

Dear Friend,

I am pleased to share with you the first edition of EcoNews, a newsletter issued by my Office designed to provide you with updates on audits of environmental significance, shareholder activism affecting climate change issues, operations of the Department's Oil Spill Fund, financial information regarding the State's Environmental Protection Fund (EPF), and other issues of environmental concern.

As State Comptroller, I will continue the work I began as Chair of the Assembly Committee on Environmental Conservation on the review and oversight of State programs to protect the environment. My office also seeks ways to promote sound investments while simultaneously taking action to improve the environment and protect our natural resources. The Office of the State Comptroller will provide ongoing updates and analysis of the wide range of environmental programs in this and upcoming newsletters. I welcome your input on the issues important to you.



Thomas P. DiNapoli

## Comptroller Tom DiNapoli – A Voice for the Environment

Serving as New York State's 54<sup>th</sup> Comptroller, Tom DiNapoli brings an unprecedented environmental expertise to the statewide office. During his more than 20 years serving in the State Assembly, Tom DiNapoli championed a number of legislative initiatives including the ban on the gasoline additive MTBE, the establishment of the Brownfields Cleanup Program, the enactment of the Pesticide Neighbor Notification Act, and numerous measures to improve the quality of the State's drinking water.

During his tenure in the Assembly, Tom DiNapoli received a number of awards and recognitions from the environmental community including the Public Official of the Year by the Natural Resources Defense Council, the Legislator of the Year Award by Environmental Advocates, and the William Hoyt Environmental Award by the New York State Audubon Society.

## State Budget Provides Record Appropriation for EPF

The recently enacted State Budget increased the appropriation of the Environmental Protection Fund (EPF) to \$250 million, increased staffing levels at environmental and park-related agencies, and provided additional funding for projects throughout the State. The new budget did not, however, include language to expand the 1982 "Bottle Bill" to include non-carbonated beverages.

The SFY 2007–08 Enacted Budget provided a \$25 million increase to the EPF—a record \$250 million appropriation for the Fund. Legislation signed into law subsequent to the Enacted Budget increased the EPF appropriation to \$300 million beginning in SFY 2009–10. In the January 2007 Executive Budget proposal, the governor proposed an expansion of the definition of returnable containers to include non-carbonated beverages such as water and juice, and provide for the return of unclaimed deposits on beverage containers to the State for deposit into the EPF. It was estimated that the proposal would generate \$25 million in receipts for deposit in the EPF in SFY 2007–08 and \$100 million annually in future years. While the increased appropriation was included in the final budget bill, the language to include non-carbonated beverage containers was not.

Additionally, two new programs—the Pollution Prevention Institute and a Smart Growth Initiative were each funded at a level of \$2 million for the current fiscal year. In order to ensure that funds from the Local Waterfront Revitalization program and the Municipal Parks program would be directed to disadvantaged urban areas, the Budget appropriation bill includes language that specifies that 25 percent of the funds in each program be spent accordingly.

Included in the SPY 2007–08 Enacted Budget was an increase of 166 environment-related positions at the Department of Environmental Conservation (DEC), the Office of Parks, Recreation and Historic Preservation (OPRHP), and the Adirondack Park Agency (APA). A total of 12 positions are allocated to staff for the Office of Climate Change within DEC to implement the Regional Greenhouse Gas Initiative (RGGI). Created in 2003 with seven participating Northeastern states as members, RGGI has been working to develop a market-based cap-and-trade program designed to reduce carbon dioxide emissions from power plants.

## Environmental Protection Fund

As of March 31, 2007

### Summary of Life to Date Appropriations

	Original Appropriation Authority	Transfers	Current Appropriation Authority	Disbursement Life to-Date	Outstanding Encumbrances	Amount Available for Future Obligations	Percentage of Appropriation Still Available
<b>1994 - 2006 Appropriations</b>							
I. Solid Waste	271,960,000	(8,657,413)	263,302,587	180,055,052	31,976,642	51,270,894	19.5%
II. Parks, Rec & Hist. Pres.	528,095,000	(7,336,000)	520,759,000	297,227,087	64,371,789	159,160,124	30.6%
III. Open Space	743,945,000	15,993,413	759,938,413	545,684,488	72,640,803	141,613,123	18.6%
<b>TOTAL</b>	<b>1,544,000,000</b>	<b>-</b>	<b>1,544,000,000</b>	<b>1,022,966,626</b>	<b>168,989,234</b>	<b>352,044,140</b>	<b>22.8%</b>

