

**Environmental Advocates of New York ~ Delaware Riverkeeper Network  
Food & Water Watch ~ SCRAM ~ Sierra Club Niagara Group  
Sullivan Area Citizens for Responsible Energy Development (SACRED)  
Shut Down Indian Point Now ~ Catskill Citizens for Safe Energy  
Catskills Live! Trails & Wilderness Association ~ Sane Energy Project  
Catskill Mountainkeeper ~ Riverkeeper ~ Binghamton Regional Sustainability Coalition  
Renewable Energy Long Island (reLI) ~ New York Communities for Change (NYCC)  
Bethlehem Ecodefense ~ Sierra Club Atlantic Chapter  
Natural Resources Defense Council ~ Adirondack Council  
People's Climate Movement-Capital Region ~ Sharon Springs Against Hydrofracking  
Transition Express Inc ~ Residents Allied for the Future of Tioga (RAFT)  
Plymouth Friends for Clean Water ~ Citizen Action of New York  
Compressor Free Franklin ~ Green Education and Legal Fund  
Stop NY Fracked Gas Pipeline ~ Long Island Pine Barrens Society  
National Wildlife Federation ~ Coalition Against the Pilgrim Pipelines -New York  
Orange Residents Against Pilgrim Pipelines ~ New York Lawyers for the Public Interest  
Sullivan Alliance for Sustainable Development ~ Adirondack Mountain Club  
Earthworks ~ North American Climate, Conservation and Environment (NACCE )  
Citizens Coalition for the Environment ~ Friends of the Upper Delaware River (FUDR)**

June 13, 2017

## **An Open Letter to the New York State Legislature**

Dear New York State Legislator:

We write to express our strong support for A.6279 (Englebright)/S.5287 (Carlucci) that amends Article I of the New York State Constitution to recognize the Environmental Rights of the people of New York. As a result of this new legislation Article 1, Section 19 of the New York Constitutions would read: "Each person shall have a right to clean air and water, and a healthful environment."

The Assembly bill passed on April 24, 2017 by a 113-26 margin with bi-partisan support. We ask you to sign on as a co-sponsor and actively press legislative leaders to bring the bill up for a vote in the Senate.

It is commonly thought that New Yorkers have a right to clean water that is not going to make us sick, and to breathe air that won't trigger health impacts like an asthma attack or lead to diseases like lung cancer and/or premature death. There is also a belief that there is a right for all to live, work and play in a protected environment. But the rights of New Yorkers to clean water, air and a healthful environment are not given the highest legal protection in the state of New York. In fact, the rights to free speech, freedom of assembly, to divorce, lotteries and even gambling are afforded higher recognition and protection in New York's constitution than the peoples' rights to clean water, clean air and a healthful environment.

Through passage of this bill you have the power to change that. With first passage this year and subsequent passage in 2019, you provide New Yorkers a say in adopting constitutionally protected environmental rights.

It is our firm belief that establishing a civil environmental right will drive better government decision-making at all levels of government and will prevent situations or conditions in which land becomes too contaminated, water becomes too polluted, and air too dirty to support healthy lives, including a healthy economy.

This Bill of Rights provision complements (is not displaced by) Article XIV of the New York State Constitution, the Conservation Article which calls for protection of the State's natural resources and recognizes environmental protection as an important public policy, but not a constitutional right.

Furthermore, enshrining Environmental Rights sends a message to all that New York places a high priority on ensuring clean water, safe drinking water, healthy air to breathe, a safe climate, and a healthful natural environment. It will also help position the State to be recognized as the true national environmental leader that we want to be.

Thirty-five states or commonwealths have some form of "environmental rights" or expression of environmental values in their Constitutions; but only the State of Montana and the Commonwealth of Pennsylvania are recognized as true leaders for protecting environmental rights on par with other political and civil freedoms we all hold dear. We believe that it is time for New York to update its Constitution with a right to clean air and water, and a healthy environment.

We call on you to join us, and the New Yorkers we represent, and support our rights to clean water, clean air and a healthful environment by supporting A.6279 (Englebright)/S.5287 (Carlucci). Together we will then work for first passage this year, and subsequent passage so that it may be presented to New York voters in 2019.

Sincerely,

Peter Iwanowicz, Executive Director, Environmental Advocates of New York  
Maya K. van Rossum, the Delaware Riverkeeper, Delaware Riverkeeper Network  
Alex Beauchamp, Northeast Region Director, Food & Water Watch  
George Billard, Founding Member, SCRAM  
Pamela Hughes, Chair, Sierra Club Niagara Group  
Laryssa Dyrszka MD, CO-founder, Sullivan Area Citizens for Responsible Energy Development (SACRED)  
Catherine Skopic, Co-Chair, Shut Down Indian Point Now  
Jill Wiener, Member, Catskill Citizens for Safe Energy  
Kathleen Nolan, MD, MSL, Executive Director, Catskills Live! Trails & Wilderness Association  
Kim Fraczek, Director, Sane Energy Project  
Wes Gillingham, Program Director, Catskill Mountainkeeper  
Paul Gallay, President, Riverkeeper

Adam Flint, Program Manager, Southern Tier Solar works (STSW), Binghamton Regional Sustainability Coalition  
Gordian Raacke, Executive Director, Renewable Energy Long Island (reLI)  
Jonathan Westin, Director, New York Communities for Change (NYCC)  
Grace Nichols, Founder, Bethlehem Ecodefense  
Roger Downs, Conservation Director, Sierra Club Atlantic Chapter  
Richard Schrader, Political and Legislative Director, Natural Resources Defense Council  
Willie Janeway, Executive Director, Adirondack Council  
Tina Lieberman, Chair, People's Climate Movement-Capital Region  
Lisa Zaccaglini, Administrator, Sharon Springs Against Hydrofracking  
Priscilla Rich, Executive Director, Transition Express Inc  
Gerri Wiley, Facilitator, Residents Allied for the Future of Tioga (RAFT)  
Peter Hudiburg, Founder, Plymouth Friends for Clean Water  
Bob Cohen, Policy Director, Citizen Action of New York  
Donald Hebbard, President/Founding Member, Compressor Free Franklin  
Mark Dunlea, Chairperson, Green Education and Legal Fund  
Robert Connors & Becky Meier, Co-founders, Stop NY Fracked Gas Pipeline  
Richard Amper, Executive Director, Long Island Pine Barrens Society  
Curtis Fisher, Northeast Regional Director, National Wildlife Federation  
William D Barr, Senior Organizer, Coalition Against the Pilgrim Pipelines-New York  
Sandra Kissam, Chair, Orange Residents Against Pilgrim Pipelines  
Rachel Spector, Director, Environmental Justice Program, New York Lawyers for the Public Interest  
Linda Reik, Member of the Board of Directors, Sullivan Alliance for Sustainable Development  
Neil Woodworth, Executive Director and Counsel, Adirondack Mountain Club  
Nadia Steinzor, Eastern Program Coordinator, Earthworks  
Jerry Rivers, Environmental Scientist, North American Climate, Conservation and Environment (NACCE )  
Adrienne Esposito, Executive Director, Citizens Coalition for the Environment  
Jeff Skelding, Executive Director, Friends of the Upper Delaware River (FUDR)

cc: Assemblyman Englebright and Senator Carlucci