

LONG ISLAND LOBBY COALITION

Long Island Lobby Day
February 8th, 2011

Coalition Members

AARP

Citizens Campaign for the Environment

Empire State Future

Huntington Township Chamber of Commerce

Long Island Business Council

Long Island Federation of Labor

Long Island Hispanic Chamber of Commerce

Long Island Software and Technology Network

Nassau Council of Chambers of Commerce

Tri-State Transportation Campaign

Vision Long Island





**THE LONG ISLAND FEDERATION
OF LABOR, AFL - CIO**



Nassau Council of Chambers of Commerce

Additional Participating Organizations

- Concern for Independent Living
- Concerned Citizens of the Plainview-Old Bethpage Community
- Coram Civic Association
- Dowling College
- Elmont Chamber of Commerce
- Friends of Huntington Station
- Glen Cove Business Improvement District
- Gordon Heights Civic Association
- Gordon Heights Chamber of Commerce
- Greenman-Pedersen, Inc.
- Hicksville Chamber of Commerce
- Laible and Fitzsimmons Inc.
- Lake Ronkonkoma Civic Organization
- Long Island Housing Partnership
- Long Island Minority AIDS Coalition
- Longwood Alliance
- Mastic Beach Property Owners Association
- Mastics-Moriches-Shirley Community Library
- Middle Island Civic Association
- Neighborhood Network
- New York League of Conservation Voters
- Plainview/Old Bethpage Chamber of Commerce
- Renaissance Downtowns
- Roel Resources
- Save the Forge River
- Selden Civic Association
- South Yaphank Civic Association
- them TV
- US Green Building Council—Long Island Chapter
- Verizon
- Wading River Civic Association
- Youth of Ethical Societies, Long Island Chapter



LONG ISLAND LOBBY COALITION 2011 AGENDA

A diverse coalition of organizations are working together to advance meaningful improvements to Long Island's quality of life and our economy. Our agenda includes five critical issue areas. The mix of regulatory, budget and legislative actions that Albany must take to help Long Island is entirely practical and reasonable to achieve.

1) Transportation

- a) Complete Streets
- b) Fix-it-First
- c) Transportation Financing
- d) Save Long Island Bus
- e) Multimodal Transportation Solutions

2) Energy and Environment

- a) Offshore Wind
- b) Solar Jobs & Development Act
- c) NYISO Reform

3) Human Services

- a) Universal Design
- b) Food Insecurity

4) Small Businesses, Jobs & Economic Development

- a) Small Business Job Creation Tax Credit
- b) Reducing LIPA debt
- c) SEQRA Reform

5) Sewers & Infrastructure: Funding and 5 Long Island Sewers Priority List

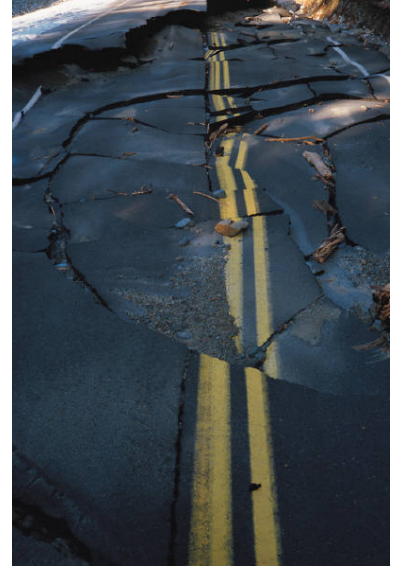
- a) Increase sewer funding through the Environmental Facilities Corporation fund and LI Sewer Priorities
 - *Mastic/Shirley*
 - *Bay Park in Nassau County*
 - *Bergen Point, Babylon, Suffolk County*
 - *Smithtown/Kings Park*
 - *Northport*

1. Transportation

a) Complete Streets

Long Island's roads are some of the most dangerous in the region to pedestrians, cyclists and motorists. From 2006-2008 alone, over 200 pedestrians and cyclists were killed on Long Island's roads, with an overwhelming number of fatalities occurring among Long Island's senior population. 'Complete Streets' is a policy that designs and builds roads for all users and for people of varying abilities. Users are defined as motorists, cyclists, pedestrians and transit users.

