

SIERRA CLUB CANDIDATE QUESTIONNAIRE – 2010
New York State Governor

A. Environmental Leadership

Personal Initiatives

Please describe your most important environmental achievements, accomplishments or experiences that would indicate your commitment to protecting New York State's natural heritage. These may be professional or personal. Please outline your environmental priorities, should you be elected. Specifically, what do you see as the most significant environmental issues facing New York State? If elected what policies would you advance to address these issues?

The Green Party is the nation's – and world's –preeminent environmental party.

I organized the events of the first Earth Day at my high school in 1970. I was a co-founder of the Clamshell Alliance, which led the fight against the Seabrook Nuclear Power Plant. I have been active in the fight against nuclear power (including weapons) for more than 30 years.

In the late 1970s and early 1980s, I was a member-owner of a construction workers cooperative I co-founded that specialized in energy audits and retrofits for energy efficiency and solar and wind applications.

As a member of the Green Party, I was active in the campaign to stop the destruction of James Bay in northern Canada. I have been active in the campaign to halt climate change.

In NYS, I have an outspoken proponent of a permanent ban on hydrofracking for natural gas, due to the environmental and health problems caused by the process, and because natural gas is a fossil fuel that releases greenhouse gases and contributes to global warming. We should not delay an immediate transition to a carbon free economy by investing in and relying on natural gas.

The Greens were one of the few environmental groups that always called for a 100% auction of the carbon permits under the Regional Greenhouse Gas Initiative. However, RGGI does not go nearly far enough. I have been outspoken in support of a carbon tax.

I and the Greens were active in the debate over the renewal of the Superfund and brownfields. We supported 100% financing through corporate polluter fees. We oppose the weakening of cleanup standards for brownfields.

The Greens have also pushed for a ban on the planting of genetically modified crops in NYS. We were able to get legislation introduced in the state legislature in support of a five year moratorium on the planting of GMO crops.

During my prior campaigns for US Senate, Congress, and state Comptroller I have consistently spoken in favor of eco-taxes; support of organic agriculture; the phase-out of pesticides; the precautionary principle; curbing sprawl; mass transit; support for complete streets that safe for pedestrians and cyclists; and strong protection of water and air.

I have supported congestion pricing for New York City as a way to reduce automobile use while providing a robust revenue stream for mass transit. I stand ready to support and, indeed, help lead future initiatives to advance congestion pricing.

B. Issue Questions

1. The primary source of funding for environmental programs in New York State is the Environmental Protection Fund (EPF). In recent years more than a half billion dollars has been “swept” from the EPF to make up for short falls in the state’s General Fund. These cuts have had a profound effect upon New York’s ability to preserve open space, protect drinking water, and stimulate a green economy.
 - a. As Governor, will you be committed to preserving the integrity and full funding of the EPF? If so, what steps would you take to prevent the raiding of the fund for non-environmental purposes in the future?

I and the Greens publicly opposed the raid of funds from EPF. We would restore and increase such funding. We would dedicate a portion of both the bottle bills deposits and RGGI to the EPF.

I have a progressive tax reform plan to raise \$34 billion a year in additional revenue through a combination of a halt to the rebate of the stock transfer tax (\$16 billion); restoring progressivity to the state income tax system by going back to the 1970s tax structure (\$8 billion in added revenue, with tax cuts for 95% of New Yorkers); and a 50% tax on bankers bonuses (\$10 billion). After dealing with the projected \$9 billion state budget deficit, \$25 billion will be available to fund our Green New Deal Program, including restoring funds taken from the EPF.

I want to minimize bonding for environmental projects because it is more expensive. Too much of the total costs go to the bondholders as interest. It is more cost-effective to tax the wealthy upfront through a progressive tax structure than to borrow from them and pay interest for it. And it is more policy effective to internalize environmental costs through eco-taxes that also raise funds for environmental projects.

I favor legislation to prevent future raids on the EPF for the general fund.

- b. Would you support a bill like “the clean water/clean air/green jobs bond act of 2010” (S5886A/A8810A) that would put a 5 billion dollar environmental bond program on the ballot for public approval? Please briefly explain your support or reservations.

I would support this bond at this time because the projects are needed immediately. However, I believe that an even better approach is to raise the funds directly through various progressive taxes and eco-taxes, including a carbon tax.

2. The Department of Environmental Conservation budget and staffing levels have been slashed over the past two years totaling more than 450 lost positions and an operating budget reduced by more than a third.
 - a. As Governor, would you support funding and staffing restorations to the DEC to at least 2007 levels?

