

# HOW ENVIRONMENT FARES

## State spending plan addresses food waste, plastic bags

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Food scrap recycling, a plastic carryout bag ban and \$500 million in water infrastructure funding were approved in New York's state budget, but there's no statewide fee for paper bags or expansion of the state's bottle bill to encourage recycling.

Some environmental groups hailed the budget as a landmark for environmental legislation, while others said work remains. Here's a look at environmental topics and how they fared in the legislature in Albany.

### Food waste

In an effort to divert food from landfills and incinerators, organizations that produce large amounts of food waste will have to separate their excess food and donate edible items while sending food scraps to an "organics recycler," like a 50,000-square-foot anaerobic digester Long Island Compost plans to build in Yaphank. The requirement would apply to operations including hotels, supermarkets, colleges, large restaurants and correctional facilities that produce an annual average of at least 2 tons of food waste per week at a single location and are within 25 miles of a recycling facility. It would only apply outside of New York City.

Environmental advocates said the bill will reduce waste being sent to landfills and cut down on methane emissions.

Julie Tighe, president of the New York League of Conservation Voters, said food waste broken down in a digester can be used to create compost. The Long Island Compost facility is expected to break ground in August.

Hospitals, nursing homes and primary and secondary schools are exempt from the bill, which had been proposed in prior years.

"This is a program that will get us started, and hopefully

will get expanded to many more programs in the future," said Adrienne Esposito, executive director of Citizens Campaign for the Environment, a Farmingdale-based advocacy group. "It's a gigantic accomplishment. It decreases the waste stream, feeds the hungry, and increases renewable energy."

There's no food waste recycling facility in Nassau or Suffolk now, though food scraps also could be donated for animal feed.

Most grocery stores already donate excess edible food to regional and local food banks, so the new law is "duplicative," said Mike Durant, president and CEO of the Food Industry Alliance of New York State Inc., an Albany-based trade group that represents 800 supermarkets, convenience stores and wholesalers. A Stop & Shop representative said organic perishable items that can't be donated to food banks are taken to compost or digester facilities — or used for animal feed — as opposed to going into a landfill.

Durant said more details about how the law will be applied still need to be worked out, such as how the state will calculate the threshold of 2 tons of food waste per week at a site.

The impact on the grocery industry "is going to be determined as we go through the regulatory process over the next two years," Durant said.

The state calculated there were nearly 1,000 facilities in 2018 that would be covered under the law, 56 of which were restaurants.

### Bag ban

Plastic carryout bags will be banned statewide in March 2020. Now, fights are on in counties over whether to charge a 5-cent fee for paper bags, and where that money would go.

"It's really exciting we banned plastic bags. It's disappointing we're not following California's model, which has a

statewide fee on paper bags," said Liz Moran, environmental policy director with Albany-based New York Public Interest Research Group. Leaving paper bag fees up to municipalities "creates a patchwork effect, and a lot of confusion."

A state task force studying different bag bans and fees found that governments in Hawaii and Chicago that banned plastic bags without a fee on paper simply saw an increase in paper bag use.

In Nassau County, prospects for a 5-cent fee on paper seem dim. "Dead on arrival in Nassau County," according to a media announcement from the legislature's presiding officer, Richard Nicoletto (R-New Hyde Park), who plans to discuss the paper bag fee issue at a news conference Wednesday.

In counties that don't opt into the paper fee, state Sen. Todd Kaminsky (D-Long Beach) said towns and villages could opt to adopt a 5-cent fee, though that would be kept by grocery stores.

He said plastic pollution — including litter on beaches and in the stomachs of marine life — is a top issue among young people.

"Attacking the plastic problem has kicked around Albany for too long," Kaminsky said.

The new law will pre-empt Suffolk's law, which has put a 5-cent fee on both single-use plastic and paper bags since Jan. 1, 2018. Lawmakers there could choose to keep the fee on paper bags, which would be kept by grocery stores, or they could opt into the state law, where 3 cents of the paper bag fee would go to a state environmental fund and 2 cents to county programs for reusable bags.

The Food Industry Alliance also opposes the state's plastic bag ban, said Jay Peltz, general counsel and senior vice president for government relations for the alliance.

"It is intended to supersede local laws, such as the one in Suffolk County, that have been working very well and we think



The state budget includes a ban on plastic carryout bags

will work much better than the ban," he said.

The 5-cent bag fees that Uncle Giuseppe's Marketplace collects from customers at its three Suffolk stores are donated to local charities and the St. Jude's Children's Hospital Foundation, spokeswoman Jillian Gundy said.

