



91st Assembly District
Larchmont - Mamaroneck - New Rochelle - Port Chester - Rye Brook and Rye

May 2, 2022

Dear Friends,

Earth Day fell on April 22 this year with the weeks before and after marked by local events and passage of legislative proposals in Albany.

In December, the [NYS Climate Action Council](#) released their [Draft Scoping Plan](#), with their recommendations on the many interrelated issues that must be turned into action items if we are to meet the targets we outlined in the 2019 Climate Leadership Act. The Council is holding in-person and virtual meetings around the state to receive comments on the plan. These include [upcoming virtual hearings](#) on May 7 and 11 and a Hudson Valley hearing in Peekskill on May 12.

I joined regional environmental groups in advocating for a Hudson Valley hearing and am pleased it has been added to the schedule.

As Chair of the Assembly Science and Technology Committee and as a member of the Assembly Environmental Conservation Committee and Climate Change Task Force, I am playing an active role on these issues and in rationalizing the Climate Action Council recommendations with the many legislative proposals that have been introduced.

In addition, the recently adopted state budget included an expanded environmental bond act proposal, increased the NYS Environmental Protection Fund and provided significant funding for clean water infrastructure that I have successfully championed since 2015.

I have focused on a number of issues, including grants for stormwater infrastructure projects, electric vehicles and EV charging infrastructure and funding for storm resilience and recovery.

This newsletter will focus on legislative proposals that have moved recently and information about the contents of the environmental bond act proposal, which was enhanced as part of the state budget. That proposal will be before the voters for consideration in November.

The Climate Action Plan will be finalized later in the year but on issues where there is already a consensus, the legislature should act before our legislative session ends in early June.

This newsletter also highlights two upcoming meetings on coastal resilience strategies and funding. In addition, I have also included details about an Assembly hearing on May 12th on the All Electric Buildings Act legislative proposal.

I hope the following environmental updates will be of interest. As always, please contact me on any issue on which I can be of assistance at 914-939-7028.

Warm regards,



Environmental Bond Act Includes Key Funding for Climate, Storm Resilience and Water Projects

As part of the state budget, we approved a revised environmental bond act proposal that will be on the November 8th ballot this year. The original bond act proposal planned for 2020 was delayed because of the Covid-19 pandemic.

The new \$4.2 billion **Clean Water, Clean Air and Green Jobs Environmental Bond Act of 2022** includes funding to assist local governments and school districts in financing needed projects and advances our state's efforts for climate mitigation and environmental enhancements needed to meet our climate change targets enacted in 2019.

The goal of the bond act is to preserve, enhance, and restore New York's natural resources and reduce the impact of climate change by funding at least the following amounts in these categories:

- Restoration and flood risk reduction - \$1.1 billion (including coastal rehabilitation, shoreline restoration and inland flooding projects)
- Open space, land conservation and recreation - \$650 million (including open space and land conservation)
- Climate change mitigation - \$1.5 billion (including green building, climate adaptation & mitigation, addressing air and water pollution in disadvantaged communities and electric school bus funding)

- Water quality improvement and resilient infrastructure - \$650 million (including not less than \$250 million for stormwater grants and \$200 million in wastewater funding)

The bond act includes language to direct at least 35-40% of all funding to support projects in disadvantaged communities.

The stormwater grant program was a provision I initiated in the 2020 bond act proposal, and we in the Assembly succeeded in having the allocation increased to \$250 million in this year's revisions. Hurricane Ida highlighted the weakness of our municipal stormwater systems across the state. Our municipalities and local property taxpayers need state assistance to help pay for these needed upgrades.

In February I co-chaired an Assembly Hearing on Electric Vehicle Charging Infrastructure. Governor Hochul has made a major commitment to advancing our transition to electric vehicles with at least six different state agencies working on different aspects of the issue.

The environmental bond act includes at least \$500 million to help school districts fund the transition to all electric school buses. All school bus purchases will have to be electric by 2027 and all fleets fully electric by 2035. School districts cannot make this transition without state and federal funding in order to afford the acquisitions and technical assistance to answer the technical questions that every district will face. This state budget and the bond act will help make the transition that will provide cleaner air for the students on the bus and all of us breathing the fumes from old style buses.

**NYS Senator Shelley B. Mayer &
Assemblyman Steve Otis Host:**

A Discussion With Experts About Stabilizing Shorelines

**Learn how "Living Shorelines" improve
ecosystems and enhance coastal resilience.**

Thursday, May 5 • 4 p.m.

