorelines.

## **Styrofoam Dock Pollution**

Each year at the Riverkeeper Sweep, Riverkeeper finds large and small chunks of styrofoam docks that have broken off from unencapsulated docks. We urge the legislature to prohibit the sale and use of non-encapsulated styrofoam docks. Riverkeeper is working with legislators to identify the best legislative remedy for this source of plastic pollution.





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*Cover photo shows a humpback whale seen in NY Harbor, with the NYC skyline, September 2023.*

*Background photo shows the City of Newburgh Sewage Microtunnel Project funded through federal and state infrastructure funds.*

# SUPPORT OUR AGENDA FOR CLEAN WATER