Other states have implemented complete streets legislation including Connecticut, Oregon, Massachusetts, Illinois and Virginia, and many others are also considering such policies. A complete streets policy overwhelmingly passed the New York State Senate last year only to be held up in the Assembly. Since then, 15 local policies have been implemented throughout New York State, including four town policies on Long Island. Unfortunately, these local policies only apply to local roads, necessitating a broader state policy that includes all roads within the state. Designing roadways from a 'complete streets' perspective will create safer environments for all users, as well as promote cycling and walking as viable forms of transportation.



b) Fix-it-First

New York's roads are among the worst in the country. A recent American Association of State Highway and Transportation Officials (AASHTO) ranked the quality of New York's roads as in the bottom five nationally. Motorists spend an additional \$405 a year in vehicle operating costs because of rough roads. This is \$70 more than the national average. Not only is directing NYSDOT to prioritize maintenance and repair of its existing road and bridge infrastructure, or a 'fix-it-first' policy, over expansion projects good public policy, it is also an investment that gives the most 'bang for the buck'. A 2009 study by the Victoria Transport Policy Institute showed that maintenance and repair of existing road and bridge infrastructure ('fix-it-first') creates more jobs per \$1 billion invested (~20,000 jobs) than road and bridge expansion projects (~17,000 jobs).

A fix-it-first policy is also a key component of a sustainable transportation system and integral to promoting smart growth. As a criterion for the implementation of the Smart Growth Public Infrastructure Policy Act, expansion project funding should be capped at 5% of the Statewide Transportation Implementation Plan (STIP).

c) Transportation Financing

The capital plan for both the MTA and NYSDOT has a gap of \$10 billion and are set to run out of funding entirely by the end of 2011. Without fully-funded capital plans, the MTA and NYSDOT cannot make the needed investments in our transit and surface transportation systems to ensure a state of good repair and targeted improvements. Innovative funding mechanisms to support our transportation system, like conversion of HOV lanes on the Long Island Expressway to High-Occupancy Tolling (HOT) lanes and congestion pricing or tolling of the East River Bridges, would bring needed revenue while impacting only 2% of Long Islanders.

HOV to HOT lane conversion is used throughout the United States, including San Francisco, Miami, Minneapolis and Denver, and new HOT lanes are being developed in Los Angeles, Washington, DC and Dallas among other areas. Revenue generated from this conversion should be dedicated directly to maintenance of the Long Island Expressway and support or expand rapid transit along the LIE corridor.

Only 2% of Long Islanders (3.2% in Nassau and 1.3% in Suffolk) drive into Manhattan alone for work and would be impacted by either congestion pricing



or East River Bridge tolls on a daily basis, making these types of revenue generators attractive to the large majority of Long Islanders. The revenue generated by these policies should be used to create a regional bus system for Long Island, including an integrated expansion of rapid transit lines running in appropriate North-South corridors throughout Long Island.

d) Save LI Bus

The future of Long Island Bus service is unclear. The MTA recently voted to withdraw its \$26 million subsidy, and Nassau County, the owner of LI Bus, has failed to come to an agreement with the MTA over increasing its support for the system.

In the short term, the MTA, Nassau County and the State must arrive at an agreement that ensures 100,000 daily riders have good, reliable transit service and are not left in a lurch. In the long term, a regional bus system could serve to end the annual funding battles and integrate bus systems to create a fluid and seamless suburban transit system. Pursuing this would improve the quality of life of LI residents, support economic development and protect our environment.



