

22 January 2019

**Testimony of the Adirondack Mountain Club (ADK)
Joint Legislative Public Hearing, Environmental Conservation Portion
2019-2020 Executive Budget Proposal
23 January 2019**

Good afternoon Chairwoman Krueger, Chairwoman Weinstein, Chairman Kaminsky, Chairman Englebright, and honored legislators. My name is Neil Woodworth. I am the Executive Director of the Adirondack Mountain Club (ADK). Thank you for the opportunity to testify today on the Governor's Executive Budget proposal.

Adirondack Mountain Club (ADK)

ADK is dedicated to protecting and advocating for New York State's wild lands and waters while also teaching people how to enjoy natural places responsibly. Since 1922, the organization has offered people opportunities to stay and play in as well as protect, discover, and explore the outdoors. Today, ADK has 30,000 members in 27 chapters statewide and is served by a professional, year-round staff. The organization is recognized as a vital voice in the commitment to environmental stewardship and ethical outdoor recreation in New York State. ADK members hike, camp, snowshoe, cross-country ski, paddle, and cycle the lands and waters of the Adirondack Park and other state lands. Our members are also monitors and maintainers of trails and recreation infrastructure as well as watchdogs of public lands and watersheds to monitor for invasive species or irresponsible and destructive motorized trespass.

Environmental Protection Fund

The Adirondack Mountain Club (ADK) supports Governor Andrew Cuomo's proposed \$300 million appropriation for the Environmental Protection Fund (EPF). This continues the original commitment of a 5-year \$300 million EPF, and is great news as it will deliver \$1.5 billion for conservation across the state over that time period. ADK would like to see the EPF continue to grow steadily to \$1 billion annually. We greatly appreciate the Legislature's strong, ongoing support of the EPF which allows us to better protect our environment, ensuring the conservation of critical resources for future generations while creating jobs and making our communities more resilient. Maintaining the \$300 million appropriation enhances the state's ability to leverage

federal, local, and private dollars, and enables communities to seize opportunities to implement programs that will make New York an attractive and healthy place for businesses to locate and for families to live.

A \$300 million EPF will allow the state to better meet current demand and implement critical programs to conserve open space and farmland, protect and improve water quality, build community resilience, sustainably revitalize waterfronts, create local parks, promote recycling, reduce waste, prevent pollution, provide community health programs, and support our zoos and botanical gardens. Capital investments made through the EPF support thousands of jobs in our state across a broad spectrum of industries, from tourism, recreation, agriculture and forest products to drinking water protection for millions of New Yorkers, and generate approximately \$40 billion in revenue every year.

Since its creation in 1993, the Senate and Assembly have provided strong, bipartisan support for the EPF. In recent budgets, as New York's economy has recovered, the Legislature has worked to provide important funding restorations to the EPF which has benefitted every county in New York State. We appreciate your work to rebuild the EPF and your recognition of the benefits it brings to our state – such as job creation, tourism opportunities, clean water and other environmental and public health protections, climate resilience, recreational access, and quality of life.

Do Not Cut Land Acquisition and Open Space Funding in the EPF

ADK is **concerned that the Governor's proposed budget cuts land acquisition and open space conservation funding by over \$2.5 million** (Last year's enacted budget was \$35 million in this category. The Governor has proposed \$32,387 million this year). Last year Governor Cuomo proposed an over \$6 million dollar cut to this category, but you pushed back and we gained \$5 million in this important budget line. **We must maintain EPF land acquisition funding. New land purchases that will help our ecosystem be climate resilient are poised for state purchase. The level of land acquisition funding was \$40 million in 2016-2017.** This funding is essential for Forest Preserve and conservation easement purchases of key tracts of land across the state. Many of the lands important to you, have been added to the NYS 2016 Open Space Conservation Plan, and are listed subsequently as potential acquisitions in the Governor's proposed 2019 budget. Several examples of these exciting properties that would further conservation goals across New York State, and which