Yes. We need to focus on adequate staffing at the field level. We can reduce the number of

administrative staff. I would also would replace the many unqualified holdovers in senior positions from the Pataki administration.

- b. Given present economic constraints, what additional opportunities do you see to improve the effectiveness of DEC's enforcement and protection programs beyond these restorations?

I would push for stronger enforcement. Protection of the environment and public health must take precedence over protection of corporate profits. Decisions must be made more expeditiously; there is a tendency at DEC to hold meeting after meeting rather than take quick action.

3. The following questions relate to the candidate's energy policy and philosophy:
 - a. What energy strategies do you think are most effective in combating green house gas emissions and the overall effects of climate change?

Cap and trade is not effective. It cannot effectively reduce carbon emissions because it hides rather than reveals the all-important price signal. Moreover, the "trade" part of cap-and-trade is almost certain to become a boondoggle to Wall Street speculators, at the cost of both the environment and New York State families.

I am a strong proponent of a broad based carbon tax. Some of the tax revenue would be "divided" to households and/or used to reduce sales or regressive taxes, to ensure that the overall impact of the carbon tax is progressive. The rest would used to invest in a rapid (less than 10 year) transition to a carbon free energy system.

I oppose any role for nuclear power as a means to get us to a carbon free economy.

I strongly supporter of increased investment in energy conservation and efficiency.

New Yorkers must reduce the amount of energy we consume. Public policy must craft powerful incentives to discourage the use of automobiles and trucks, coupled with support for trains and mass transit to make them more affordable and convenient than cars and trucks.

We need much stronger and more effective anti-sprawl provisions and a commitment to creating walkable communities where homes, shops, schools, jobs, and recreational and civic centers are in close proximity. Reversing sprawl and creating sustainable communities requires that land use planning shift from town zoning and planing boards to elected county/regional/metropolitan planning boards. The competition for tax base among suburban towns is the biggest driver of sprawl. The regional planning process should give towns a role in the process, but it should remove the competition for tax base that makes sprawl inevitable.

My progressive tax reforms to raise \$34 billion a year more in revenues will afford a massive investments in a green industrial policy of renewable energy, energy conservation and efficiency, mass transit, green buildings, smart grid for distributed generation, and other sustainable means of production and distribution that reduce greenhouse gas emissions.

I believe the state should radically increase its goal for carbon emissions reductions to zero net carbon emission in a decade, by 2020.

b. What is your position on the following energy sources when considering New York's energy future?

i. Development and continued use of nuclear power.

I oppose new nukes and support the phase out of existing plans as fast as renewable sources can replace them.

ii. The use of coal for electrical generation.

I oppose coal-fired generators and support their rapid phase out as fast as renewable sources can replace them.

iii. The development of large-scale wind power.

I support large-scale wind power. I also support widespread use of small-scale wind generators throughout our built environment and smart grid improvements to support this distributed generation.

iv. The development of solar generation.

I strongly support solar generation and also solar heating of water and living space, both direct solar and indirect through ground-source heat pumps.

v. The development of new large-scale hydro.

I am willing to review individual projects, but there is not much potential in NYS. I believe there is great potential for tidal power.

vi. The development of New York's natural gas resources using hydraulic fracturing.

I oppose hydrofracking. I support an immediate and permanent ban on hydrofracking.

vii. The development of efficiency and smart grid programs.

I support efficiency and smart grid programs as essential infrastructure for a renewable energy system with highly distributed sources of generation reflecting the distributed nature of solar energy and its derivatives such as wind, hydro, and ground source heat.

viii. Other energy policies or priorities.

I support public power utilities to give the people the democratic power to choose a renewable energy system. The incumbent energy industries and utilities have a vested interest in continuing dependence on the inefficient use of fossil and nuclear fuels. They exert a powerful influence on policy through campaign contributions, lobbying, and economic blackmail, i.e., threatening disinvestment and economic problems if they do not get their way. These giant energy corporations and utilities are the biggest reason why we do not have energy policies that seriously promote a renewable energy and energy independence in the fourth decade since first oil crisis in 1974 and the environmental awakening symbolized by the first Earth Day in 1970. I favor a federated system of municipal and cooperative utilities, where locally elected boards elect a state board to govern the New York Power Authority.

4. Do you support the New York Solar Industry Development and Jobs Act of 2010 (S7093B/A1104-A) that would require utilities to develop 5,000 MW of solar power by 2025?