Suffolk Transit has also been underfunded over the years, even as ridership has grown significantly. While the funding stream for Suffolk Transit is less of an issue because only two entities are the funding source (State and County), expansion of service is difficult due to limited resources. Including Suffolk Transit into a regional bus system is also worthy of consideration.

e) Multimodal transportation solutions for Nassau HUB/ and Heartland Town Center

Multimodal improvements are needed for new developments at the Nassau Hub and Heartland Town Square at the former Pilgrim State property. Improved bus service, rail service connections, pedestrian and bicycle access as well as roadway improvements on Sagtikos Parkway and Meadowbrook Parkway should be planned and funded.

2. Energy & Environment

a) Offshore Wind

There is a tremendous offshore wind resource both in the Great Lakes and in the Atlantic Ocean. New York State has been proactively developing land-based wind energy including the largest wind farm east of the Mississippi River, Maple Ridge Wind Farm in Lewis County, with an installed capacity of 231 MW, or enough to power 68,000 homes each year. Much of this clean, renewable wind energy is located in the upstate regions of New York but is also needed in the downstate region, which means wind development offshore is needed.

The consequences of our nation's shortsighted energy choices are never more visible than a catastrophic environmental disaster such as a massive swath of oil navigating through the Gulf of Mexico. While the Gulf spill may be the poster child for our nation's antiquated energy policies, the consequences are much more extensive, and closer to home. The problems associated with poor energy choices may be daunting, but opportunity abounds for positive change. Wind is emission free, renewable, domestic, and abundant offshore.

Now is the time to aggressively move forward with siting offshore wind for Long Island. We are enthusiastic about the collaboration between the Long Island Power Authority (LIPA), Con Ed and New York Power Authority (NYPA) in a public-private partnership to advance an offshore energy agenda. A joint feasibility study released by the two utilities concluded that an interconnection of up to 700 MW of wind power, located at least 13 miles off the Rockaway Peninsula in the Atlantic Ocean, would be feasible with upgrades to their respective transmission systems. Approximately 30 wind developers and firms responded to the Collaborative's Request for

Information (RFI), signaling substantial interest in developing a wind farm in the proposed area. The current expectation is for the wind project to be designed for 350 megawatts (MW) of generation, with the ability to expand up to 700 MW. The Collaborative expects to issue a Request for Proposals (RFP) in spring of 2011.

In June, 2010 NYPA authorized the application for a lease from the Federal Bureau of Ocean Energy Management, Regulation and Enforcement, (BOEMRE) formerly known as the Minerals Management Service, for lands beneath the Atlantic Ocean for development of the Long Island-New York City Offshore Wind Project.

In October, 2010, The Department of Energy (DOE), BOEMRE, and the Department of Commerce's National Oceanic and Atmospheric Administration (NOAA) announced research plans to support the responsible siting and permitting of offshore wind energy facilities and ocean energy generated from waves, tides, currents and thermal gradients. It is important that NYS works with this collaboration to help lay a solid foundation for offshore wind siting.

We are hopeful that, under Governor Cuomo and the Legislature's leadership, Long Island can catch up to offshore wind projects that are progressing in other states and even in the Great Lakes of New York. An aggressive process should be put forth to achieve the goal of releasing a RFP for the offshore wind project by spring 2011. This process should include LI stakeholders to seek the most efficient and effective location for this wind proposal.

As the process moves forward, the public should be included in a rigorous environmental review and meaningful public participation for specific wind project proposals. This participation will be necessary to ensure that habitat, fish and wildlife, water quality, recreation, and other community assets are protected during construction and for the life of the wind farm. The potential impacts of wind power must also be weighed against the laundry list of devastating impacts that fossil fuels have on our environment, including mercury contamination, acid rain, massive fish kills, and much more.

b) Solar Jobs & Development Act

With rising electricity needs, plenty of sunshine, and a local workforce primed for green jobs, New York has what it takes to lead the new solar economy. But the state has a policy structure that's supported less than 25 MW of installed solar to date – that's not even 0.01% of New York's electricity mix. As a result, clean energy jobs and investment have been pouring into neighboring states that have more aggressive policies.