illustrate the importance of ensuring an adequately funded EPF Open Space/Land Conservation budget category include the following: Follensby Park, in the Adirondacks, would add 14,600 acres to the Adirondack Forest Preserve as well as the ecologically important Follensby Pond. Also in the Adirondacks is Whitney Park, a 36,000-acre property in Hamilton County that contains enormous outdoor recreational potential, and northern flow river corridors such as the Deer, St. Regis, Grasse, Oswegatchie, Raquette and Little. In western New York there are parcels around the Hemlock-Canadice Lakes which serve as the water supply for the City of Rochester. In the south, there is the Schunnemunk Mountain area which includes Moodna Creek, Woodcock Mountain and the Hudson Highlands Connectivity project lands. This would protect significant habitats along Moodna Creek and help protect key areas of the Long Path. The Hudson Valley Highlands Connectivity project lands would protect a vital wildlife corridor in southern New York. In western New York lands have been identified around Cattaraugus Creek and its tributaries. The Zoar Valley Unique Area is located here and land acquisition will further help to protect it. In the Catskills important acquisitions would include additions to the Indian Head Wilderness, acquisitions of parcels on Catskill peaks with summits of 3500 feet or above, such as Balsam, Graham, and Doubletop Mountain and the Dry Brook Valley that play a critical role in the wilderness character of the area, and parcels that will protect the Peekamoose Gorge and the Upper Neversink Valley.

ADK State Land Stewardship Funding Must Be Increased in the EPF

Equally important is the modest \$1 million boost proposed by Governor Cuomo for State Land Stewardship. This funding must be increased along with an increase for the Department of Environmental Conservation (DEC) consistent with DEC's responsibility of managing and protecting 4 million acres of state land plus nearly 1 million additional acres in conservation easements. This funding supports stewardship opportunities such as trail building and maintenance, and public education and safety in the Adirondack and Catskill Forest Preserve, especially the High Peaks, and in other public lands across the state. It also provides protection, through support of the Summit Steward Program, for rare habitats including the Adirondack High Peaks which are threatened by heavy visitation and climate change.

Hemlock Woolly Adelgid Funding in the EPF

Continued funding to combat invasive species is critical. Aquatic Invasive Species are not the only threat New York faces. New York faces **potential decimation of eastern**

hemlock (*Tsuga canadensis*) from a forest pest, hemlock woolly adelgid (*Adelges tsugae*) (HWA),¹ which was discovered in the Adirondack Park in 2017 on Prospect Mountain in Lake George. HWA has already caused significant decline in the Catskill Park, and has been identified in Letchworth State Park, and Zoar Valley, and Allegany State Park.

Hemlocks are a foundation species.² Foundation species are critical species in the habitats they help create.³ In the case of hemlocks they moderate stream water temperatures for trout and other animals, provide a buffer for nutrient inputs to maintain water quality, stabilize shallow soils especially in steep gorges, provide shelter for animals and plants which is especially important in winter, provide critical habitat for migrating neo-tropical birds, and provide acidic substrate for lichens.

In the Adirondack Park hemlock is very dense especially in the south and in areas like Lake George, Keene Valley, and in much of the Lake Champlain Basin (including its far edge in the Saranac Lakes Wild Forest and the St Regis Canoe Area).⁴ Imagine the impact to the Adirondack landscape from a severe decline of hemlock—a highly likely scenario without a significant increase in early detection efforts (like those our members are engaged in as citizen scientists), treatment and development of bio-controls, such as the predatory beetle (*Laricobius nigrinus*),⁵ and predatory silver flies (*Leucopis argenticollis* and *Leucopis piniperda*). We only need look to places such as the Great Smoky Mountains for an example of the devastation in store for the Adirondacks.⁶ Closer to home, decline of hemlocks is already well underway in the Catskills.⁷ HWA has been advancing quickly through New York State,⁸ and now is present in the Adirondack Park. Anyone who has hiked, paddled, or driven through the Adirondack Park should realize what we will lose. If we do not act quickly, we may lose the species.⁹

We applaud the Governor's foresight in addressing the Hemlock Woolly Adelgid (HWA) threat with \$500,000 line item in the EPF for staffing at Cornell University and support for combating this pest through the work of the eight regional New York State PRISMs (Partnerships for Regional Invasive Species Management),¹⁰ **for supporting a lab at Cornell University to grow the predator beetles (*Laricobius nigrinus*) and silver flies (*Leucopis argenticollis* and *Leucopis piniperda*) as bio-controls for HWA.**