Jay Heritage Center

210 Boston Post Rd, Rye, NY 10580

**RSVP Requested:
bit.ly/StabilizingShorelines**



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For Sound Shore communities, the reality of more intense storms and sea level rise are not theoretical; they are the reality we experience. This Thursday Senator Shelley Mayer and I are co-sponsoring a panel to discuss coastal resiliency challenges and projects. Speakers from Save the Sound and Riverkeeper will discuss the importance of maintaining and converting concrete seawalls to living shorelines and present local examples and opportunities. Living shorelines are a protected and stabilized coastal edge made of natural materials such as plants, sand, or rock that connect the land and water to stabilize shorelines, reduce erosion, and provide valuable habitat that enhances coastal resilience. The meeting will provide ideas for local governments and environmental groups. Below please read about another event on coastal resiliency that builds on our May 5th meeting.

Coastal Resiliency Network for Westchester and Long Island

Following our May 5th Coastal Resiliency Program at the Jay Heritage Center, I would like to alert you to an important Zoom meeting on May 12th to advance discussions towards forming a regional coastal resiliency network for Westchester and Long Island Sound, as some communities on the Hudson have already begun.

The New York State Association of Conservation Commissions (NYSACC) has organized a series of meetings to discuss upcoming grant opportunities related to coastal resiliency and the Long Island Sound region. I have been a member of the Board of Directors of NYSACC for over 30 years and am hopeful that a focus on resiliency projects will provide coastal communities with information on funding and the types of projects that will help protect coastal areas from sea level rise and related storm damage.

The coastal resiliency network Zoom will feature speakers from FEMA, the New York Department of State, and the Long Island Sound Study who will discuss Federal and New York State grant opportunities. This will be an excellent session for local officials, environmental, planning, sustainability and conservation committee members and environmental groups. The Zoom meeting will be on Thursday, May 12th from 1-2:15 PM. To receive log-in information, please e-mail NYSACC at president@nysacc.org which will be issued closer to May 12.

The speakers are:

- **Gary Monitz** who has been working as a Community Planner with FEMA Region 2 since 2016, where he is responsible for reviewing hazard mitigation plans for federal compliance and serving as regional lead for the Cooperating Technical Partners (CTP) grant program.
- **Barbara Kendall** is a Coastal Resources Specialist 3 with the NYS Department of State, Office of Planning, Development and Community Infrastructure. At DOS Barbara works with New York State communities on Local Waterfront Revitalization Programs (LWRPs), plans, and implementation projects, She also oversees the analysis, evaluation and processing of work performed by technical staff, coordinates efforts between State and local agencies, and develops and maintains guidelines and other criteria for preparing informational and educational materials.
- **Nancy Seligson** is New York Co-Chair of the Citizens Advisory Committee of the Long Island Sound Study, which is part of the National Estuary

Program. She is the immediate past Supervisor of the Town of Mamaroneck and Co-Chair of Sustainable Westchester, a County-wide nonprofit organization.

Notice of Public Hearing: All Electric Buildings Act

The Assembly Committee on Energy, Committee Governmental Operations and the Committee on Environmental Conservation will host a hearings to examine the feasibility and timing of requiring new construction to be all- electric.

Thursday

May 12, 2022

10 a.m.

Web Link: <https://www.nyassembly.gov/av/live/>

More information can be found on the hearing notice available [HERE](#)

Earth Day Legislative Package Moves in the Assembly

Last week a number of key bills ready for a floor vote were adopted by the Assembly. The measures will require approval from the Senate and the Governor. Additional legislation will be advanced between now and early June.

A.5390-B, legislation that would set a goal to conserve 30 percent of the land and inland waters in the state by 2030.

A.2412-B, legislation to require the New York State Office of General Services (OGS) to begin to purchase zero emissions vehicles for use in the state fleet, helping to lower the state's transportation emissions and help promote the construction of electric vehicle infrastructure across New York.

A.2103-D, legislation to help address environmental equity by requiring the Department of Environmental Conservation to consider inequitable pollution burdens on disadvantaged communities when renewing or issuing new environmental permits.

A.340-B, directs New York State Energy Research and Development Authority (NYSERDA) to prepare a report identifying decommissioned or dormant electric

generating plants that could be suitable for renewable energy development and energy storage opportunities.

A.8327-A, would establish an electric landscaping equipment rebate program for equipment like leaf blowers, weed whackers and lawn mowers.

A7703 would allow renewable energy customers to donate excess energy credits to low-income families.

A7429-A, would restrict the use of neonicotinoid pesticides on certain seeds, outdoor ornamentals, and turf and require DEC, the Department of Agriculture and Markets and SUNY to identify alternatives to these chemicals that are harmful to pollinators and the environment.