### Annual Appropriations

<b>2006 Appropriation</b>							
I. Solid Waste*	24,275,000	(504,500)	23,770,500	332,790	147,010	23,290,700	98.0%
II. Parks, Rec & Hist. Pres.	79,970,000		79,970,000	3,394,855	3,121,358	73,453,787	91.9%
III. Open Space	120,755,000	504,500	121,259,500	19,292,532	6,768,109	95,198,859	78.5%
<b>TOTAL</b>	<b>225,000,000</b>	<b>-</b>	<b>225,000,000</b>	<b>23,020,177</b>	<b>10,036,477</b>	<b>191,943,346</b>	<b>85.3%</b>
<b>2005 Appropriation</b>							
I. Solid Waste*	20,775,000	(2,025,000)	18,750,000	953,885	3,721,344	14,074,771	75.1%
II. Parks, Rec & Hist. Pres.	46,815,000		46,815,000	12,185,719	5,827,529	28,801,752	61.5%
III. Open Space	82,410,000	2,025,000	84,435,000	44,475,338	20,080,939	19,878,723	23.5%
<b>TOTAL</b>	<b>150,000,000</b>	<b>-</b>	<b>150,000,000</b>	<b>57,614,942</b>	<b>29,629,813</b>	<b>62,755,245</b>	<b>41.8%</b>
<b>2004 Appropriation</b>							
I. Solid Waste	16,775,000		16,775,000	6,178,272	4,588,537	6,008,191	35.8%
II. Parks, Rec & Hist. Pres.	41,565,000		41,565,000	14,172,250	14,005,981	13,386,769	32.2%
III. Open Space	66,660,000		66,660,000	38,517,538	19,840,614	8,301,848	12.5%
<b>TOTAL</b>	<b>125,000,000</b>	<b>-</b>	<b>125,000,000</b>	<b>58,868,060</b>	<b>38,435,132</b>	<b>27,696,808</b>	<b>22.2%</b>
<b>2003 Appropriation</b>							
I. Solid Waste	16,925,000		16,925,000	10,869,279	3,211,833	2,843,888	16.8%
II. Parks, Rec & Hist. Pres.	45,665,000		45,665,000	23,797,402	14,679,451	7,188,147	15.7%
III. Open Space	62,410,000		62,410,000	46,848,552	9,863,533	5,697,915	9.1%
<b>TOTAL</b>	<b>125,000,000</b>	<b>-</b>	<b>125,000,000</b>	<b>81,515,233</b>	<b>27,754,817</b>	<b>15,729,950</b>	<b>12.6%</b>
<b>2002 Appropriation**</b>							
I. Solid Waste	13,920,000		13,920,000	12,331,314	664,616	924,070	6.6%
II. Parks, Rec & Hist. Pres.	47,750,000		47,750,000	37,550,696	6,727,439	3,471,866	7.3%
III. Open Space	63,330,000		63,330,000	52,573,512	7,327,836	3,428,652	5.4%
<b>TOTAL</b>	<b>125,000,000</b>	<b>-</b>	<b>125,000,000</b>	<b>102,455,522</b>	<b>14,719,891</b>	<b>7,824,588</b>	<b>6.3%</b>
<b>2002 Appropriation**</b>							
I. Solid Waste	14,435,000		14,435,000	11,731,882	2,277,837	425,281	2.9%
II. Parks, Rec & Hist. Pres.	47,935,000		47,935,000	32,659,110	4,888,998	10,386,892	21.7%
III. Open Space	62,630,000		62,630,000	52,905,267	4,218,090	5,506,643	8.8%
<b>TOTAL</b>	<b>125,000,000</b>	<b>-</b>	<b>125,000,000</b>	<b>97,296,258</b>	<b>11,384,926</b>	<b>16,318,816</b>	<b>13.1%</b>
<b>2000 Appropriation</b>							
I. Solid Waste*	22,175,000	(150,000)	22,025,000	17,556,143	4,223,474	245,382	1.1%
II. Parks, Rec & Hist. Pres.	56,550,000		56,550,000	48,266,639	3,658,263	4,625,098	8.2%
III. Open Space	56,275,000	150,000	56,425,000	52,720,472	2,334,495	1,370,032	2.4%