The Solar Industry Development and Jobs Act of 2011 would establish a baseline market for solar power in New York, and build upon the state's commitment to acquire 100MW of solar power in New York State. The legislation provides a market commitment for solar power in New York, which will translate into green, local NY jobs.

The Solar Industry Development & Jobs Act of 2011 provides that much-needed blueprint for solar leadership:

- A strong 2.5% by 2025 target that amounts to a reasonable, baseline goal of 5,000 MW of solar capacity. This long-term commitment sends a clear signal to the global industry that New York is open for solar business and those businesses should locate in our state.
 - A structure for diverse market participation that taps economic opportunities across the commercial, residential and utility sectors alike.
- Achievable annual requirements that start small and get more aggressive in later years as the local market scales and costs come down. This policy design paves the way for successful, cost-effective solar growth.



c) NYISO Reform

The New York Independent System Operator, Inc. (NYISO) oversees the wholesale electricity market in New York State. It is critical NYISO be reformed and be held more accountable to electricity rate payers. Currently, there is no New York State law that created or supervises NYISO. It is governed by a board, which writes its own

rules and collects over \$144 million from ratepayers for its current operations. The organization oversees the wholesale electricity prices without any real accountability to the public.

Today, New York households pay among the highest electricity rates in the United States. Older consumers are particularly vulnerable to rapid increases in energy prices. Although they consume approximately the same amount of energy as younger adults, older New Yorkers devote a higher percentage of their total spending to residential energy costs.

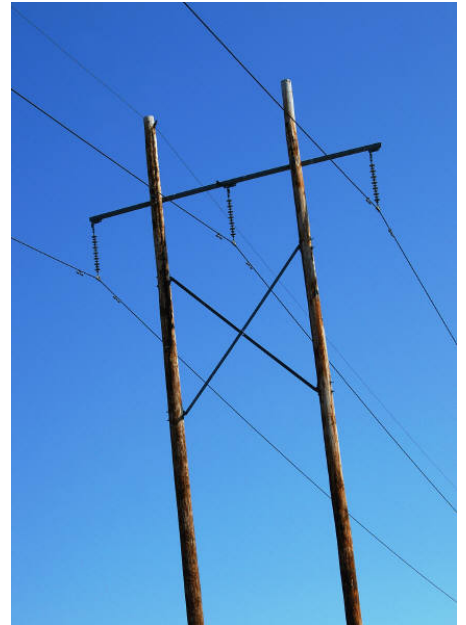
Every day, the electric utilities serving New Yorkers buy power from the generators that participate in market-clearing price auctions run by NYISO. Unlike most auctions, in NYISO's auctions, the sellers, the bids, and the calculations are all secret. The auctions are designed so that the price of the highest bid for wholesale electricity is paid to all generators (sellers), even those willing to sell for less. This process is not conducive to ensuring that ratepayers are paying the lowest possible rate.

New state reform policies could help mitigate price increases and have the potential to lower energy costs for New Yorkers. Reforming the way NYISO functions would be a major step in this direction. There are three main components of NYISO that should be addressed; accountability, transparency, and oversight. With these three things in place, ratepayers would be ensured an open process, paving the way for lower utility rates in the future.

Accountability - The Governor, the Senate, and the Assembly would each appoint members to serve on NYISO's board of directors, including representatives of residential and other retail customer groups. With this change, NYISO's board members would be accountable to the public.

Transparency - Require the bids, bidders, and computer computations in NYISO's wholesale electricity market auctions to be public after no longer than two days.

Oversight - Require the New York Public Service Commission to review the NYISO budget and approve the fee charged to consumers for NYISO's operations. The NYISO should also be required to follow New York's open meeting law.



3. Human Services

a) Universal Design

Housing is the single largest expenditure for older adult-run households, and most people prefer to remain in their homes rather than move to other facilities as they age, even if their needs change. However, structural barriers can trap older adults and people with disabilities in their homes, preventing them from participating fully in their communities, as well as depriving them of meaningful economic and social opportunities necessary to support successful aging. Such barriers can also prevent those who may have disabilities from visiting the homes of friends and relatives, thereby barring valuable life enriching interactions. Thus, designing and constructing dwellings to meet visitability and basic access standards would better allow New York residents to age in place. Such standards would also serve as the first stage of efforts to increase the availability of accessible housing in the state of New York.

