



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

ERIC T. SCHNEIDERMAN
ATTORNEY GENERAL

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March 9, 2017

Mick Mulvaney
Director, Office of Management and Budget
725 17th Street, NW.
Washington, DC 20503

Scott Pruitt
Administrator, Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Director Mulvaney and Administrator Pruitt:

I am writing to express strong opposition to the Trump Administration's reported plans to slash the Environmental Protection Agency's budget and workforce. I believe that cuts of this magnitude, if adopted, would not only betray the traditional core goals and mission of EPA, but also betray the trust of Americans who depend on the Agency to protect the health and safety of their water, air, and communities.

For almost a half century, New Yorkers have depended on EPA to aggressively enforce our nation's laws that protect and enhance public health and the environment. They have also depended on EPA to be a strong and committed partner, working shoulder-to-shoulder with local communities, with my office, and with other state agencies to ensure access to safe drinking water, healthy recreational waters, clean air, and a safe environment. This partnership has been founded on EPA's active role in co-enforcement of laws, support of state regulatory programs, and provision of grants and other financial assistance.

The White House Office of Management and Budget's Fiscal Year 2018 budget blueprint envisions cutting EPA's budget by \$2 billion – a 25 percent cut – and cutting the Agency's workforce by 20 percent, even though the Agency already operates with one of the smallest budgets in the federal government. These massive cuts would cause direct, immediate, and lasting harm to New Yorkers by eviscerating core public and environmental health programs, including those that:

- ensure safe drinking water and clean water;

- protect and restore the Great Lakes;
- reduce air pollution;
- reduce lead poisoning in children;
- protect homeowners from dangerous radon;
- ensure our coastal waters are safe for recreation;
- facilitate energy conservation;
- clean up and return contaminated sites to productive use;
- ensure companies are controlling toxic chemicals;
- research threats of emerging contaminants;
- protect against environmental injustice; and
- research and respond to the growing impact of climate change.

As a specific example, nearly 95% of New Yorkers get their water from public water supply systems, and over 1,600 municipalities are served by wastewater treatment facilities. As with those across the country, municipalities in New York face tremendous challenges in continuing to provide safe drinking water and keeping waters clean by adequately treating their wastewater. Over the next 15 years, it is estimated that up to \$39 billion will be needed to maintain New York's drinking water infrastructure and over \$35 billion will be needed to maintain its wastewater treatment infrastructure. For years, the federal government has partnered with states to help address these needs, with EPA contributing the bulk of the funding that New York provides to municipalities through revolving funds to support upgrades to drinking water and wastewater treatment facilities. The EPA budget blueprint would slash this essential funding by 30 percent, shifting a much greater burden onto cash-strapped municipalities and placing them at serious risk of violating standards for drinking water safety and clean water.

As a second example, the budget blueprint calls for a 97 percent cut in EPA funding for the Great Lakes Restoration Initiative, one of the most widely supported, bipartisan, and successful federal environmental programs. The Great Lakes are vital natural resources and engines of our economy – in New York alone, these waterbodies support over 150,000 jobs in manufacturing, recreation and tourism, science and engineering, agriculture, utilities, and other sectors. The Great Lakes Restoration Initiative plays a key role in sustaining the health of these waters, targeting solutions to the most significant environmental problems impacting the Great Lakes ecosystem. A case in point is the dramatic renaissance of the Buffalo River in New York. In cooperation with local and state resources, funding from the Great Lakes Restoration Initiative has been central to progress in restoring the Buffalo River – a waterbody once left for dead both ecologically and economically – as a vibrant resource. Water quality has increased so dramatically that a swimmable river and fish safe to eat are now obtainable goals. The restoration has set the stage for an over \$80 million private investment towards mixed use development along the waterfront, including marinas, apartment complexes, commercial and office space, restaurants, ice rinks, parks, and kayak launches. But the waters of the Great Lakes continue to face serious environmental challenges – such as untreated waste discharges, algal blooms, release of aquatic invasive species in ship ballast waters, and sediments contaminated with PCBs, heavy metals, and other highly toxic chemicals – challenges that simply will not be met by an EPA budget that ignores

our national commitment to restoring the Great Lakes and to the Americans whose health, recreation, and livelihood depend on them.

And perhaps most distressing of all are the proposed deep cuts to EPA's commitment to better understanding and responding to the very real and growing impacts of climate change – impacts that imperil not only our water quality and water infrastructure by increasing runoff, flooding, and sea level rise, but also the air quality and the overall health, safety, and welfare of all Americans. In 2014, my office released a report that, for the first time, detailed the increasing frequency and intensity of extreme rainfall events across New York State. Using data from a United States National Climate Assessment, the report documented dramatic increases in the frequency and intensity of extreme rain storms across New York. While no individual storm can be tied to climate change, the trends in extreme rainfall already being felt across the state are consistent with scientists' predictions of new weather patterns attributable to climate change. That report includes the devastating rainfall from 2011's Hurricane Irene which dumped more than 11 inches of rain in just 24 hours, causing catastrophic flooding in the Hudson Valley, eastern Adirondacks, Catskills and Champlain Valley. This storm, which caused 31 counties to be declared disaster areas, was described by the Ulster County Executive as the worst natural disaster in the County's history. Overall, more than 1 million people were left without power, more than 33,000 had to seek disaster assistance, and 10 were tragically killed. Damage estimates totaled \$1.3 billion. Despite the overwhelming scientific consensus on climate change, and the human contribution to it, the President continues not only to question the underlying science, but through the planned EPA budget and other actions, also work to undermine our nation's leadership and commitment to fighting it.

Citizens of my state and across the country trust EPA to play a strong and committed role in ensuring their health and that of their environment. I firmly believe that, if adopted, the Trump Administration's proposed massive budget cuts to core EPA programs will lead to more pollution of our air, water, and communities, and an accompanying increase in damage to public health. As such, the proposed budget cuts, if adopted, would represent a betrayal of the trust that New Yorkers and other Americans have put in the Agency.

Beyond the programmatic impacts, I am deeply concerned that the massive budget reductions reportedly proposed for EPA threaten the Agency's ability to meet its legal obligations. The Trump Administration has already shown its disdain for several of these obligations by moving to abandon the Clean Water Rule – a science-based rule that protects New York's critical water resources from upstream states that refuse to adequately control pollution – and signaling its intention to abandon other regulations, such as those that control air pollution from vehicles, and climate change pollution from fossil-fueled power plants and oil and gas development.

Please know that – whether by starving the Agency's budget and depleting and demoralizing its workforce, or through willful ignorance – if the EPA falters in meeting its legal obligations to ensure a clean, safe, and healthy environment for New Yorkers, I will not hesitate to use the full power of my office to force the agency to meet those

obligations and to hold polluters accountable for violations of New York State and federal law.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric T. Schneiderman". The signature is fluid and cursive, with a long horizontal stroke at the end.

Eric T. Schneiderman

cc: New York State Congressional Delegation