<b>TOTAL</b>	<b>135,000,000</b>	<b>-</b>	<b>135,000,000</b>	<b>118,543,255</b>	<b>10,216,233</b>	<b>6,240,512</b>	<b>4.6%</b>
<b>1999 Appropriation</b>							
I. Solid Waste*	26,150,000	(816,681)	25,333,319	21,439,073	3,772,887	121,359	0.5%
II. Parks, Rec & Hist. Pres.	71,500,000		71,500,000	62,660,158	5,893,220	2,946,622	4.1%
III. Open Space	61,825,000	816,681	62,641,681	59,981,337	1,031,596	1,628,748	2.6%
<b>TOTAL</b>	<b>159,475,000</b>	<b>-</b>	<b>159,475,000</b>	<b>144,080,568</b>	<b>10,697,702</b>	<b>4,696,731</b>	<b>2.9%</b>
<b>1998 Appropriation</b>							
I. Solid Waste	26,100,000		26,100,000	23,097,734	2,645,358	356,908	1.4%
II. Parks, Rec & Hist. Pres.	19,700,000		19,700,000	15,204,422	2,175,133	2,320,445	11.8%
III. Open Space	44,725,000		44,725,000	44,060,020	460,053	204,927	0.5%
<b>TOTAL</b>	<b>90,525,000</b>	<b>-</b>	<b>90,525,000</b>	<b>82,362,176</b>	<b>5,280,545</b>	<b>2,882,280</b>	<b>3.2%</b>
<b>1997 Appropriation</b>							
I. Solid Waste	29,110,000		29,110,000	25,454,844	2,795,207	859,950	3.0%
II. Parks, Rec & Hist. Pres.*	34,175,000	(375,000)	33,800,000	20,814,071	1,887,132	11,098,796	32.8%
III. Open Space	46,715,000	375,000	47,090,000	46,478,351	464,827	146,821	0.3%
<b>TOTAL</b>	<b>110,000,000</b>	<b>-</b>	<b>110,000,000</b>	<b>92,747,266</b>	<b>5,147,166</b>	<b>12,105,567</b>	<b>11.0%</b>
<b>1996 Appropriation</b>							
I. Solid Waste*	30,820,000	(2,165,000)	28,655,000	24,301,559	2,636,327	1,717,115	6.0%
II. Parks, Rec & Hist. Pres.*	22,500,000	(876,000)	21,624,000	19,218,794	1,038,754	1,366,452	6.3%
III. Open Space	46,680,000	3,041,000	49,721,000	49,373,146	130,958	216,896	0.4%
<b>TOTAL</b>	<b>100,000,000</b>	<b>-</b>	<b>100,000,000</b>	<b>92,893,499</b>	<b>3,806,039</b>	<b>3,300,462</b>	<b>3.3%</b>
<b>1995 Appropriation</b>							
I. Solid Waste*	17,500,000	(2,396,232)	15,103,768	13,773,744	1,064,150	265,874	1.8%
II. Parks, Rec & Hist. Pres.*	6,500,000	(160,000)	6,340,000	5,758,552	468,531	112,918	1.8%
III. Open Space	18,500,000	2,556,232	21,056,232	20,935,588	100,751	19,893	0.1%
<b>TOTAL</b>	<b>42,500,000</b>	<b>-</b>	<b>42,500,000</b>	<b>40,467,884</b>	<b>1,633,432</b>	<b>398,685</b>	<b>0.9%</b>
<b>1994 Appropriation</b>							
I. Solid Waste*	13,000,000	(600,000)	12,400,000	12,034,532	228,063	137,405	1.1%
II. Parks, Rec & Hist. Pres.*	7,470,000	(5,925,000)	1,545,000	1,544,420	-	580	0.0%
III. Open Space	11,030,000	6,525,000	17,555,000	17,522,834	19,000	13,166	0.1%
<b>TOTAL</b>	<b>31,500,000</b>	<b>-</b>	<b>31,500,000</b>	<b>31,101,786</b>	<b>247,063</b>	<b>151,152</b>	<b>0.5%</b>

\* Indicates transfers were made from the Solid Waste account and the Parks, Recreation and Preservation account to the Open Space account during the 2006-07 Fiscal Year.

