

**Citizens Campaign for the Environment • Environmental Advocates of  
New York • Food & Water Watch • Hudson River Fisherman's  
Association • New York League of Conservation Voters • New  
York/New Jersey Baykeeper • New York Public Interest Research  
Group • Reinvent Albany • Riverkeeper • Save the Sound •  
Soundkeeper • Tri-State Transportation Campaign**

July 31, 2014

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New York State Thruway Authority  
200 Southern Boulevard  
P.O. Box 189  
Albany, NY 12201

**Delivered via email to: [BoardAdmin@thruway.ny.gov](mailto:BoardAdmin@thruway.ny.gov)**

Dear Members of the Board:

We the undersigned urge you to reject the resolution authorizing the New York State Thruway Authority (NYSTA) to accept a \$255.7 million “loan” from the Environmental Facilities Corporation’s (EFC) Clean Water State Revolving Fund (CWSRF) to support construction of the *New* New York Bridge (NNYB).

The resolution is scheduled for Board of Directors consideration August 6, 2014.

While we recognize the importance of securing the necessary funds for construction of the NNYB, the CWSRF is an inappropriate source of financing and financial support for this project which has been roundly criticized by federal, state and local officials, a broad base of advocacy organizations, and 10 editorial boards statewide. The vast majority of financial support relates to basic bridge construction and demolition activities which are not eligible for CWSRF support, have little or nothing to do with maintaining or protecting water quality or implementing the New York-New Jersey Harbor Estuary Comprehensive Conservation Management Plan, and thus endanger federal funds to our state.

The U.S. Environmental Protection Agency (EPA) is currently in the process of reviewing the eligibility of the projects that have been proposed to receive CWSRFs. The EPA was only recently made aware of this attempted CWSRF raid, and approval of the so-called “loan” in its entirety is unlikely. EPA Region 2

Administrator Judith Enck told the *Syracuse Post-Standard* on July 16<sup>th</sup>; “Imagine our surprise when we learned that \$511 million is being proposed to deal with rebuilding the Tappan Zee bridge... We did not view that as a water quality project.”<sup>1</sup>

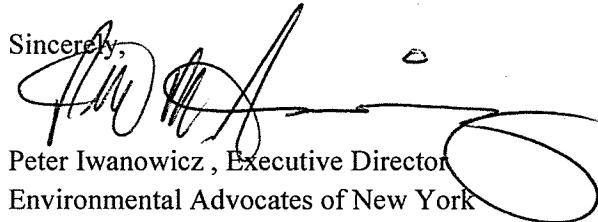
EFC President Matt Driscoll has also conceded that the EPA could force the return of the loan after the fact, if federal officials determine the use of the clean water funds to go towards building a bridge is not appropriate.<sup>2</sup>

To date, NYSTA, the EFC and the Cuomo Administration have refused to disclose any contingency plan which outlines how to repay these funds if EPA disallows any part of the “loan,” nor its impact on the overall financing plan for the NNYB. More than two billion dollars in NNYB costs remain unaccounted for. NYSTA and the Cuomo Administration has also refused to publicly disclose the full financing plan for this bridge, or have failed to even produce the official application NYSTA was required to complete, which could be in violation of state law.

The NYSTA Board of Directors has a responsibility to ensure actions taken by the Authority are fiscally and legally sound and in the best interest of New Yorkers. Members of the Board possess strong financial and operational experience which, when utilized, will undoubtedly lead to a recognition that the uncertainty and lack of information render this plan fiscally irresponsible and not worthy of consideration.

Due to these significant legal and financial concerns – along with the need for New York taxpayers to have a clear understanding of how this project will be paid for – we urge you to reject the resolution accepting \$255.7 million in loans from the EFC’s CWSRF.

Sincerely,



Peter Iwanowicz, Executive Director  
Environmental Advocates of New York

For:

Brian Smith, Associate Executive Director  
Citizens Campaign for the Environment

Alex Beauchamp, Northeast Region Director  
Food & Water Watch

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<sup>1</sup> Coin, Glenn. “EPA official: It will be ‘a long time’ before Onondaga Lake is safe for swimming, fishing.” The Post-Standard [Syracuse, NY] 7/16/14. Accessed online: 7/25/2014  
<[http://www.syracuse.com/news/index.ssf/2014/07/epa\\_carbon\\_emissions\\_climate\\_change\\_onondaga\\_lake.htm](http://www.syracuse.com/news/index.ssf/2014/07/epa_carbon_emissions_climate_change_onondaga_lake.htm)

<sup>2</sup> Dewitt, Karen. “Cuomo Tappan Zee Plan Earns Approval” WBFO [Buffalo] 7/17/2014. Accessed online: 7/28/2014  
<<http://news.wbfo.org/post/cuomo-tappan-zee-plan-earns-approval>>

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Veronica Vanterpool, Executive Director  
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cc: Thomas Madison Jr., Executive Director of NYSTA  
Joe Martens, Commissioner, NYSDEC  
Matthew Driscoll, President and CEO of EFC  
Basil Seggos, Deputy Secretary for the Environment  
Judith Enck, USEPA Region 2 Administrator