A9279, legislation to reduce the disposal of unwanted carpets in landfills, and would encourage carpet recycling with the establishment of a carpet collection program by requiring carpet manufacturers to submit a plan to the DEC for said program by December 31, 2023. The EPA estimates that five billion tons of carpet waste goes into landfills every year.

A7389- legislation to place a temporary moratorium on new “proof of work” cryptocurrency mining facilities and authorizing a comprehensive analysis by NYS DEC.

Proof of Work Method of Cryptocurrency Authentication to Be Reviewed Under Proposed Moratorium



One of the Earth Day week measures passed by the Assembly was legislation I co-sponsored to put a pause on expansion of “proof of work” cryptocurrency authentication, sometimes called mining. The legislation only applies to the “proof of work” method, not other forms of cryptocurrency verification. “Proof of work” has been the subject of criticism in Europe, Asia and within the United States because of the massive use of energy required to authenticate “proof of work” transactions.

There are over 15 different methodologies of authenticating cryptocurrency transactions. “Proof of work” uses 99% more energy than the second most common method called “proof of stake” because of the massive energy farms required to carry out the “proof of work” transactions.

The massive energy use and corresponding increased greenhouse gas emissions from these new cryptocurrency mining operations performing these transaction authentications threaten our ability to reduce emissions and meet our climate change targets in compliance with the Climate Leadership and Community Protection Act of 2019.

The moratorium on new facilities would allow time for New York State to assess the impact and also encourage the cryptocurrency industry to use existing, less energy intensive forms of authentication or innovate and develop new verification methods that do not increase emissions. There are other impacts that have also raised concerns related to water quality and localized air quality issues where “proof of work” plants operate, thereby impacting other businesses such as tourism, agriculture and upstate wineries. I am hopeful that alternative methods will be adopted.

You can view the video clip of my remarks [HERE](#).

Earth Day Activities on the Sound Shore

Throughout the last two weeks many local environmental groups have been holding events, cleanups and celebrations to mark Earth Day. I participated in events in Mamaroneck, New Rochelle, Rye and Rye Brook. There are local environmental groups in every community on the Sound Shore. They provide excellent opportunities to get involved, enhance a park or promote environmental work where we live.



The [New York State Energy Research and Development Authority \(NYSERDA\)](#) has made available \$6 million in this first round of incentives for zero and low emission school buses through the [NYS Truck Voucher Incentive Program \(NYTVIP\)](#). Since the initial purchase price of an electric school bus is higher than a similar diesel-powered bus, these incentives will help cover the difference. This will help make electric buses more affordable and easier to purchase. By 2035, all school buses in NYS will be electric, benefitting our health, the economy, and the air. NYTVIP also provides incentives for purchasing new, all electric medium and heavy-duty trucks, transit buses, and cargo handling equipment.

NYS was allocated approximately \$128 million in [Volkswagen Clean Air Act Civil Settlement](#) funds to use as incentives for diesel emission reduction projects and to help expand electric vehicle charging infrastructure around the state. These incentives will help increase the number of zero emission vehicles, reduce the impact of climate change, and improve air quality in communities impacted by vehicle emissions. To reduce your air pollution footprint, [maintain your vehicle](#),

take public transportation, and walk or bike whenever possible to get where you need to go. Check out more tips on how to [keep air clean](#) on our website.

Expanded Eligibility for \$15 M in Cooling Assistance

Governor Hochul announced that \$15 million is available through the Home Energy Assistance Program to help low-income individuals and families who lack air conditioning to stay cool during the upcoming summer months. Under the direction of the Governor, the state Office of Temporary and Disability Assistance - the agency administering HEAP - expanded eligibility for the cooling component to more effectively assist those in need by including all income-eligible New Yorkers.

To qualify for cooling assistance under the amended guidelines, applicants must meet HEAP eligibility criteria and income thresholds, which vary by household size. For instance, a family of four may have a maximum gross monthly income of \$5,249 or an annual gross income of \$62,983. Prior to this year, the cooling component of HEAP was only available to income-eligible households with an individual suffering from a documented medical condition exacerbated by extreme heat.

The program covers the cost of an air conditioning unit and installation. Under the expanded eligibility, the cooling component is expected to serve up to 20,000 households throughout the state.

Applications for cooling assistance will be accepted at [local departments of social services](#) starting Monday, May 2nd and extending through August 31, or until funding runs out. Assistance is provided on a first-come, first-served basis. New York City residents may download an application and obtain program information at [access.nyc.gov](#).



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