Legislative Requirements:

The features outlined below shall be designed and constructed in compliance with American National Standards Institute (ANSI) standards, A117.1-2009.

At least one step-free entrance on a clear exterior circulation path from a public street or sidewalk, a covered dwelling unit driveway, or a garage.

- A clear circulation path between the step-free entrance and the interior spaces on the same level.
- At least one visitable toilet room or bathroom on the step-free entrance level and on any level containing a toilet room or bathroom.
- At least one habitable interior space on the step-free level.
- Accessible interior doors and doorways that can be operated with minimum strength or effort.
- Lighting controls and receptacle outlets located at reachable heights.



This coalition supports legislative proposals that enhance home access for people of all ages and abilities.

b) Food Insecurity:

Every day, nearly 800,000 residents around New York State choose between groceries and heat. Without good nutrition, as a form of medicine, and with little or no insurance, older adults are at risk for a range of long-term health issues, which also puts more service and financial pressure on the healthcare system. Ultimately, this chain of circumstances burdens New York State with financial and social obligations that will only grow as the population ages. As a federal entitlement, increased enrollment in the food stamp program can bring hundreds of millions of dollars to New York and ultimately to the economy of New York State as food stamp dollars are spent locally, bringing business to neighborhoods.

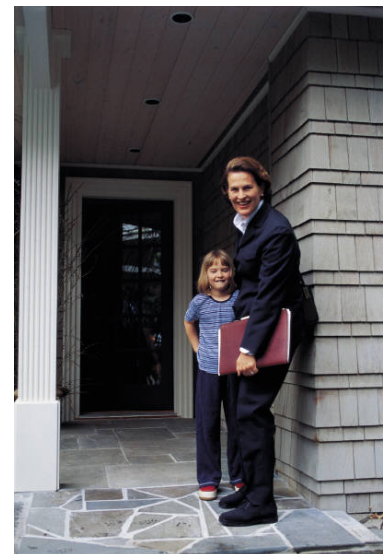
The current enrollment process requires potential beneficiaries to apply separately and independently for the vast majority of benefits, (e.g., food stamps, SCRIE, health benefits). Enrolling separately for each benefit is particularly hard for low income people and families and seniors.

Solution: **Create one application for multiple benefits to streamline the process and minimize difficulties for enrollment.** Find commonalities among benefits to ease the application process and provide a wider spectrum of available benefits based on a single application; there are no tests for SNAP, the Medicare Savings program, EPIC, and LIHEAP. Cut down on waste related to administrative resources, time, and money. We support legislation that will facilitate these improvements.

SNAP - Supplemental Nutrition Assistance Program. SNAP is the new name for the federal Food Stamp Program. The program helps low-income individuals and families buy the food they need for good health.

EPIC – Elderly Pharmaceutical Insurance Program. EPIC is a New York State program that helps seniors pay for their prescription drugs. More than a quarter million EPIC enrollees are saving an average of 90 percent of the cost of their medicines. Most enrollees have Medicare Part D or other drug coverage, and use EPIC to lower their drug costs even more by helping them pay the deductibles and co-payments required by their other drug plan. EPIC also helps members pay for Medicare Part D premiums.

LIHEAP - Low Income Home Energy Assistance Program. The federal LIHEAP aims to assist low income households, particularly those with the lowest incomes that pay a high proportion of household income for home energy, primarily in meeting their immediate home energy needs.



4. Small Businesses, Jobs, & Economic Development

a) **Small Business Job Creation Tax Credit** would provide a \$2,500 tax credit for the creation each of new job in New York for businesses with no more than 50 full-time employees.