Yes, though I will push for a green industrial policy and other policies that will reach this goal far more quickly and set far higher goals for solar generation.

5. Do you believe that NYS can oversee the drilling of tens of thousands of wells in Utica and Marcellus shales without unacceptable environmental degradation to water and air resources?

No. I oppose a ban,

a. As Governor what actions would you take to achieve the most favorable outcome?

I would seek legislative and regulatory action to implement a permanent ban at the state and federal level. NY would intervene in the federal EPA process against hydrofracking.

- b. Should drilling in low permeable shale formations go forward without a formal rule making process based upon the SGEIS for horizontal hydraulic fracturing?

No. But I do not want us to get caught up in the fiction that a formal rule making process will allow for the safe regulation of hydrofracking. It should be banned as a danger to our water and a diversion of precious time and limited resources from the carbon-free renewable energy sources we must urgently build as fast as possible.

6. As Governor will you continue to support Executive Order 24 – that establishes the Climate Action Plan, and the goal of significantly reducing the State’s green house gas emissions? Would you support comprehensive climate change legislation like (S4315-C/11507-B), which mandates statewide reductions of CO2 emissions by 80 percent of 1990 levels by 2050?

I would immediately issue an executive order to update and radically strengthen the state's greenhouse gas emissions goal and its Climate Action Plan to reflect what climate science now says we need to do to avert catastrophic climate change: reduce state's net greenhouse gas emissions to zero by 2020 – a carbon-free economy in 10 years.

Gov. Paterson's 2009 Executive Order No. 24 goal of 80 percent below 1990 levels by 2050 utterly too late and too little to avert catastrophic climate change. The US federal goals in the Copenhagen Accord announced in January 2010 to reduce carbon emissions below 2005 levels by 30% in 2025, 42% in 2030, and 83% by 2050 are just as inadequate. Climate science tells us these Copenhagen Accord goals set the planet on the path that will emit enough carbon by 2050 to raise global temperatures 3.9°C and make climate catastrophe inevitable. These slow, incremental goals for mitigating climate change are driven by the politics of pandering to the vested interests of the powerful incumbent industries that produce and use fossil fuels, not by the objective dictates of climate science about what is necessary to avert climate catastrophe. These state and federal goals would take us well passed the global warming “tipping points “ and their catastrophic effects before substantial greenhouse gas reductions were implemented.

New York should set an example by committing to build a carbon-free economy on a 10 year timeline. That example will hopefully demonstrate the practicality and inspire imitation by other states, the federal government, and other national governments. It is what New York must do to counter the corporate and governmental vested interests and inertia taking us toward climate disaster.

The ten year timeline for net zero carbon emissions is based on the goal of reducing atmospheric carbon to below 350 ppm, which the science tells us will give us a 2 in 3 chance of averting runaway climate change. To reach this goal, the world can emit 750 gigatons of carbon between now and 2050. If this carbon budget is allocated on per capita basis, the US will use its share of the carbon budget in 6 years at current rates of emissions. We must therefor embark on a crash program, with the urgency of and on the scale of the War War II mobilization, to convert our energy system to carbon-free renewable sources. The technology exists. Zero Carbon Australia is showing how that country can do it by 2020. New York's Climate Action Plan should do the same and set a positive example for the nation and the world.

7. The State of New York, through its Solid Waste Management Plan, has adopted a zero waste philosophy where producer responsibility and coordinated local recycling efforts can reduce and eventually eliminate the need for incinerators and landfills.

I believe this statement overestimate what NY has done. I wish it was true. The state for too long has promoted garbage incineration. They have done very little to assist with recycling. We need to create an extensive system of Material Recovery Facilities throughout the state to better coordinate recycling and marketing. NY has also done little to promote waste reduction or re-use.

- a. Do you believe the goal of Zero Waste is achievable?

Yes. The Greens have long advocated Zero Waste. We should look at the efforts in other countries such as New Zealand to accomplish this goal. To achieve Zero Waste, we need non-toxic forms of production in which the green industrial policy I propose will invest. We must stop allowing manufacturers to privatize the profits while socializing the environmental costs of toxic production. We must make toxic producers pay the full cost of their destruction of environment and health through eco-taxes and by imposing strict liability on any manufacturer using toxics in production.

- b. What is your opinion of waste to energy facilities?