Do Not Off-Load Navigation Law to EPF

ADK does not support the off-loading of the \$2 million “Navigation Law” program to the Parks and Recreation Program Account of the EPF. The state typically reimburses localities for a portion of their cost in enforcing state navigation laws (boat registrations and safety). It typically runs through the Office of Parks, Recreation, and Historic Preservation (OPRHP) budget as local government assistance. The proposed budget again attempts to transfer this expense into the EPF rather than paying for it with the General Fund.

Staffing for State Agencies

Although there are some truly great pieces of this budget, ADK remains very concerned about the impact that the implementation of a flat budget (increase of less than 2% each year) has been having on the staffing of the Department of Environmental Conservation (DEC), the Office of Park Recreation and Historic Preservation (OPRHP), and the Adirondack Park Agency (APA).

Although there are small staff increases in DEC and OPRHP, these increases reflect DEC hires for Frontier Town Campground and day use area, and OPRHP Hires for the Shirley Chisholm State Park.¹¹ There is still a large gap between the existing staff and the additional staff needed to protect the 5.1 million acres of DEC administered lands across the state, including 2.6 million acres in the Adirondack Park and nearly 300,000 acres in the Catskill Forest Preserve. Additionally, OPRHP operates our State Park system with 180 State parks and 35 historic sites, and 62 million annual visitors.

The Adirondack Park Agency (APA) did not receive any increase in Governor Cuomo’s proposed budget.

Without DEC, OPRHP, and APA support, staff such as surveyors, real property attorneys, scientists, and planners are unable to accomplish the tasks necessary to use Open Space/Land Conservation funding to purchase land, classify land units, or create management plans for public use.

We applaud the Governor’s commitment to open space protection and improved access to wildlife-related recreation in the acquisition and classification of the former Finch Pruyn Lands, the largest addition to the Adirondack Forest Preserve in a century. However, **to**

complete the job we must have more support for the agencies tasked with the acquisition process and the protection and management of our state public lands.

New York State Needs More Forest Rangers #AddNYSForestRangers

The state wide staffing level of the forest ranger force should be increased to 175 (i.e., an increase of 40). The increase should be in field rangers. Currently there are 109 field Forest Rangers statewide. **Four million is needed to cover the staffing costs for this Forest Ranger increase** (the cost for a ranger with fringe at hiring is \$98,600 x 40 = \$3,944,000).

More academy slots are also needed to train Forest Rangers. This could be accomplished by running additional academies, or by acquiring new or additional academy facilities. **We are pleased to see in the Governor's proposed budget funding for a Law Enforcement Academy to train Forest Rangers and Environmental Conservation Officers (ECO).**

Forest Rangers provide for the care, custody, and control of 5 million acres of DEC-administered public lands and easements by vehicle, boat, ATV, snowmobile, aircraft, bicycle, foot, skis or snowshoes each and every day. **In 1970 the average acreage a Forest Ranger was responsible for patrolling was 28,516. Today that number 53,752.** There has been an increase in the responsibility for Forest Rangers with more land and many more visitors to care for without an increase in field staff which has resulted in less capacity to monitor interior areas and illegal activity, and fewer opportunities to provide educational experiences to the public.

Yellowstone National Park is 2.2 million acres in size and 330 permanent rangers are employed there. In the Adirondacks, the State's 6 million acre park, there are just 50 Forest Rangers. The current academy facility can only handle 50 recruits (which can be filled by either Forest Rangers or ECOs). Typically ECOs get more of these spots because they have a much larger force. **NYS could lose 25 Forest Rangers due to retirement by December 2019.**