This legislation has not yet been drafted in New York, but other states have successfully adopted this program including Illinois. Under this program, an eligible business will be entitled to the credit if they hire new employees during an incentive period that results in a net increase on full-time New York employees, and is maintained for at least 12 months. This program will provide a direct meaningful incentive for small businesses to hire new employees. ***Legislation is needed to establish this program in New York State.***

b) **Reducing LIPA Debt** Long Island ratepayers and businesses are burdened with one of the highest electricity rates in the nation. This is caused by LIPA's crushing, \$6.8 billion debt, associated in part with the shuttered Shoreham nuclear power plant, which arose from federal policies promoting this facility. Today, approximately 16% of every electric customer's bill goes to servicing LIPA's debt. Lowering electric rates by paying off the principal of this debt, or at the very minimum, obtaining federal assistance in refinancing the debt and lowering interest rates, is crucial to helping Long Island ratepayers and businesses weather the current economic downturn. A decrease in LIPA debt will promote a vibrant future marked by green jobs, new industry, and full employment. ***Reducing LIPA's debt will benefit every ratepayer, business, school district and municipality on Long Island***



c) **SEQRA Reform**

In New York State, proposed projects or actions that may impact the environment must undergo an environmental review under the State Environmental Quality Review Act or SEQRA. The SEQRA process serves as a safeguard against improper or ill-conceived development. If the proposed action is determined to have a potential significant adverse environmental impact, then the lead agency, under SEQRA, requires the proposal to undergo a full environmental impact statement (EIS).

In some instances SEQRA's timeframe can be a barrier, as developers often get stuck and will 'give up' on a potentially beneficial project. This has become of a particular concern with projects including Transit Oriented Developments, downtown infill housing, office and retail, and new town centers. An increase in DEC staff would allow DEC representatives to help educate local municipalities and agencies on the SEQRA process, perhaps through an online presence or with a best-practices guide. DEC staff should be more available and proactive in coordinating SEQRA implementation advice and help to communities. If other agency staff are needed to more quickly advance a project (i.e. DOT) they need to be made available as well.

The group Pattern for Progress organized a Hudson Valley Catskill Regional SEQRA Dialog. They have produced several *draft* recommendations, which merit some attention.

- Recognize that SEQRA is not a substitute for good planning, so we must **incentivize regional and local planning**.
 - We must **expand SEQRA education and training**, in partnership with other agencies and private stakeholders.
 - **Produce regional guidance** by developing regional best management practices for all SEQRA practitioners on issues such as timelines, scoping, public hearings, mitigation, assessment methodology, reasonableness, and others.
 - **Increase availability of DEC staff to provide SEQRA advice and help communities**, which will allow the DEC to be more proactive, involved and responsive to coordinating agency and stakeholder requests.
 - **Establish DEC regional working groups** to assist with the implementation of these recommendations.
- LI Smart Growth advocates have held workshops on this topic and come to similar conclusions.

5. Sewers & Infrastructure



a) Increase sewer funding through the Environmental Facilities Corporation fund and LI Sewer Priorities

Federal support for water infrastructure had dropped about 70 percent over the last two decades, delaying critical maintenance and necessary upgrades. Hundreds of sewage and wastewater treatment facilities have deteriorated and needs have been identified for establishing new infrastructure to assist existing communities. The basic federal contribution for wastewater in 2009 was \$74 million — the lowest level since the inception of the program, according to the state Environmental Facilities Corporation. A \$435 million boost in federal stimulus funds was part of a combined \$520 million the federal American Recovery and Reinvestment Act allotted in 2009 for New York's Drinking Water State Revolving Fund and Clean Water State Revolving Fund.

New York had more than 600 applications for wastewater projects around the state for 2010. Long Island received \$70,715,353 in 2010. The amount for the whole state in the same timeframe was \$707,572,154.

Long Islanders agree that a key step in preparing for growth and maintaining our existing population is to ensure that sewer infrastructure is adequately maintained, upgraded and expanded in key communities. In order for downtowns to thrive, population density must increase and new businesses need to open. **Smart Growth cannot occur in communities without sewers.** With inevitable population growth imminent on Long Island—NYMTC predicts 307,000 new residents in Suffolk and 154,000 in Nassau by the year 2035—sewer infrastructure must be in place to ensure that growth is accommodated in an intelligent and protective manner.