\*\* There was no EPF appropriation in 2001; there were two appropriations in 2002.

## Audits of interest:

Department of Health, Oversight of the Childhood Lead Poisoning Prevention Program, Report 2004-S-49  
<http://www.osc.state.ny.us/audits/allaudits/093007/04s49.htm>

New York City Department of Parks and Recreation, Compliance with ADA Requirements, Report 2006-F-53  
<http://www.osc.state.ny.us/audits/allaudits/093007/06f53.htm>

Adirondack Park Institute, Internal Controls Over Financial Operations, Report 2006-S-64  
<http://www.osc.state.ny.us/audits/allaudits/093007/06s64.htm>

Office of Parks, Recreation and Historic Preservation, Contract with Beach Concerts, Inc. (Follow-Up Report), Report 2006-F-20  
<http://www.osc.state.ny.us/audits/allaudits/093007/06f20.htm>

New York State Energy Research and Development Authority, and Office of General Services, Procurement of Energy Efficient Products, Report 2006-S-24  
<http://www.osc.state.ny.us/audits/allaudits/093007/06s24.htm>

Department of Health, Oversight of Public Water Supply Systems (Follow-Up Report), Report 2006-F-15  
<http://www.osc.state.ny.us/audits/allaudits/093006/06f15.htm>

Department of Environmental Conservation, Division of Water: Accomplishments of Selected Partnering Organizations, Report 2005-S-46  
<http://www.osc.state.ny.us/audits/allaudits/093006/05s46.htm>

Department of Environmental Conservation, Financial Statements for the Title V Operating Permit Program for the Two Years Ended March 31, 2005, Report 2005-S-74  
<http://www.osc.state.ny.us/audits/allaudits/093006/05s74.htm>

Department of Environmental Conservation, Division of Water: Use of Non-State Staff to Accomplish Certain Program Requirements, Report 2004-S-76  
<http://www.osc.state.ny.us/audits/allaudits/093006/04s76.htm>

New York City Department of Environmental Protection, Security Over New York City's Water System, Report 2004-N-9  
<http://www.osc.state.ny.us/audits/allaudits/093006/04n9.htm>

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## OSC Implements Green Practices

Since taking occupancy in 2001 at the Comptroller's Office current Albany location—110 State Street in downtown Albany—the Office has undertaken a series of eco-friendly measures designed to reduce reliance on fossil fuels and protect the environment. These measures mark the initial steps Comptroller DiNapoli has outlined for making the agency more eco-friendly.

Since 2005, 10 percent of the electric power used at 110 State Street has been purchased from renewable suppliers and plans are currently underway to increase that amount to a higher percentage. The Comptroller's Office will work in conjunction with the NYS Office of General Services to encourage owners of private buildings, where the Office has leased space, to increase the amount of power purchased from renewable resources. In addition, OSC has implemented operating procedures at 110 State Street in regard to heating, cooling, ventilation, and humidity control to increase the energy efficiency of the building.

The Comptroller's Office, in fulfilling a commitment to reduce its environmental impact, has adopted the following green practices:

- The replacement of incandescent light bulbs with significantly more energy-efficient and long lasting compact fluorescent bulbs.
- The replacement of conventional cleaning supplies with more environmentally friendly cleaning products.
- The establishment of a pilot project to facilitate the recycling of old personal cell phones and inkjet cartridges from home printers. OSC has made available postage paid envelopes for employees to return these items to a recycling center.
- The testing of low-flow, sensor operated faucets and toilets.

## State Budget (Continued from front page)

In the Enacted Budget, the Legislature provided \$13.7 million in additional funding for the Department of Environmental Conservation (DEC), \$1.7 million for the Office of Parks, Recreation and Historic Preservation (OPRHP), and \$50,000 for the Adirondack Park Agency (APA). These funds will be used for environmental projects and programs as well as cover a revenue shortfall resulting from the Legislature's rejection of the Executive's revenue-generating proposals, including a series of regulatory fee increases.

More information regarding the SFY 2007-08 Enacted Budget can be found at the Comptroller's website: <http://www.osc.state.ny.us/reports/budget/2007/enactedbudget0507.pdf>