Catskill Package: \$15 million

We are also asking legislators to fund **‘The Catskill Package’** which includes funding to combat Hemlock Woolly Adelgid (HWA) through the **“Save the Hemlocks”** initiative led by Cornell University to reduce the impact of HWA on hemlock trees by developing effective bio-controls (**\$1.5 million**); Increase the budget and staffing for the **NYSDEC’s Division of Lands and Forests** to better manage the Catskill Park (**\$500,000**). Hold annual Forest Ranger Academies to maintain and grow Ranger force to maintain **public safety** (**\$750,000—in addition to the funding needed for staffing discussed above**); Aid to Localities funding directed towards the Catskill Watershed Corporation in the amount of **\$500,000 for shovel-ready access and stewardship projects** across the Catskill Park; **\$10 million to support Catskill Park stewardship, education, improvements and infrastructure maintenance** by the NYSDEC and through:

- Maintaining \$300M Environmental Protection Fund and restoring NY Works funding for NYSDEC to \$70M to provide adequate resources for all projects
- Continuing the Adventure NY Program;
- Supporting stewardship line in the Environmental Protection Fund
- Supporting the Catskill Interpretive Center
- Continuing Campground and DEC facility improvements;
- Funding Smart Growth Grants for Catskill Park communities;
- Continuing stewardship programs with nonprofit partners; and
- Implementing mountain biking plan at Shandaken Wild Forest.

Carbon neutral/green infrastructure in new projects across the Catskill Park (\$500,000), including electric vehicle charging stations and solar panel installations at State Campgrounds, the Catskill Interpretive Center and at Belleayre Ski Center. Support continued funding of the Belleayre Ski Center for projects not related to private resort expansion (**\$1 million**).

New funding (**\$250,000**) for **Catskill Park Scenic Byways** to support regional byway coordination and management efforts led the Mountain Cloves Scenic Byway and the Catskill Mountain Scenic Byway organizations.

The New Green Deal

ADK commends Governor Cuomo for many of the sound proposals under the proposed “New Green Deal,” especially the aggressive campaign to grow solar and wind energy, and to guard our coasts by blocking offshore drilling. ADK supports the concept proposed by the Governor of carbon neutrality across all sectors of New York’s economy.

We are, however, concerned about the term “clean energy” used in the proposed mandate for *100% Clean Energy by 2040*. We would be concerned with the inclusion of biomass energy as a “clean energy” source under this mandate. With global meltdown underway it is essential that New York preserve its forests and forested lands and not increase climate stress on our state, our nation, and the world. We also must not risk weakening our best defense against global warming and climate change by encouraging the logging of forests for bio-fuels. We are concerned that “*Maximizing the contributions and potential of New York's existing renewable resources*” in this context may mean burning forests for fuel.

Continuing New York’s Environmental Leadership

ADK applauds Governor Cuomo for his environmental leadership in this year’s State Budget and fully supports the proposals to protect our coast from offshore drilling, establish a \$10 billion Green Future Fund, prohibit the use of single-use plastic bags, expand the bottle bill, continue the \$300 million Environmental Protection Fund (EPF), to make New York State a Premiere Eco-Tourism Destination, and to expand parks and the Empire State Trail in the Hudson Valley.

Single-Use Plastic-Bag Ban and Expansion of the Bottle Bill

Governor Cuomo’s inclusion of a statewide ban on single-use plastic bags in the Executive Budget is a move that the Adirondack Mountain Club (ADK) fully supports. Plastic bags have an unnecessary impact on the environment. Birds, fish, and other aquatic species mistake plastic bag litter for food ingesting this toxic debris which causes sickness or death in tens of thousands of animals. The toxins are also transferred through the food chain to larger species. Plastic bags take many years to decompose so they become persistent debris on our public lands and in our waterways. Governor Cuomo’s plastic bag ban is a necessary step in changing the behavior of individuals and businesses to stop this completely avoidable environmental impact.

Governor Cuomo is also proposing to expand the bottle bill to include almost all non-alcoholic containers. The expansion of the 5-cent redemption would add containers for sports drinks, energy drinks, fruit and vegetable drinks and ready-to-drink teas and coffee to the list of those that can be redeemed. ADK plans to advocate for any unredeemed deposits from the bottle bill expansion to be directed to the Environmental Protection Fund. Expanding the bottle bill makes sense and is likely to provide additional funding for public lands in New York State. We need to recycle and reuse our resources responsibly and carefully. Governor Cuomo's expansion of the successful bottle bill is a step in the right direction.