LI Lobby Coalition is supporting funding for the following waste water infrastructure priorities on Long Island:

Mastic/Shirley Sewers and Infrastructure – The Forge River has become the poster child for environmental, economic and public health consequences attributed to a lack of sewer infrastructure. The benefits of sewers in this area include restoration of the Forge River, protection of the South Shore Estuary and revitalization of the community.

The need for the creation of a sewer district in the Mastic/Shirley areas dates back to the 1940's. In January 2009 the Suffolk County Department of Public Works completed a sewer study that provided a three phase plan for constructing sewers and provided possible sites for sewer treatment plants. Following that study the SC Legislature directed the Department of Public Works to create Maps and Plans for phase one, creation of a sewer district on Montauk Highway in Shirley/Mastic. The cost of constructing this is astronomical and will need the assistance of state and federal subsidies to become a reality. This is needed not only for economic development along the business corridor, but also to improve the discharge of nitrogen into our groundwater. The Forge River runs through Montauk Highway. Outdated septic systems have been identified as a major problem to the deterioration of the surrounding tributaries in the area.



Bay Park STP in Nassau County – this STP treats approximately 43% of Nassau County's wastewater and discharges 58.5 million gallons per day of treated effluent into the Western Bays, a sub region of the South Shore Estuary Reserve. The plant does not remove nitrogen and chlorine from its effluent and this has taken its toll on the water body. The Western Bays continue to experience degraded water quality, excessive seaweed growth, and increased shellfish closures. Decomposing seaweed emits a sulfurous gas called hydrogen sulfide that has triggered headaches, nausea and respiratory problems in the community. The bays remain on the DEC 303(d) list of impaired water bodies for pathogens since 1998 and were listed again in 2006 for nutrient pollution. The STP needs substantive upgrades to comply with new federal and state water quality standards. In addition, an ocean outfall pipe should be implemented.

Bergen Point, Suffolk County– this facility is showing stress signs in the outfall pipe which extends through the Great South Bay and discharges into the Atlantic Ocean. The pipeline has been determined to be at the end of its useful life. ***A break in the line would create an unprecedented environmental, public health and economic crises for all of Long Island.*** Funding is needed to replace over 14,000 feet of 72 inch diameter concrete pipe. Planning and engineering steps are underway. The overall project is valued over \$150 million.



Smithtown/Kings Park – Suffolk County Sewer District 6 Expansion. Septic systems in this area are being adversely impacted by high groundwater levels and localized flooding. Sewer District 6 currently has a capacity of 625,000 gallons per day and the expansion is scheduled to double the capacity. To date, over \$2 million dollars have been expended on a feasibility study and a report outlining implementation is nearly complete. The Suffolk County capital budget has identified \$40 million dollars for this project for 2012 and additional funding is needed.

Northport– Excessive nitrogen from wastewater in Northport Harbor is contributing to the growth of toxic red tidal blooms which poison shellfish and pose a threat to human health. These red tide blooms have caused shellfishing closures throughout the harbor in recent years. Monitoring shows that Northport Harbor has had the most intense red tides in the northeast US in the past decade. A Northport Harbor Water Quality Protection Committee made up of elected leaders, agencies, non-profit groups, and scientists was formed in 2010 to identify problems, and solutions to mitigate nitrogen pollution in the Harbor. The group is currently working to identify \$185,000 in funding to document the major nitrogen sources as first step towards curbing nitrogen pollution. One known source of nitrogen is the Northport Harbor Sewage Treatment Facility. The facility is currently struggling to meet the 2014 mandated nitrogen reductions as set by the Long Island Sound TMDL. The cost to upgrade The Northport Sewage Treatment Plant is \$9 million.



LONG ISLAND LOBBY COALITION

