



Historic LI Sound bill passes House

By David J. Miller

On February 27, Congressman Sherwood Boehlert held a hearing for the House Water Resources Subcommittee on the Long Island Sound Restoration Act (H.R. 3313). The legislation, modeled after the Clean Water/ Jobs Coalition platform, provides \$80 million a year for four years for the restoration of Long Island Sound (see Winter 2000 *Audubon Advocate*).

The support for the legislation was overwhelming, including the testimonies of Governor George Pataki (NY) and Governor John Roland (CT), and Representatives Rick Lazio (NY), Gary Ackerman (NY), Christopher Shays (CT) and Nancy Johnson (CT). National Audubon Society of New York State's David J. Miller, Ross Pepe of the Construction Industry Council and John Atkin of Save the Sound submitted testimony on behalf of many environmental, union and business groups.

As one congressional staff person remarked, "After years of discussion, federal funding for the cleanup of Long Island Sound finally has legs." There was strong support from the region with the entire New York and Connecticut delegations cosponsoring H.R. 3313. New cosponsors were signing up from across the country as the bill was circulated by its sponsors.

In May, with the leadership of Congressman Rick Lazio, the bill's "legs" began to walk and the Long Island Sound Restoration Act passed the House of Representatives. "We are on our way to ensuring that this important national resource called Long Island Sound will be preserved for generations to come," said Congressman Lazio.

The United States Senate passed legislation in March authorizing \$10 million a year for the Sound, and our Senate delegation has vowed to support the House's \$80 million level in conference committee. The time is now to ensure the Senate supports the House version for federal funding for the Sound. We need to get you involved.

To find out how you can help with the U.S. Senate and appropriations, contact William Cooke, director of government relations for the National Audubon Society of New York State, at (518) 869-9731.

State Senate gives final legislative approval to acid rain bill

Send message to Congress to fix federal program

Staff Report

Environmental organizations praised the New York State Senate for granting final approval to legislation aimed at discouraging New York's utility companies from selling leftover pollution rights to out-of-state companies that cause acid rain in New York.

While not banning sales of pollution rights (a.k.a. allowances) to the Midwest, the bill imposes a fine on any company whose allowances are used in a state that causes acid rain in New York. The fine would be equal to the amount received by the utility for the allowances.

Companies can avoid any threat of a penalty by selling their allowances under contracts that preclude their use in the Midwest. Midwestern companies could still buy them, hold them like stocks or commodities, and resell them to anyone at a later date. The Long Island Lighting Company (now KeySpan) voluntarily agreed to such restrictions two years ago.

The bill was sponsored by Senate Environmental Conservation Chairman Carl R. Marcellino, R-Oyster Bay, and Senate Finance Chairman Ronald B. Stafford, R-Plattsburgh. Both senators represent areas of the state hard-hit by acid rain damage. The bill has already passed in the Assembly under the sponsorship of Richard Brodsky, D-Scarsdale. Last October, Governor George E. Pataki told reporters he would sign such a bill if given a chance.

A federal report completed in March by the U.S. General Accounting Office (GAO), Congress' independent investigative arm, showed that New York was among the top five states in the nation in terms of pollution allowances exported.

From west to east, the top five importers and users of leftover allowances were Illinois, Indiana, Ohio, Kentucky and Pennsylvania — the five states through which most of our weather passes before reaching New York.

"One Ohio company, American Electric Power, emits twice as much sulfur dioxide each year as every power plant in New York combined," said William C. Cooke of National Audubon Society of New York State. "We still need federal legislation to prevent continued damage across the nation. The real solution



NYS Senate
Backed by conservation group representatives, Sen. Carl Marcellino and Sen. Ronald Stafford (to his right) announce Senate support for strong state curbs on sale of acid rain-causing air pollution credits.

is to drop the nationwide cap on sulfur dioxide pollution low enough so that it won't matter who trades allowances to whom. At the same time, we need to place a nationwide cap in nitrogen pollution — the other half of the acid rain equation. In short, we need the Acid Deposition and Ozone Control Act to become federal law. The GAO report made one thing crystal clear. We will witness the destruction of the Adirondack Park's ecosystems within our lifetimes without pollution cuts on that scale."

Federal legislation (S.172/H.R.25) has been sponsored by both of New York's senators, Daniel Patrick Moynihan and Charles Schumer, as well as U.S. Representatives Sherwood Boehlert, R-Utica, and John Sweeney, R-Clifton Park. It has the support of every member of the New York congressional delegation, but is stalled in committee.

The federal bill would require utilities to cut their sulfur dioxide emissions by 75 percent below 1990 levels, rather than the 50 percent cut required by the Clean Air Act Amendments of 1990. And while those amendments did not include a nationwide cap on power plant nitrogen oxide pollution, the Moynihan/Boehlert bill would require a 70 percent cut. All cuts would occur by 2010.

For information on how you can help, contact William Cooke at National Audubon Society of New York State, (518) 869-9731, or the Adirondack Council web site, www.adirondackcouncil.org.

CARA passes House; June debate in Senate

Staff Report

After more than a year of lobbying by conservation groups and state conservation agency leaders, the U.S. House of Representatives has passed the most comprehensive land, habitat and wildlife protection bill in decades.

The Conservation and Reinvestment Act, or CARA, (H.R. 701) would provide \$45 billion over the next 15 years. More than 317 representatives sponsored or cosponsored the bill, but it was fought fiercely by many lawmakers, particularly from western states.

The bill would set aside \$2.8 billion a year from the \$4 billion generated annually in gas and oil fees from offshore areas under the

jurisdiction of the federal government. This is the source of the Land and Water Conservation Fund, set up 35 years ago to fund land purchases and habitat protection and U.S. Department of Interior programs.

CARA would reinvigorate this land conservation fund, put money into what are called stateside projects, as well as provide a new source of funds for fish and wildlife conservation programs. The bill now goes to the U.S. Senate where action is expected in June. A handful of western states senators have threatened to oppose the bill and use the complex rules of the Senate to prevent its passage.

To help pass CARA, contact Americans for our Heritage and Recreation, ahrinfo.org, or Teaming with Wildlife, www.teaming.com.



Executive Office
Gov. George E. Pataki reviews material on Long Island Sound issues and proposed Bird Conservation Areas with Audubon's David J. Miller.