The Greens have long opposed such facilities. My campaign manager wrote the first report – for the Environmental Planning Lobby – opposing incineration at a time when most environmental groups were promoting it. They are a major source of dioxin, heavy metals and other toxics. The ash is toxic and must be place in landfills that prevent leakage. They undercut recycling and waste reduction. Just like nukes, however, the industry is promoting a “new, cleaner” generation of incinerators to politicians, but this does nothing to change the drawbacks of waste incineration.

- c. What solid waste policies would you support or advance through legislation to advance this “zero Waste” goal?

We need to making composting of food and yard waste an integral part of the “garbage” system. Seattle and San Francisco have municipal pickup of compost. We need that in NY.

Those who create waste must be held financially responsible for its disposal with upfront recycling fees.

I will introduce legislation to require packaging to be made of reusable, returnable or recycled materials.

8. Since the 2001 US Supreme Court decision SWANCC –vs.- ACOE, New York State has lost regulatory protection over wetlands smaller than 12.4 Acres which are deemed to be “isolated”. This gap in protection could lead to the unmitigated degradation of as much as 40% of New York’s wetlands.
 - a. Do you support the Clean Water Protection/ Flood Prevention Act (A6363/ S4956 as a means to address this gap in wetlands protection?

Yes, the Greens have lobbied for this.

- b. If not, do you see other means for New York to close this regulatory loophole?
9. Do you support financial mechanisms that promote energy efficiency retrofits, renewable energy installations, and green job creation?
- a. Do you support (S7565A/11427) that would allow home and business efficiency retrofits to be financed through monthly energy savings on the customer's utility bills?

Yes, the Greens lobbied for this. As Governor, I will do this administratively. NYSERDA and the PSC needs to be radically overhauled to a strong environmental and consumer orientation. I would also scale up this Green Jobs/Green Homes program from 1 million homes in 5 years to all 7 million homes in the state in 10 years.

10. The State Environmental Quality Review Act is New York's primary environmental protection law – yet there is no enforcement mechanism for when the law is not followed -save through citizen lawsuits.
- a. Do you support the Environmental Access to Justice Act (S1635/A9480) a bill that preserves the right of citizens, who can demonstrate environmental injury, to bring forward a complaint in NYS courts?

Yes.

- b. Do you have any recommendations for the improvement of SEQRA or facilitation and enforcement of environmental laws?

I would make it easier both for citizens to sue to enforce environmental laws at the state and local levels, and to provide financial assistance to them to do so, include attorney fees.

I would also support legislation to provide for referendums of the voters in the district in which a project is proposed. Any government entity acting as a lead agency should have a publicly elected board. Because New York City has no elected body representing people at the neighborhood level, it is particularly important that community referendums be conducted in the city.

11. What policies or legislative initiative do you support that would reduce the carbon footprint of New York's transportation infrastructure?

Policies must emphasize mass transit, pedestrians, and bicycling over cars and trucks. Transit oriented development should be used to reduce sprawl. We also need to institute comprehensive traffic pricing, beginning with congestion pricing in New York City.

12. Do you support the concept of prioritizing brown field clean up /development as an integral part of urban planning?

Yes, especially with financial incentives to prioritize cleaning up to Track 1 "unrestricted use" Soil Cleanup Objectives.

Are you in favor of enhancing the Brownfield Opportunity Area program, including increasing the BOA Tax Credit program to a meaningful level?

Yes

What kind of incentives would you like to see in place to ensure that Brownfield's are redeveloped at the highest clean up standards?

I will push for more financial assistance, such as tax credits, to be provided to developers/volunteers who will clean up sites to the Track 1 "unrestricted use" Soil Cleanup Objectives, followed by somewhat less financial benefits for cleaning up sites to Track 2 "restricted use" Soil Cleanup Objectives. We also need to divert funding from "greenfield" development and support strategic smart growth programs. I support Sierra Club, NYPIRG, Environmental Advocates and Citizens' Environmental Coalition's past efforts to have the state agencies improve the unsafe "commercial" and "industrial" Soil Cleanup Objectives. I support efforts to have the state agencies reopen and improve these standards in accordance with the statute's requirements to have a 5 year review which is slated for 2011.

The clean up standards should be raised. Land use planning needs to be regionalized to remove the incentives away from Greenfield development and toward Brownfield development. Land value taxation for property taxes will create market-based financial incentives for Brownfield development.

Greens opposed the Brownfield reform program that was enacted six years ago as being way too weak on cleanup standards. The amount of corporate welfare was appalling and I supported the efforts to reduce this giveaway.

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