"The drawback of this tax is charging the 5 cents to customers that is to be put toward local governments as opposed to charitable endeavors and local environmental programs," she said in a statement of the new law.

### Bottle bill

Gov. Andrew M. Cuomo proposed expanding the 5-cent deposit on additional bottles to include iced tea, sports drinks, energy drinks and fruit and vegetable juices. While the proposal was embraced by many

conservationists as the best way to ensure that bottles are recycled, it met resistance from recycling companies and municipalities that feared they'd lose valuable plastics and aluminum from curbside recycling programs, as well as beverage companies, which didn't want a fee on more of their products and feared fraud, lawmakers said.

Kaminsky said, "I think there was a widespread understanding from all sides a more holistic look at recycling programs in the state was needed."

Many municipalities have made major changes to their recycling programs since China — a major importer of recycled material — started demanding higher quality materials.

Tighe, with the New York League of Conservation Voters, said, "I think we need to all work closely with local govern-

# IN BUDGET



GETTY IMAGES / DREW ANGERER

# NYPD: Decline in March crime rate

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Serious crime in March dropped further than ever for the month in the modern era of NYPD police record-keeping, pushing overall first-quarter offenses in the city to record lows since the department began using the Compstat system in 1994, officials said Tuesday.

Reported offenses in the seven major felony categories — including homicide, rape, robberies and burglaries — all reported drops for March, compared with March 2018.

Killings for this March were down 27.3 percent, rapes off by 3.8 percent, robbery dropped 6.7 percent, and burglaries dipped 17.5 percent, according to the latest NYPD figures. Overall, serious crimes were off 6.2 percent from the same month last year. Transit and housing crimes were also down in March by 5.5 percent and .8 percent, according to the latest data.

For the first quarter, overall crime was down 7.3 percent compared with 2018, but with spikes in homicides of 9 percent, rapes at 38 percent, and shootings up 9 percent.

Problem areas for city crime continue to be parts of north Brooklyn. A spike in shootings and homicides in the borough's northern area and in other boroughs has prompted the NYPD to target four precincts for expanded gang enforcement, domestic violence investigations and other pre-emptive actions. Those precincts are the 34th in upper Manhattan, the 43rd in the Bronx, the 79th in Brooklyn and the 113th in Queens.

"Forty-six percent of all shootings which happened in the city in the month of March occurred in the borough of Brooklyn, 39 percent of those shootings happened within Brooklyn North," said Chief of Department Terence Monahan at the monthly crime briefing for reporters also attended by Commissioner James O'Neill and Mayor Bill de Blasio. "When we look at Brooklyn North during the month, they are up 86 percent in the

amount of gun arrests . . . made within this borough."

Monahan said the NYPD has consulted with Brooklyn District Attorney Eric Gonzalez to get increased cooperation on gun cases. He said the effort has worked "very well."

Suspects charged in gun-related crimes "are being prosecuted and they are being indicted," he said.

But in some cases, Monahan said, even those gun defendants facing prosecution are making bail and getting into further trouble while out on the street. One defendant not only sparked retaliatory shootings but was also arrested in a

stolen car, Monahan said.

Asked if there was a bail issue in the courts that makes the jobs of cops on the street more difficult, O'Neill would say only that police and prosecutors are working together on the issue.

"A judge acts individually, there is no oversight," Monahan said. "They have the ability to make a decision on their own; certain [judges] may rule one way, others may rule another," Monahan said later, prompting de Blasio to say that state officials control the courts, before agreeing that Monahan's comment was well taken.

beginning in March 2020. ■ Video: [newsday.com/environment](https://www.newsday.com/environment)

ments and the recycling community for a real viable solution to the recycling crisis we're facing right now."

That could include putting a deposit fee on glass wine and liquor bottles.

Moran said expanding the bottle deposit program would increase recycling and reduce plastic waste. "This should be common sense to do. We've already had bottle bills on the books 40 years, and expanded them before," she said.

## Water infrastructure

The budget allocates \$500 million for water infrastructure this year, including \$85 million earmarked statewide for septic improvement grant programs.

State estimates have put water infrastructure needs at \$80 billion over the next 20 years.

"This is a very important step. We continue to chip away at a need," Moran said. "With federal government cutting back on protections, we need bold investments. We would've preferred to see \$2.5 billion in the budget. We're disappointed the promise wasn't filled this year. We'll be counting on the governor and legislature to fulfill that promise in future years."

The \$500 million this year is on top of \$2.5 billion allocated in 2017. Cuomo in January committed to funding an addition \$2.5 billion over five years.

Esposito said the money can be leveraged with loans and local money to begin paying for the water upgrades.

"All of this funding is translating into protecting the public's health and protecting the public's resources," she said.

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