

Capital punishment/

Cuomo out to shore up environmental record

By DAN JANISON
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ALBANY — Fans in the chamber said it had panache. One critic said it dragged across its 34 minutes. Another said it was short on compassion. Another, that it was a tax cut speech stolen from Republicans.

Whether you liked it, disliked it, or spied a quick video clip indifferently before nodding off, you probably agreed it was not his best performance.

But then, everyone who braved the subfreezing gusts to flock here knew the San Francisco summer when Gov. Mario M. Cuomo, 54, of Queens rose to Democratic Party stardom was long since over.

Also, in what must have seemed a nasty little irony to the more sensitive in Cuomo circles, the husband of the Queens half of the defeated Mondale-Ferraro ticket was pleading guilty to a crime in the city just as the final touches were being put on the State of the State speech.

In Washington D.C., the victors of that campaign were rearranging the spoils with a strange job switch affecting who will sign dollar bills.

Thus it went from pretty obvious to extremely obvious that all that was left for Cuomo was what he well might have known all along — to wrestle with the state of his fate within these

borders. At least for two more years.

And in settling in for the second half of his term, Cuomo seemed, superficially at least, to affirm that he must face what has been publicly identified as a sore point in his performance: the environment.

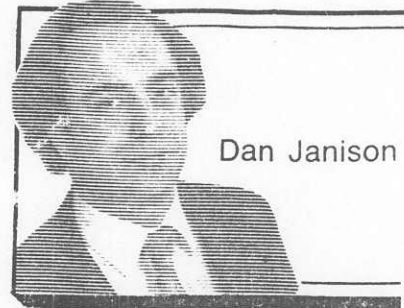
Tax cuts, housing and social services put aside for a moment, it is the dramatic issue of the state's physical resources that could haunt or help this administration.

In year-end interviews with downstate reporters, he fought to resist broadly drawn aspersions about his environmental record.

Yet when pressed on where the weaknesses were, he mentioned the environment and conservation.

So when the traditional, calculated leaks came from the governor's press office in a comic effort to milk as much publicity as possible from the State of the State proposals, the first topic leaked and discussed, on Monday, was environment.

Fill to \$850 million the Superfund to clean up toxic waste sites, he would urge lawmakers. (A handful of inactive waste sites exist on the Island). Beef up the enforcement staff of the Department of Environmental Conservation. Reactivate the Bureau of Resource Recovery.



Dan Janison

Work on nuclear waste disposal, stay after the acid rain issue.

For a moment, it seemed he had scored a big hit with the people who rank among his loudest and most specific public critics.

Judith Enck, the tenacious 25-year-old leader of the Environmental Planning Lobby, said Monday those proposals could well mark "a turnaround" for the governor.

On Wednesday, after predictably comical delays by press office, the 82-page message was released.

"The sad reality," he wrote in the detailed message accompanying the 34-minute speech, "is that we have abused our environment."

"Whatever the reason — ignorance, greed, insensitivity — we have carelessly, and sometimes callously, polluted, poisoned and contaminated our environment."

"But we have learned that abuse and disregard of our environment are costly, both in hu-

man and fiscal terms," he wrote.

Supporters of Protectors of Pine Oak Woods who have sued the state over tree-removal in Willowbrook may have a few rejoinders and challenge to put action where the words are.

They would not be alone. An interesting challenge came in the form of a clever "midterm energy report card" issued here by a group called the Safe Energy Coalition.

Highlights of the report card, which gave 21 grades, went as follows:

C on acid rain, for while the state became the first with acid rain control legislation, "the governor insisted on last minute amendments which weakened it."

D on administrative appointments. Among them: borough antagonist John Dyson who Cuomo reappointed in "an act that might be viewed more as a reward for staggering campaign contributions than a sensible energy policy."

Failure to reform the state power authority (NYPA — formerly PASNY) headed by Dyson, earned him an **F** in another separate category.

Just this week, Island Sen. John Marchi, taking his biannual turn as head of the legislative commission on expenditure review, issued a report noting NYPA staff has more than doubled, for reasons still unaudited.

"The authority has continued to avoid close legislative oversight and has enhanced its reputation for scorning local governments, other state agencies and citizens impacted by its projects," the energy group stated.

Additionally attacked: building of a power line out of Canada despite "despite arguments about the shortcomings of Canadian import dependency and transmission line impacts;" declining to halt Nine Mile Two nuclear construction; "ambivalence" on the issue of transporting nuclear materials.

Cuomo received one **A**, and one "Incomplete."

The **A** was for stopping the NYPA power plant on Staten Island; the "Incomplete" for the subject of resource recovery plants.

"There are currently 10 garbage incinerators operating in New York State and almost every county has a plant in some stage of planning," the coalition said. "It is essential that Gov. Cuomo ... issue emissions control standards and guidelines" for the burners.

But when the message came out, as pointed out by a different kind of critic, Assemblyman Eric Vitaliano, the section of resource recovery stated in total:

"We must do more to encourage the development of proper solid-waste management practices by our localities. I will pro-

pose additional resources for the Department of Environmental Conservation to enhance enforcement efforts against landfills not in compliance with state law (Fresh Kills is one) and to provide technical assistance to municipalities that are closing landfills and implementing resource recovery projects."

Vitaliano added it was ironic that enforcement was to be emphasized when, last year, Commissioner Williams said he saw no need for more staff.

Rather incredibly, Cuomo adviser Frank Murray claimed, at a briefing Thursday, that the enforcement addition marked no policy change for the administration.

New air monitoring stations for Staten Island, advisers say, will be in the Cuomo budget due out Jan. 22. Assembly members Elizabeth Connelly and Robert Straniere said they were initially disappointed to see nothing about air pollution in the state of the state speech, aside from acid deposition. Straniere said he will stress the need for an interstate compact with New Jersey.

The next step in the tangle is clear. Cuomo will be under challenge to put public money, available in surplus, where his mouth is on the environment. Then it's the Legislature's turn.

Can they make a dent in the "sad reality" of which Cuomo speaks?