\$10 Billion Green Future Fund

In 2019, Governor Cuomo will advance a \$10 billion "Green Future Fund" to support clean water infrastructure, renewable energy and clean transportation, and open space and resiliency. ADK supports this funding initiative which includes \$5 billion for Drinking Water and Wastewater Infrastructure, and for addressing emerging contaminants, such as 1,4-dioxane and PFCs, as well as harmful algal blooms and associated toxins. ADK also supports funding that will help reduce greenhouse gas emissions such as the proposed \$3 billion for Renewable Energy and Clean Transportation. This funding supports the Governor's Clean Energy Standard mandate of 50 percent electricity from renewables by 2030 and NYSERDA's Clean Transportation Program and ChargeNY 2.0.

Make New York State a Premiere Eco-Tourism Destination and Expand Parks and the Empire State Trail in the Hudson Valley

ADK supports the Governor's proposal for continued support of the multi-year appropriation of \$200 million for the Empire State Trail (EST) which proposes 350 new miles of trail to be constructed over a three-year period. ADK also supports the proposed "sister water trail" to complement the EST linking over 1700 miles of navigable State waterways, together with consistent branding and website development.

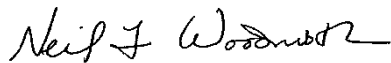
Continuing New York's Bottom-Up Economic Development Strategy

Increase Year-Round Tourism for Upstate New York through World-Class Attractions at Our Mountains and Olympic Facilities

Although ADK supports investment in New York's existing Olympic and Ski facilities, the State must be careful in what it chooses to invest in on Forest Preserve lands in the Adirondacks and Catskills. Ski areas were created for winter use and the impact to the Forest Preserve was

carefully considered when these facilities were created. Year-round use will have a much greater impact on the areas. Further, last year the Olympic Regional Development Authority (ORDA) attempted to add ATV riding as an expanded activity on Whiteface Mountain in the Adirondacks. Fortunately, this ill-conceived venture has for the moment been shut down, but we are very concerned that Governor Cuomo would like to see a constitutional amendment which would lift restrictions on non-winter activities at the publicly owned former Olympic venues.¹²

Sincerely,



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¹ <http://www.dec.ny.gov/animals/7250.html>

² <http://www.lternet.edu/research/keyfindings/foundation-species-matter>

³ <http://adkinvasives.com/wp-content/uploads/2015/04/WHITMORE-Lk-Placid-28-Mar-15-1.pdf>

⁴ <http://adkinvasives.com/wp-content/uploads/2014/03/Hemlock-Woolly-Adelgid-Adirondack-Distribution-Map.pdf>

⁵ <https://www.nps.gov/grsm/learn/news/new-hwa-beetle.htm>

<http://www.news.cornell.edu/stories/2015/06/cornell-introduces-silver-flies-save-hemlock-forests>

<https://blogs.cornell.edu/nyshemlockinitiative/>

⁶ <http://www.lakeplacidnews.com/page/content.detail/id/523715/Flies-could-avert-hemlock-threat-in-New-York.html?nav=5005>

⁷ https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=12&ved=0CFoQFjALahUKEwiqprXP5rLHAhVIXB4KH aSmDG0&url=http%3A%2F%2Fwww.na.fs.fed.us%2Fnanews%2Fnastories%2FHWA-Study-FINAL-012915.pdf&ei=tzvTVepuyLh5pM2y6AY&usg=AFQjCNFRO6h3W_R1J2EKupOn32xQBBQLpQ&

⁸ <http://www.dec.ny.gov/animals/95656.html>

⁹ <http://www.lakeplacidnews.com/page/content.detail/id/523185/A-threat-to-hemlocks.html?nav=5005>

¹⁰ <http://www.dec.ny.gov/animals/47433.html>

¹¹ <https://www.budget.ny.gov/pubs/archive/fy20/exec/agencies/appropData/index.html>

<https://www.budget.ny.gov/pubs/archive/fy20/exec/agencies/appropData/ParksRecreationandHistoricPreservationOfficeof.pdf>

¹² <https://bit.ly/2HrpjKv>